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Senate

The Senate met at 9:30 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

O God, our righteous judge, the upright will behold your face. Lord, we thank You for Your power that keeps us from stumbling on life's road. Today, give our Senators the wisdom to find in You their refuge and strength. As they face complex challenges, may they flee to You for guidance and fellowship. Lord, as they make You the foundation of their hope and joy, empower them to run life's race without weariness, knowing that Your bountiful harvest of goodness is certain.

We pray in Your merciful Name. Amen.

PLEDGE OF ALLEGIANCE

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

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

RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. BLACKBURN). Under the previous order, leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

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.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

NOMINATIONS

Mr. MCCONNELL. Madam President, yesterday the Senate confirmed a well-qualified jurist chosen by President Trump to serve on the Third Circuit Court of Appeals. Paul Matey of New Jersey will bring a wealth of experience to the bench, and I was proud to support his nomination.

We also voted to advance the nomination of Neomi Rao to the DC Circuit. This nominee is yet another of the President's excellent choices to serve as a Federal judge.

Ms. Rao graduated with honors from Yale and the University of Chicago School of Law. Her record includes a distinguished tenure in academia, public and private sector legal experience, as well as a clerkship on the U.S. Supreme Court.

Most importantly, in testimony before our colleagues on the Judiciary Committee, she demonstrated a commitment to maintaining the public trust and upholding the rule of law. So the committee favorably reported Ms. Rao's nomination, and soon the Senate will have an opportunity to continue fulfilling our advice and consent responsibilities by voting to confirm her to the Federal bench.

We will also vote this afternoon on the nomination of William Beach, who has been waiting for over a year to take his post as Commissioner of Labor Statistics. Our colleagues on the HELP Committee recommended Mr. Beach to the floor in December of 2017. A full year later, with no progress, he was returned to the White House. Now he is finally getting a floor vote. This pointless obstruction needs to change, but I am glad we can at least confirm Mr. Beach this week.

YEMEN

Madam President, now, on another matter, the Senate will soon vote on a resolution under the War Powers Act. I strongly oppose this unnecessary and counterproductive resolution and urge our colleagues to join me in opposing it.

From the outset, let me say this. I believe it is right for Senators to have grave concerns over some aspects of Saudi Arabia's behavior, particularly the murder of Jamal Khashoggi. That is not what this resolution is about, however. In December, the Senate voted on a resolution that addressed this institution's concerns about Saudi Arabia.

If Senators continue to have concerns about Saudi behavior, they should raise them in hearings and directly with the administration and directly with Saudi officials, as I have done, and they should allow a vote on the confirmation of retired GEN John Abizaid, whose nomination to be U.S. Ambassador to Riyadh is being held up once again by Democratic obstruction.

They should also allow a vote on the nomination of David Schenker to be Assistant Secretary of State for Near Eastern Affairs. He has been held up here for nearly a year. If we want to solve problems in the Middle East through diplomacy, we will need to confirm diplomats.

Regarding Yemen, it is completely understandable that Senators have concerns over the war, the American interests entangled in it, and its consequences for Yemeni civilians. I think there is bipartisan agreement, shared by the administration, that our objective should be to end this horrible conflict, but this resolution doesn't end the conflict. It will not help Saudi pilots avoid civilian casualties. It will

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

not enhance America's diplomatic leverage. In fact, it will make it harder to achieve those very objectives.

This is an inappropriate and counterproductive measure. First, the administration has already ended—ended—air-to-air refueling of coalition aircraft. We only provide limited noncombat support to the U.N.-recognized Yemeni Government and to the Saudi-led coalition. It certainly does not—does not—constitute hostilities.

Second, there are real threats from the Houthis in Yemen whom Iran, as we all know, is backing. Missiles and explosives are being aimed at civilians, anti-ship missiles are being fired at vessels in key shipping lanes of global importance.

If one of those missiles kills a large number of Saudi or Emirati civilians, let alone Americans who live in Riyadh or Dubai, say goodbye to any hope of a negotiated end to this conflict. These threats will not evaporate. They are not going to go away if the United States ends its limited support. So I think of the American citizens who live in the regions.

Third, our focus should be on ending the war in Yemen responsibly. Pulling the plug on support to our partners only undermines the very leverage and influence we need to help facilitate the U.N.'s diplomatic efforts. The United States will be in a better position to encourage the Saudi-led coalition to take diplomatic risks if our partners trust that we appreciate the significant, legitimate threats they face from the Houthis.

Fourth, we face real threats from al-Qaida in the Arabian Peninsula. We need cooperation from Yemen, the UAE, and Saudi Arabia to defeat those terrorists. So we should think twice about undermining these very partners whose cooperation we obviously need for our own security.

Here is my bottom line. We should not use this specific vote on a specific policy decision as some proxy for all the Senate's broad feelings about foreign affairs. Concerns about Saudi human rights issues should be directly addressed with the administration and with the Saudi officials. That is what I have chosen to do. That is what I recommend others do.

As for Yemen, we need to ask what action will actually serve our goal; that is, working with partners to encourage a negotiated solution.

Withdrawing? Would withdrawing our support facilitate efforts to end the war, or just embolden the Houthis? Would sending this signal enhance or weaken our leverage over the Saudi-led coalition? Would voting for this resolution strengthen the hand of the U.N. Special Envoy, Martin Griffiths, or in fact undermine his work? Would we prefer that Saudi Arabia and the UAE go to China and Russia for assistance instead of the United States?

The answers to these questions is pretty clear. We need to vote no on this misguided resolution.

THE GREEN NEW DEAL

Madam President, now one final matter. Yesterday, I continued the discussion we have been having about the strange ideas that seem to have taken ahold of Washington Democrats.

Ideas like the Democrat politician protection act, a scheme to limit America's First Amendment right to political speech and force taxpayers to subsidize political campaigns, including ones they disagree with. It did not earn a single Republican vote in the House, by the way. Thank goodness.

Ideas like Medicare for None, which could spend more than $32 trillion to hollow out seniors' health benefits and boot working families from their chosen plans into a one-size-fits-all government scheme.

Even the soaring costs and massive disruption that plan would cause American families are dwarfed—dwarfed—by the grandiose scheme they are marketing as the Green New Deal.

By now, we are all familiar with the major thrust of the proposal: powering down the U.S. economy, and yet somehow also creating government-directed economic security for everyone—for everyone—at the same time.

Naturally, accomplishing all this is quite a tall order. According to the Democrats' resolution, it will require overhauling every building in America to meet strict new codes, overseen, of course, by social planners here in Washington. It would require banning the production of American coal, oil, and natural gas in 10 short years and cracking down on transportation systems that produce any emissions, which, as one hastily deleted background document made clear, is just a polite way of saying Democrats want to eventually ban anything with a motor that runs on gasoline. They want to ban anything with a motor that runs on gasoline.

I thought ''Abolish ICE'' was bad enough when Democrats were rallying to close down all of Immigration and Customs Enforcement, but now what do we get? The far left also wants to abolish the internal combustion engine. I gather somewhere around that time is when the miraculous, promised universal job guarantee would kick in as well. It is just a good, old-fashioned, state-planned economy—garden-variety 21st-century socialism.

Our Democratic colleagues have taken all the debunked philosophies of the last 100 years, rolled them into one giant package, and thrown a little ''green'' paint on them to make them look new, but there is nothing remotely new about a proposal to centralize control over the economy and raise taxes on the American people to pay for it.

Margaret Thatcher famously said that the trouble with socialist governments is ''they always run out of other people's money.'' How often have we heard that? Well, this dangerous fantasy would burn through the American people's money before it even got off the launchpad.

The cost to the Treasury is just the beginning. It is hard to put a price tag on ripping away the jobs and livelihoods of literally millions of Americans. It is hard to put a price tag on forcibly remodeling Americans' homes whether they want it or not and taking away their cars whether they want that or not. It certainly is difficult to put a price tag on unilaterally disarming the entire U.S. economy with this kind of self-inflicted wound while other nations, such as China, go roaring by—roaring by.

By definition, global emissions are a global problem. Even if we grant the Democrats' unproven claim that cratering American industries and outlawing the energy sources that middle-class families can afford would produce the kinds of emissions changes they are after, we need to remember that the United States is only responsible for about 15 percent of the world's greenhouse gas emissions—only 15 percent of the global total.

According to the Department of Energy, the United States cut our own energy-related carbon emissions by 14 percent from 2005 to 2017. So we cut carbon emissions in this country significantly from 2005 to 2017. Well, it is appropriate to ask, what did the rest of the world do? They kept soaring higher and higher.

In the same period that the United States cut our energy-related carbon emissions by 14 percent, the International Energy Agency found that worldwide, energy-related carbon emissions rose by 20 percent everywhere else. China—the world's largest carbon emitter—increased its emissions dramatically over that period. So, believe me, if Democrats succeeded at slowing the U.S. economy and cutting our prosperity because they think it will save the planet, China will not pull over by the side of the road to keep us company; they will go roaring right by us.

The proposal we are talking about is, frankly, delusional—absolutely delusional. It is so unserious that it ought to be beneath one of our two major political parties to line up behind it.

The Washington Post editorial board—not exactly a bastion of conservatism—dismissed the notion that ''the country could reach net-zero greenhouse-gas emissions by 2030'' as ''an impossible goal.''

In a clear sign of how rapidly Democrats are racing to the far left, President Obama's own Energy Secretary said the same thing. He said: ''I just cannot see how we could possibly go to zero carbon in the 10-year timeframe.''

These Washington Democrats' leftward sprint is leaving Obama administration officials in the dust and even parts of their own base. Listen to what Democrats' usual Big Labor allies have to say about this socialist nightmare. Union leaders with the AFL–CIO say this proposal ''could cause immediate harm to millions of our members and their families.'' That is what the AFL–CIO union leaders said. Immediate harm to American workers,

American farmers, American families, and America's future, and nowhere near enough reduction in global emissions to show for it. It is a self-inflicted wound for the low price, by one estimate, of somewhere in the neighborhood of $93 trillion.

This is not based on logic or reason; it is just based on the prevailing fashions in New York and San Francisco. That is what is defining today's Democrats.

ORDER OF BUSINESS

Madam President, I ask unanimous consent that following the disposition of the Beach nomination, the Senate resume legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each, and that there be 30 minutes of debate controlled by Senator ERNST or her designee.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

DECLARATION OF NATIONAL EMERGENCY

Mr. SCHUMER. Madam President, tomorrow, the Senate will vote on a resolution to terminate the President's emergency declaration—a declaration that undermines our separation of powers in order to fund the President's wall with American taxpayer dollars, despite Candidate Trump's repeated promises that Mexico would pay for it.

The resolution could not be any simpler. All it says is this, one single sentence: ''Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That, pursuant to section 202 of the National Emergencies Act . . . the national emergency declared by the finding of the President on February 15, 2019, in Proclamation 9844 . . . is hereby terminated.''

That is it in the entirety. There are no political games here. There is no ''gotcha.'' There is no discussion as to whether we need a wall, whether there is a crisis on the southern border. It simply says that this is not an emergency.

The vote tomorrow boils down to something very simple for our Republican friends: Do you believe in the Constitution and conservative principles? There are all of these self-proclaimed conservatives. Well, the No. 1 tenet of conservatism is that no one, particularly an Executive, a President, should have too much power. That has been what conservatives have stood for through the centuries, and all of a sudden, because Donald Trump says he wants to declare an emergency, are people going to succumb?

The Founding Fathers would be rolling in their graves. They would be rolling in their graves for any President, let alone this one who we know overreaches in terms of power and who we know has no understanding of the exquisite and delicate balance that James Madison, George Washington, Thomas Jefferson, and so many others created in the Constitution and the Bill of Rights.

Do our Republican friends stand for conservative principles? Do they stand for any principles at all, or do they just take a loyalty pledge to President Trump and meekly do whatever he wants? It is that simple.

There are a lot of issues on which we disagree. There are lots of times our Republican friends bow to President Trump, but there ought to be an exception. And if there ever were an exception, it should be this.

Many of my Republican colleagues rightly stood up and told the President not to take this action. Leader MCCONNELL himself said it was a bad idea, a bad precedent, contravenes the power of the purse, a dangerous step, an erosion of congressional authority. And they, our Republican friends, were right. The President himself said he ''didn't need to do this.'' That is not an emergency.

Are we going to say that anytime a President can't get his or her way with Congress, they can declare an emergency and Congress will meekly shrug its shoulders and walk by and bow in obeisance to any President, Democratic or Republican? What a disgrace.

This is one of the true tests of our Republican colleagues—one of the true tests—because it has always been the Democratic Party that has been for a stronger Executive. Dwight Eisenhower was worried about too much power going to the President, and so was Ronald Reagan. Where are our Republican friends now? Has Donald Trump turned this Republican Party and its conservative principles so inside out that we can't even get four votes to declare that this isn't an emergency, that we can't get 20 votes to say to the President that we will override this, because this is far more important than any view on the wall or the southern border, which we all know has been going on for a long time. While the President thinks it is an emergency, Congress clearly didn't. Even when Republicans controlled the House and Senate, they did nothing about the wall.

I have talked to a lot of my Republican colleagues. They know what this is all about. Everyone here knows the truth. The President did not declare an emergency because there is one; he declared an emergency because he lost in Congress and wanted to go around it. He has no principles in terms of congressional balance of power. We know that. We all know that. So to bow in obeisance to him when we all know what he is doing is so wrong—a low moment for this Senate and its Republican friends.

When it comes to the Constitution, you ought to stand up to fear and do the right thing no matter who is in the White House. My Republican friends know the right thing to do. They should not be afraid to do it.

Last I checked, we all took the same oath of office. What did it say? ''Uphold the Constitution.''

There are different views on the Constitution, but I haven't heard one constitutional scholar—left, right, or center—say that this upholding the President on this emergency is the right thing to do in terms of the Constitution. I hope my Republican friends will join us.

Now, it seems, from what I read in the press reports this morning, that some Senators are in search of a fig leaf. They want to salve their consciences. They know this is the wrong thing to do.

They came up with this idea that will change the emergency declaration for future moments. Reports indicate that a group of Republican Senators are pushing legislation that would ignore the President's power grab but limit future emergency declarations—what bunk, what a fig leaf. That will not pass.

To my friend, the Senator from Utah, who I know does have constitutional qualms, he is squirming. His legislation will not pass.

Let me just read you what Leader PELOSI said a few minutes ago. This is from her statement:

> Republican Senators are proposing new legislation to allow the President to violate the Constitution just this once in order to give themselves cover. The House will not take up this legislation to give President Trump a pass.

Do you hear me, my colleagues—my Republican colleagues? This will not pass. This is not a salve. It is a very transparent fig leaf. If you believe the President is doing the wrong thing, if you believe there shouldn't be an emergency, you don't say: Well, in the Congress we will introduce future legislation to change it, and, then, when the President declares another emergency, we will do new legislation to allow that too.

Come on. This fig leaf is so easily seen through, so easily blown aside that it leaves the constitutional pretensions of my Republican colleagues naked. The fig leaf is gone. Don't even think that it will have anything to do with what we are doing.

I hope my colleagues will stand strong. What the Republicans want to say with this fig leaf is, to paraphrase St. Augustine, ''Grant me the courage to stand up to President Trump, but not yet.''

Next time and next time and next time they will say the same thing.

Let's do the right thing. Let's tell the President that he cannot use his overreaching power to declare an emergency when he couldn't get Congress to

do what he wanted, and let's not make a joke of this by saying that there is some legislation that will not pass in the future that gives me the OK to vote for this, to vote against this resolution. That fig leaf makes a mockery of the whole Constitution and the whole process.

BUDGET PROPOSAL

President Trump put out his budget yesterday. It says ''promises kept.'' That is one of the biggest lies I have ever seen because if you look at the booklet, it is promises broken.

The President said he would never cut Medicare and Medicaid. He slashes them. It is an $845 billion cut to Medicare and $1.5 trillion cut to Medicaid.

The President says he believes in a strong infrastructure bill. Promises kept? This bill cuts transportation by over 20 percent.

The President said that education is the civil rights of this generation. Promises kept? The President cuts education dramatically.

On issue after issue after issue, the President's budget shows the real President Trump and how far away he is from the promises he makes to the working people of America. Many of them are catching on, many more will, and this budget will be a way to show who the President is.

Even worse—not ''even worse,'' but compounding the injury—there are huge giveaways to the wealthy, more tax breaks for the wealthiest of Americans. At a time when income distribution is getting more and more skewed to the top, when so much of the wealth of America and even the income of America goes to the top few, to have a budget that hurts the middle class, that hurts those trying to struggle to get to the middle class and makes it even easier for the wealthy to garner even more money—how out of touch is this budget?

I repeat my challenge. Leader MCCONNELL, this is your President. You seem to go along with him. Put this budget on the floor. Let's see if even a single Republican will vote for it. I would like to ask every one of my 53 Republican colleagues: How many of you will say, ''I support this budget''? I bet not one—not one.

This budget is a slap on the face to every American who has worked hard every day, paid his or her taxes, expects Medicare in retirement, expects some way to afford healthcare for retirement.

President Trump's budget is inhumane. We Democrats will fight it and fight these heartless cuts at every single turn.

TARIFFS

Finally, on China, yesterday U.S. Trade Representative Robert Lighthizer told the Senate Finance Committee that he could predict the success of a trade agreement with China, saying there are major issues left to be resolved. I hope these major issues are the sinew—the meat—of what China does to us.

This is not an issue of soybeans or imports or balance of trade, which is getting worse, even with what President Trump did. This is an issue of China's stealing the greatness of the American economy. This is an example of China's being able to cascade huge amounts of products into America and not letting us sell our products freely there, or seldom, under such conditions that it isn't worth it, such as turning our intellectual property and know-how to China or to Chinese Government-controlled companies.

Lighthizer is doing a good job, but I worry that the President is more focused on getting a win than getting a good deal. The President should be proud that he stood up to North Korea and walked away. He should do the same thing here.

President Xi is not going to give him much, and the President should have the guts to walk away because China is in a much weaker position, in part, because of the tariffs that the President correctly imposed on China.

If the President walks away from a weak deal, the odds are very high that he will be able to come back to the table with a much better deal because China will have to relent. Stay strong. Don't cave. This is America's whole future at stake.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Hawaii.

JUDICIAL NOMINATIONS

Ms. HIRONO. Mr. President, two weeks ago, the Senate broke a century of precedent and confirmed a judge, Eric Miller, to the Ninth Circuit over the objection of both home State Senators.

Last week, the majority leader filed cloture on two circuit court nominees, Paul Matey for the Third Circuit and Neomi Rao to replace Brett Kavanaugh in the DC Circuit.

Yesterday, Paul Matey became the second person in Senate history, after Eric Miller, to be confirmed without blue slips from both home State Senators. By eliminating the blue slip—a century-old policy that requires meaningful consultation between the President and home State Senators on judicial nominations—Senate Republicans have been able to speed through confirming partisan judges with strong ideological perspectives and agendas.

Donald Trump appointed 30 circuit court judges in his first 2 years in office. That is 17 percent of the Federal appellate bench. By contrast, President Obama appointed only 16 circuit court judges in his first 2 years in office, and President George Bush appointed 17.

Donald Trump and the majority leader, with the help of the chair of the Judiciary Committee, are breaking nearly every rule that stands in their way to stack, at breakneck speed, the Federal courts with deeply partisan and ideological judges.

And why are they doing this? They are packing the courts to achieve, through the courts, what they haven't been able to accomplish through legislation or executive action—undermining Roe v. Wade, dismantling the Affordable Care Act, eliminating protections for workers, women, minorities, LGBTQ individuals, immigrants, and the environment.

The courts, with non-Trump judges, have been the constitutional guardrails stopping the Trump administration's deeply questionable policies and decisions, such as separating immigrant children from their parents, summarily ending DACA protections, and asking whether census respondents are U.S. citizens. All of these administration decisions have been stopped, for now, by Federal judges.

Trump's judicial nominees have extensive records of advocating for right-wing, ideologically-driven causes. In fact, these records are the reasons they are being nominated in the first place.

The nominees tell us to ignore their records and trust them when they say they will follow precedent and rule impartially, but after they are confirmed as judges, they can ignore promises made under oath during their confirmation hearing because they can. Short of impeaching these judges, there is nothing we can do about it—great for them, not great for Americans.

By the way, the average Trump judge tends to be younger, less diverse, and less experienced. They will be making rules that affect our lives for decades.

This week we are considering yet another Trump nominee, Neomi Rao, who should make us seriously ask how far the majority leader is willing to go to let Donald Trump pack the courts with extreme nominees and undermine the independence and impartiality of the Federal judiciary.

Neomi Rao is a nominee who has not only expressed offensive and controversial views in her twenties, but she has also continued to make concerning statements as a law professor. Her recent actions as Donald Trump's Administrator of the Office of Information and Regulatory Affairs, OIRA, have shown that her controversial statements in her twenties cannot be ignored as merely youthful indiscretions.

At the hearing, I asked her why, as a law professor, she defended dwarf-tossing by arguing that a ban on dwarf-tossing ''coerces individuals'' to accept a societal view of dignity that negates the dignity of an individual's choice to be tossed.

Does she seriously believe that dwarfs who are tossed do not share a societal view of dignity that being tossed is an affront to human dignity?

Ms. Rao asserted that she was only talking about a particular case and not taking a position one way or another on these issues. It is hard to understand what distinction she is making, but describing a ban on dwarf-tossing as not coercion is bizarre, especially coming from someone who purports to worry about the dignitary harm caused by affirmative action or diversity in education programs.

When I asked her about the strong ideological perspectives reflected in her writings and public statements, she claimed that she ''come[s] here to this committee with no agenda and no ideology and [she] would strive, if [she] were confirmed, to follow the law in every case.''

Ms. Rao would have us ignore all of her controversial statements and positions and simply trust her blanket assertion that she has no agenda or ideology. In this, she is like the other Trump judicial nominees.

As a college student, Ms. Rao criticized environmental student groups for focusing on ''three major environmental boogymen, the greenhouse effect, the depleting ozone layer, and the dangers of acid rain . . . though all three theories have come under serious scientific attack.''

More than two decades later, Ms. Rao demonstrated the same disregard for environmental concerns as the Administrator of the Office of Information and Regulatory Affairs, OIRA. In this position she has consistently used her power and influence to strip away critical protections for clean air and clean water. For example, Ms. Rao supported efforts to replace the Clean Power Plan, which would have reduced greenhouse gas emissions with a rule that would actually increase air pollution and could lead to up to 1,400 additional premature deaths.

Her claim that she would simply follow precedent is also contradicted by her statements and positions relating to racial injustice. In her twenties, while discussing the Yale Women's Center and what she called ''cultural awareness groups,'' she argued that ''[m]yths of sexual and racial oppression propogate [sic] themselves, create hysteria and finally lead to the formation of some whining new group.''

I just wonder, what are these whining new groups that she refers to? Could it be women who want to support programs that support women?

In 2015, as a law professor, she disparagingly described the Supreme Court case that reaffirmed the Fair Housing Act's protections against disparate impact discrimination as a ''rul[ing] by talking points,'' not law.

In Texas Department of Housing v. Inclusive Communities Project, the Supreme Court recognized that the disparate impact doctrine is an important way ''to counteract unconscious prejudices and disguised animus'' based on a policy's discriminatory effects. Despite the Supreme Court precedent, when Ms. Rao became the OIRA Administrator, she began working to weaken rules protecting against disparate impact discrimination—upheld by the Supreme Court, by the way—particularly in the area of housing.

Her writings and actions related to sexual assault and rape are another reason we should be hesitant to believe her claim that she will merely follow the law free of her strongly held ideological views. In her twenties, Ms. Rao repeatedly wrote offensive statements about date rape and sexual assault that disparaged survivors. In writing about date rape, she argued that if a woman ''drinks to the point where she can no longer choose, well, getting to that point was part of her choice.''

In criticizing the feminist movement, she asserted she was ''not arguing that date rape victims ask for it'' but then argued that ''when playing the modern dating game, women have to understand and accept the consequences of their sexuality.''

At her hearing and in a subsequent letter to this Committee, Ms. Rao tried to walk away from these offensive writings, stating that she ''regret[s]'' some of them and believes ''[v]ictims should not be blamed.'' But at the hearing she continued to insist that her prior controversial statements were ''only trying to make the commonsense observation about the relationship between drinking and becoming a victim.'' That is not how her statements came across.

She seems to acknowledge that by further claiming that if she were addressing campus sexual assault and rape now, she ''would have more empathy and perspective.'' That claim rings hollow, as she only recently oversaw the Trump administration's proposed title IX rule that would make it harder for college sexual assault survivors to come forward and obtain justice.

Among other things, the proposed rule would require schools to conduct a live hearing where the accused's representatives can cross-examine the survivor. It would also have the school use a higher burden of proof for sexual misconduct cases than for other misconduct cases.

I will close by noting that Ms. Rao previously criticized the Senate Judiciary Committee's confirmation hearings for judicial nominees. In writing about the Supreme Court confirmation process, she complained that nominees are ''coached to choose from certain stock answers,'' such as ''repeatedly alleg[ing] fidelity to the law.''

Back then she readily acknowledged that ''judges draw on a variety of tools in interpreting the law, and that these tools differ for judges based on their constitutional values.'' But now that she has been nominated to become a judge, she is the one giving the Judiciary Committee the formulaic ''stock answers'' that she criticized.

Before she became a judicial nominee, she indicated that nominees should not be confirmed ''based on incantations of the right formulas without an examination of their actual beliefs.'' We should hold her to her own words.

An examination of Ms. Rao's record and actual beliefs show that the controversial views she held in her twenties are not so different from her statements and actions as a legal professional. That is why I will be voting against Ms. Rao's nomination, and I strongly urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The majority whip.

THE GREEN NEW DEAL

Mr. THUNE. Mr. President, desperate to distract from the $93 trillion price tag of their so-called Green New Deal, the Democratic leadership here in the Senate has been coming down to the floor to claim that Republicans are ignoring climate change.

On February 14, the Democratic leader came to the floor and said: ''Since Republicans took control of this Chamber in 2015, they have not brought a single Republican bill to meaningfully reduce carbon emissions to the floor of the Senate. Not one bill.'' That is a quote from the Democratic leader just a month ago.

That would be news to me, and I think it would be news to some Democratic Senators here, as well. On January 14 of this year, for example, the President signed into law the Nuclear Energy Innovation and Modernization Act. That legislation, led by Republican Senator BARRASSO and cosponsored by both Republicans and Democrats, paves the way for new advanced nuclear technologies, which will help further reduce carbon emissions.

Here is what the Democratic ranking member of the Environment and Public Works Committee had to say about this bill:

> Nuclear power serves as our nation's largest source of reliable, carbon-free energy, which can help combat the negative impacts of climate change and at the same time, foster economic opportunities for Americans. . . . This is another important step in our fight against climate change.

That is from the Democratic ranking member of the Senate Environment and Public Works Committee. Let me repeat that. ''This is another important step in our fight against climate change.'' That is coming from a key Democrat on a key committee that deals with this issue. That is not a Republican talking; that is the Democratic ranking member of the Environment and Public Works Committee.

Then, of course, there is the Furthering Carbon Capture, Utilization, Technology, Underground Storage, and Reduced Emissions Act. Granted, that is a fairly long title. Several Republicans are original cosponsors of that. It became law as part of the Bipartisan Budget Act of 2018. The FUTURE Act, as it is referred to, extends and expands tax credits for facilities with carbon capture, utilization, and sequestration technologies, which are referred to as CCUS technologies.

Here is what the Clean Air Task Force had to say about this legislation:

> [T]he U.S. Congress took a landmark step by passing one of the most important bills for reducing global warming pollution in the last two decades.

That is a quote from the Clean Air Task Force and what they had to say about that legislation.

Then there is the Nuclear Energy Innovation Capabilities Act, led by Republican Senator MIKE CRAPO, which

became law in September. This legislation will help support the development of advanced nuclear reactor designs, which will increase America's supply of clean and reliable energy.

Here is what the junior Democratic Senator from Rhode Island had to say about this legislation:

Partnerships between the private sector and our world-class scientists at national labs will help bring new technologies forward to compete against polluting forms of energy. . . . I am proud to have worked with Senator CRAPO to get this bipartisan energy legislation over the finish line.

Here is what the junior Democratic Senator from New Jersey had to say:

Reducing our carbon emissions as quickly as possible requires prioritizing the development and commercialization of advanced nuclear reactors, which will be even safer and more efficient than current reactors. Passage of this legislation will provide critical support to startup companies here in the United States that are investing billions of dollars in these next generation reactor designs.

Here is what the Democratic whip himself had to say:

I was proud to join Senator CRAPO on this bipartisan bill.

I could go on. I could talk about the 2018 farm bill, which, in the words of Earth Justice, contains ''a number of provisions that incentivize more climate-friendly practices.'' I serve on that committee. I was involved in the conservation title and the drafting of that, including a number of provisions in there. I could talk about the provision in the Bipartisan Budget Act of 2018 to ensure the completion of our first two new nuclear reactors in a generation, which will prevent 10 million tons of carbon dioxide emissions annually; or the extension of wind and solar clean energy tax credits; or the bipartisan America's Water Infrastructure Act, which will help advance hydropower projects—a significant source of emission-free energy.

Suffice it to say that Republican Senators have passed more than one bill to protect our environment and help America achieve a clean energy future, and we are not stopping here. So why all the misdirection on the part of the Democrats? I am sure Democrats think it is politically advantageous to portray themselves as the only party that is invested in clean energy.

Then, of course, Democrats are desperate to distract from the details of the $93 trillion Green New Deal that their Presidential candidates have embraced. That is right—I said $93 trillion. One think tank has released the first estimate of what the Green New Deal will cost, and the answer is between $51 trillion and $93 trillion over 10 years. That is an incomprehensible amount of money.

For comparison, the entire Federal budget for 2019 is less than $5 trillion. The 2017 gross domestic product for the entire world, the entire planet, came to $80.7 trillion—more than $10 trillion less than Democrats are proposing to spend on the Green New Deal. Ninety-three trillion dollars is more than the amount of money the U.S. Government has spent in its entire history. Since 1789, when the Constitution went into effect, the Federal Government has spent a total of $83.2 trillion. That is right—it has taken us 230 years to spend the amount of money Democrats want to spend in 10.

Even attempting to pay for the Green New Deal would devastate working families, who would be hit with incredibly high new taxes. Let's be very clear about this. This is not a plan that can be paid for by taxing the rich. Taxing every family making more than $200,000 a year at a 100-percent tax rate for 10 years wouldn't get Democrats anywhere close to $93 trillion. Taxing every family making more than $100,000 a year at a 100-percent tax rate for 10 years would still leave Democrats short of $93 trillion.

Of course, the amount of money we are talking about, as horrifying as it is, is just one negative aspect of the Green New Deal. Democrats' Green New Deal is a full-blown socialist fantasy that would put the government in charge of not just energy but healthcare and all the other various aspects of the American economy.

One of the Green New Deal's authors posted and then deleted a document from her website noting that the Green New Deal would provide economic security for those unable or unwilling to work. That is right—in the Democrats' socialist fantasies, apparently the government will provide you with economic security if you are unwilling to work. Let's hope there are enough willing workers to fund those who are unwilling to work. After all, that $93 trillion has to come from somewhere.

It is no wonder that Democrats are trying to change the subject when it comes to the Green New Deal. They don't want to have to defend the specifics of their plan because their plan is, frankly, indefensible.

If the Democrats would like to have a serious discussion about energy, they should repudiate the unfathomably expensive Green New Deal and join Republicans in focusing on ways to secure a clean energy future without devastating the economy or bankrupting working families.

Mr. President, I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

TRIBUTE TO CHRISTIAN COOK

Mr. BURR. Mr. President, I rise to recognize a gentleman by the name of Christian Cook.

Christian Cook has been a vital member of the staff on the Senate's Select Committee on Intelligence for the last 8 years and has been my personal designee on the committee for the majority of that time. Throughout Christian's career, he has continuously put his country above himself and has been tirelessly dedicated to achieving excellence in all areas of his work across the national security spectrum.

His passion to serve first led him to become a special agent for the U.S. Secret Service, where he expertly conducted investigations of violations of Federal criminal law and threats against the President and Vice President. He worked diligently to ensure that the safety and security of the President, the Vice President, and numerous foreign heads of state were without question. Christian also served a pivotal role in the design, preparation and execution of the security plan for the 2005 Presidential Inaugural Parade. Christian's focus on supporting national security efforts continued when he transitioned to the private sector.

While working with Booz Allen Hamilton, he skillfully developed time-sensitive and complex tactical solutions for classified U.S. intelligence clients. With The Cohen Group, Christian provided strategic insights that enabled key clients to meet their evolving global security needs. At the USIS, he also seamlessly managed complex, classified programs for the U.S. intelligence community and for Federal law enforcement Agencies, substantially strengthening their counterterrorism capabilities.

Christian subsequently joined the Senate Select Committee on Intelligence. It is hard to know where to start to list his many accomplishments. In the last 8 years, he has done everything, and he has done it all to his own exceedingly high standards. He initially served with the audits team and was intricately involved in the committee's oversight of the U.S. intelligence community's 17 intelligence Agencies. By conducting thorough reviews of specific intelligence programs, his expert knowledge and deep insight enabled the committee to identify items of concern and outline proposals for their improvement.

It quickly became clear to me that Christian had an unsurpassed capability to conduct intelligence oversight but also a unique ability to analyze complex challenges and identify solutions. At that time, I personally selected him to be my designee on the committee. As my designee, he expertly analyzed and advised me on the myriad of threats across the intelligence landscape.

He also flawlessly facilitated the development, passage, and implementation of critical intelligence-related legislation in this body.

Several of Christian's colleagues have had the privilege to work with him for years. When asked what words best describe Christian, numerous clear themes resound, such as dedication, his passion for our Nation and its security,

very high standards, devotion to mission, and for always ensuring that the trains run on time.

Without fail, Christian is the person all staff goes to for insight, for guidance, and assistance with getting their job done. His colleagues appreciate his honesty, his integrity, and his ability to disarm anyone with a laugh and a warm word of appreciation.

When I became chairman of the Senate Select Committee on Intelligence, Christian was my clear choice to serve as my senior policy adviser and deputy staff director. In these critical roles, Christian expertly led the development and implementation of the strategic direction for the 15 Members of the U.S. Senate who sit on this committee and the committee staff. Regularly arriving at the office long before sunrise, he directed the day-to-day planning and execution of the committee's key oversight functions, to include establishing and managing the committee's complex open and closed hearing schedule, facilitating the confirmation process for numerous Presidential nominees, and managing the ongoing interactions between members of the committee and the leaders of 17 intelligence Agencies. He also adeptly coordinated the collaboration with other congressional committees and managed the daily activities of the committee's professional staff and administrative staff.

Separately and concurrently, Christian also continued to serve as my intelligence and national security advisor, providing keen insight and valuable advice on the full range of national security challenges. Throughout my time as chairman of the committee, I have always known I could count on Christian to provide me with critical background and sage advice on every issue, without fail, thanks in part to his uncanny ability to call to mind any facts he picked up in the last 8 years.

I note for the record the length of this list of responsibilities reflects Christian's hard work, long hours, and dedication. It also highlights the value he brings to me and to the committee. Christian has the foresight to anticipate problems, the instinct to pick the right time to drive forward, and the superior judgment to know the path right ahead.

Christian's tireless service was made possible not just because of his own dedication and character but because he was confident in the love and support of his wife Christina and the adoration of three young and precious sons—Casson, Callen, and Caulder. For their own sacrifice and for their willingness to share Christian with the committee, we are indebted to them.

I might say, on a personal note, at times he could, on weekends or breaks, be home with his three boys and his wife, instead he has been on an airplane with me flying somewhere around the world that nobody would consider a vacation site—traveling halfway around the world and back in less than 3½ days, and that was done regularly. Now he will have an opportunity to get some normalcy to his life.

Christian's unwavering support to me has been impeccable. I am delighted to have the opportunity to publicly thank him and to note my personal appreciation for his dedication. He has earned our deepest respect, our admiration, and we will miss his devotion and his friendship. His positive impact on U.S. national security and his legacy within the Senate Select Committee on Intelligence will remain for years to come. I know I join the other 14 members in publicly saying to Christian that we wish him great success in the next chapter of life. We hope this one gives him the opportunity to see his children grow and to grow his relationship with his wife.

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

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

BORDER SECURITY

Mr. CORNYN. Mr. President, the news cycle is relentless here in Washington, DC, and between cable TV and social media, it is pretty hard to remember what happened an hour or a day or a week ago, but it is important to talk about the context surrounding today's circumstances, and that is why I wanted to come talk a little bit more about what is happening on our southern border.

Twelve hundred miles of Texas is common border with Mexico, and we are at ground zero when it comes to what comes across the border and what happens at the border. Frankly, it is a lot more complicated than most people seem to appreciate, at least by the way they talk about it.

Not only is the border a source of economic energy for our country, by trade and legitimate travel, we know our border communities themselves are among the safest in the country. Their crime statistics are basically equivalent to that of any other comparable city in any other part of the country, but what happens across the border is a very different story.

Some of the most dangerous cities in Mexico are right there along the border, primarily because they are still controlled by the cartels that operate what are called plazas where they essentially take tolls or shake down people who are trying to come across for whatever purpose it might be, whether it is people coming across to find a job in the United States or drug traffickers or human traffickers—people selling women and children for sex or human servitude.

So it is a complicated scenario, to be sure, but one thing I can tell you is, there is a humanitarian crisis at the border that was not manufactured by the Trump administration. In fact, the denial in which a lot of our Democratic colleagues find themselves I think is more related to the fact that President Trump is the one currently identifying it rather than the facts on the ground because, in 2014, President Obama called what was happening at the border a humanitarian crisis, and that did not seem to be a controversial comment at the time, but now that President Trump is calling this a crisis and emergency, people, unfortunately, can't take off their partisan jersey, and many call it a fake emergency or fake crisis, which is demonstrably false.

Let's go back to 2014. That year, about 68,000 families were apprehended at the southern border, an overwhelming number. This, coupled with an unprecedented surge of unaccompanied children, led President Obama, as I mentioned, to call this a ''growing humanitarian and security crisis.'' That was President Obama. He was right, especially about the growing part.

Let me just pause for a moment to talk about why are we seeing children and families coming across the border as opposed to adult men.

We detained about 400,000 people coming across the border last year, but we are seeing more and more unaccompanied children and family units coming across the border. The simple fact is, the criminal organizations that exploit this vulnerability at our border have figured out what our laws provide for and where the gaps are, and they realize, if an unaccompanied child or a family unit comes across the border, current law requires us to separate the adult from the child—because we don't want to put a child in a jail or detention facility—and place them, through Health and Human Services, with a sponsor, ultimately, in the United States.

Once they get a sponsor in the United States, then it may be years, if ever, before their asylum claim is actually heard in front of an immigration judge. The fact is, in the vast majority of circumstances, that asylum claim will be granted—or I should say mooted by the fact that people don't show up months and years later for their hearing in front of the immigration judge but simply melt into the great American landscape.

In this case, the cartels win, and American border security loses because our Democratic colleagues simply refuse to work with us to make commonsense fixes to this broken asylum system which allows the cartels and children and family units to essentially exploit the vulnerabilities in our laws and successfully make their way into the country.

That is what they call a pull factor. There are push factors because of the violence occurring in countries in Central America, but the pull factor is the fact that if you try to come to the United States as an unaccompanied

child or a family unit, you will likely succeed. So it should be no surprise to any of us that these numbers continue to grow.

Back when President Obama talked about this being a growing humanitarian and security crisis, there were 68,000 family units apprehended at the border. In the last 5 months alone this year, there have been more than 136,000 family units apprehended along the southern border.

Historically, we witness the highest numbers of apprehensions in the spring and summer months, so I anticipate things will not get better—they will only get worse—in the months ahead. My State and our border communities are certainly feeling the brunt of these growing numbers.

We also know, as the Border Patrol has told us, that the cartels that move illegal drugs into the United States frequently try to flood the border with migrants, these family units, in order to distract law enforcement personnel from the heroin or the methamphetamine or the synthetic opioids, mainly fentanyl, that come across our border and poison so many Americans.

We know that last year alone, more than 70,000 Americans died of drug overdoses. A substantial amount of that was opioids, including the synthetic fentanyl. Frequently, the precursors come from China through Mexico and into the United States, and 90 percent of the heroin used in the United States comes from Mexico. This is a serious matter, and we should not turn a blind eye to it.

Compared to this time last year, family unit apprehensions have grown 200 percent in the Rio Grande Valley Sector. That is McAllen, TX, and that area. They are up more than 490 percent in the Del Rio Sector, and, most staggering, in the El Paso Sector, family unit apprehensions have increased more than 1,600 percent.

For those who believe this is somehow a fake emergency or not really a crisis, I would ask them: If those numbers were doubled or tripled, would they believe there is a crisis or an emergency? I believe there is now, and I believe those who deny that a crisis exists are simply turning a blind eye to it for, unfortunately, mainly partisan purposes.

Despite what many on the left claim, there is indeed a humanitarian crisis on the border. In addition to the waves of Central Americans arriving by the thousands, we are also trying to stop the flow of illegal narcotics, as I said, and combat the disgusting practice of human smuggling.

Last week, the Senate Judiciary Committee heard from U.S. Customs and Border Protection Commissioner Kevin McAleenan, who leads the more than 60,000 professionals working to provide security and a safe place for trade to come across our ports of entry. Many of these employees of Customs and Border Protection call Texas home and work alongside of State and local law enforcement to protect us and our neighbors from the dangerous goods and, yes, persons trying to cross the border illegally.

Of course, the C in CBP stands for Customs, and they are also charged with promoting the safe and efficient movement of legitimate trade and travel. In Texas, given our proximity to the border, given our location, that is a big task. Our State is the No. 1 exporter in the country, with exports last year totaling more than $315 billion. That is exporting things that we grow, livestock that we raise, and manufactured goods that we make. We sell those to Mexico, our biggest customer far and away.

Folks who live and work along the southern border are proud of the strong bonds our country has with our southern neighbor and the dynamic culture in the region. Many have family on both sides of the border, which makes it an extraordinarily unique place in our country. Thanks to the dedicated Federal, State, and local law enforcement officials, flourishing businesses, and a vibrant community, the border region is thriving.

I was on the telephone with one of my constituents from McAllen, TX, yesterday. He said: Our cities on the border are safe. You would think, from what you hear from the national discussion and debates in Washington, that people have to wear body armor in McAllen, TX.

I said: Well, part of the problem is that people are confusing the dangerous flow of goods and people across the border with actual violence occurring on the border.

Just to reiterate, our border communities on the U.S. side are some of the safest in the country. On the other side, for example, Juarez, which is on the other side of the border from El Paso, has historically been one of the most dangerous places on the planet, as well as Tamaulipas, which is the Mexican State right opposite of McAllen—again, a hot bed of cartel activity and violence.

But U.S. cities, I would say, are relatively safe, just like any other comparable city in the United States. So people perhaps not knowing better or, maybe, perhaps just trying to make a better story out of the facts, and I think conflate these ideas. But there is no doubt that the drugs, the human trafficking, and the masses of humanity coming across our border are creating a crisis at the border of a humanitarian and security nature.

Of course, between the ports of entry—and the ports of entry are where the legitimate trade and travel come across our international bridges—there are vast swaths of land that are relatively unpatrolled. The closest Border Patrol agent could be miles away—something human smugglers know and they exploit. These aren't good Samaritans leading immigrants to a better life. They are criminals who put profit before people and have zero regard for human life.

According to a 2017 study by Doctors Without Borders, 68 percent of the migrants reported being victims of violence during transit from Mexico or through Mexico, and 31 percent of the women surveyed had been sexually abused during the journey. These are the migrants who turn themselves over to the tender mercies of these criminal organizations. Sixty-eight percent have been victims of violence, and 31 percent of the women have been sexually assaulted. The journey these families face on their way to the United States is a harrowing one, and some of them don't make it. We have to continue working to stop anyone even considering this journey from attempting it.

I still remember going to Falfurrias, TX, which is away from the border but is a Border Patrol checkpoint. What happens is that the coyotes will bring people across the border, put them in stash houses in sickening and inhumane conditions, and, then, when the time is right, put them in a vehicle and transit them up our highway system. The Falfurrias checkpoint in Brooks County is one of the ones that checks people coming through on their way into the mainland.

But what happens is that the smugglers will tell the migrants: Get out of the car before the checkpoint. Here is a milk carton or jug full of water.

Maybe they give them some candy bars or the like, and say: We will see you on the other side.

So many of the migrants—particularly in the hottest part of the summer in Texas—unfortunately, die making that trip. I have been to Brooks County and have seen some of the unidentified bones and remains of migrants who died trying to make that trip.

Of course, you can imagine coming from Central America in the first place. By the time they even get to Falfurrias and Brooks County and the checkpoint, many of them are already suffering from exposure, including dehydration.

As you can imagine, during the time I have been in the Senate, I have spent a significant amount of time along the border meeting with CBP personnel, law enforcement officials, small businesses, landowners, community leaders, and other citizens about the challenges they and we are facing and what it is we might be able to do here in Washington to help. What I have heard repeatedly is that we need a three-pronged approach.

I know we are primarily focused on or obsessed with physical barriers, and that is certainly a piece of it, but that is only one of the three elements that we need to deal with border security. We need barriers in hard-to-control areas. We need personnel. We need the Border Patrol. And, yes, we need technology. Technology can be a force multiplier, we all know, to help the Border Patrol identify drug smugglers or human traffickers or coyotes bringing human or economic migrants across. What works best in one sector isn't

what is necessarily best for another. So this idea that we would build a physical barrier across the entire State is just nonsense. That is not what the President has proposed.

I remember that former Secretary of Homeland Security John Kelly, later the Chief of Staff, said: We are not proposing to build a wall ''from sea to shining sea''—because he knew what we know, and that is that what works best in one sector doesn't work well in another.

So we need to keep both the funding and the flexibility to provide the most needed resources that will work best. That is not something we should be trying to dictate or micromanage from thousands of miles away. As I mentioned, the humanitarian crisis has evolved significantly since 2014, and I have no doubt that it will continue to evolve in the coming years. We need to continue the conversation with experts on the ground and stakeholders on the ground and make sure that we can adapt as the threat evolves.

Based on feedback from my constituents in Texas, the funding bill we passed last month included five specific areas, including the Santa Ana Wildlife Refuge and the National Butterfly Center, where barriers cannot be constructed. It also included language stating that DHS must consult with local elected officials in certain counties and towns. I happen to believe that kind of consultation can be very positive and can lead to a win-win situation.

I will mention just one location in Hidalgo County, TX. They are right there on the river, and they had to improve the levees because they were worried about the rains leading to floods and the destruction that would follow. In order to deal with improvement of the levee system, they actually worked with the Border Patrol to come up with what they called a levee wall, which helped the Border Patrol control the flow of migrants to places where they could be accessed most easily, but it also provided the improvement in the levee system that helped the Rio Grande Valley, and, particularly, Hidalgo County to develop those counties without prohibitively high or even nonexistent insurance coverage. So that is an example of how, by consulting with local stakeholders, we can come up with win-win scenarios.

The border region's future is bright, thanks to the dedicated law enforcement professionals, elected officials, and business community leaders who keep it safe and prosperous, but we simply can't turn a blind eye and ignore the high level of illegal migration and substances moving across our border. We can't turn a blind eye to the migrants being left for dead in the ranchlands by human smugglers. We can't ignore the humanitarian crisis that continues to grow at an exponential rate.

The President's emergency declaration was his commitment to finally address the problems that overwhelmed our communities along the southern border—both in 2014, when President Obama identified it, and today. It is our duty to deliver real results—not only for the people of Texas but for our friends to the south.

I have heard the concerns raised by my constituents and colleagues about the use of emergency powers in this situation, and I share some of those concerns. I still believe that the regular appropriations process should always be used, but, unfortunately, we saw a refusal on the part of the Speaker of the House and others to engage in bona fide negotiations on border security funding, and that left the administration with what it deemed to be an inadequate source of revenue to do the border security measures they felt they needed in order to address the humanitarian crisis.

Rather than engaging with the President and debating whether the President has the authority to declare a national emergency for border security—which he clearly does—I think our discussions should focus on the structure of emergency powers laws moving forward and whether Congress has delegated too much power, not just to this President but to any President under these circumstances.

I think Brandeis University did a survey of all of the congressional grants of emergency powers that Congress has made over the last years and has identified 123 separate statutes which, if the President declares a national emergency, will allow the President to reprogram money that has been appropriated by Congress for various purposes. I think that is a serious overdelegation of authority by Congress to the executive branch, which is why I intend to cosponsor a bill introduced by our colleague, Senator LEE from Utah, to give Congress a stronger voice in the processes under the National Emergencies Act.

I am going to continue to come to the floor to argue with my colleagues about what we need in that unique part of our country, which is the border region, not only to have a prosperous region in America but also to have a safer America. It is not as simple, frankly, as some people would have it be, and it should not be the subject of partisanship and game-playing, like we have seen the debate over border security under the President's request become.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Thank you, Mr. President.

It is good to hear from my colleague from Texas. I am here to talk about two different issues, but I did just want to say that I have had the pleasure and honor of visiting Senator CORNYN's wonderful State. In fact, I was at the border last spring. It is a beautiful State that is full of hard-working and welcoming people. Certainly, our men and women on the frontlines at the border are working incredibly hard and have a lot of excellent ideas about how to secure the border.

I do just want to make one point, which is simply that in addressing a humanitarian crisis at the border, we shouldn't create another one by separating families at the border. To be clear, there is nothing in our law that requires families to be separated at the border. We simply should not be harming children as we deal with this issue.

I would welcome Senator CORNYN to our Homeland Security Committee, where we have discussed the various options that would keep us from hurting children in our care.

TITLE X

Mr. President, I am here today to rise in opposition to the Trump administration's domestic gag rule on the title X program.

For more than 40 years, title X has provided women and families with comprehensive family planning and preventive health services. Congress created title X with a strong bipartisan vote, with Members of both parties recognizing how vital the services it provides are. Since then, for those in rural communities, for low-income women and men, and for members of the LGBTQ community, title X-supported health centers have been a major source of preventive care and reproductive health services, including cancer screenings, birth control, HIV and STI tests, and counseling services.

Title X helps communities and people throughout my home State of New Hampshire. Title X-funded centers deliver care to nearly 18,000 Granite Staters annually, and title X-supported Planned Parenthood centers serve 60 percent of those Granite Staters. In some parts of my State, there are no options other than a title X center, and if other options exist, they don't provide the same expertise and commitment to reproductive healthcare services that title X centers offer. Community health centers around my State do important work, but they have told me that they will not be able to replace the services lost if the administration is successful in its efforts to target Planned Parenthood.

The Trump administration's gag rule is simply dangerous. It would force providers to violate their professional and ethical standards regarding their obligation to give patients full and accurate information about their healthcare and would discriminate against providers who refuse to curtail truthful communication with their patients. This rule would cut investments in family planning clinics, taking away services that so many people depend on, with a disproportionate effect on low-income families and those who already struggle to access care. This effort is part of the shameless and blatantly political attempts from this administration to restrict access to healthcare.

By attacking providers, such as Planned Parenthood, the Trump administration is once again threatening the health and economic well-being of millions. Women in New Hampshire and across the country deserve better. They should have the right to make their own choice about if or when to start a family, and they should be able to visit providers of their choice who understand their healthcare needs and will be truthful about their healthcare options and realities. This title X gag rule undermines all of that.

I am going to continue to stand up for a woman's constitutionally protected rights, and I will do everything I can to fight back against these partisan attempts from the Trump administration to undermine women's reproductive healthcare.

Thank you.

NOMINATION OF NEOMI J. RAO

Mr. President, I also want to take a moment to express my opposition to a nominee the Senate is considering today for the DC Circuit Court of Appeals—Neomi Rao.

Ms. Rao is up for a lifetime appointment on the DC Circuit, but her record and previous statements make it clear that she is unfit for this position.

Ms. Rao's writings as a college student are nothing short of outrageous. Ms. Rao once described race as a ''hot money-making issue.'' She has called the fight for LGBTQ equality a ''trendy political movement.'' She has criticized the ''dangerous feminist idealism which teaches women that they are equal.'' Perhaps most disturbing are Ms. Rao's previous writings on campus sexual assault and rape. Ms. Rao once claimed that women shared the responsibility for being raped, saying: ''If she drinks to the point where she can no longer choose, well, getting to that point was part of her choice.'' She also noted that ''a good way to prevent potential date rape is to stay reasonably sober.''

I know that Ms. Rao has said she regretted these comments now that she is up for this appointment, but that cannot make up for the type of damage that rhetoric like this has done. In 2019, survivors are still not listened to and taken seriously, and dangerous rhetoric and callous beliefs like these have prevented women from coming forward with their experiences of sexual assault in the first place.

I cannot support a nominee who made a decision to publish these types of outrageous sentiments.

If Ms. Rao's previous statements aren't already disqualifying, then her record as a member of the Trump administration certainly is.

As the head of the Office of Information and Regulatory Affairs, OIRA, Ms. Rao signed off on a policy that would allow the Environmental Protection Agency to not use the best available evidence when developing clean air and clean water protections—a policy with dangerous implications given the fact that the Trump administration has ignored science and fought to undermine these protections. Ms. Rao signed off on this policy even after publicly pledging to meet in a Homeland Security and Governmental Affairs subcommittee hearing that she would do just the opposite.

Additionally, one of Ms. Rao's first efforts in the Trump administration was approving an effort to eliminate reporting requirements proposed by the Equal Employment Opportunity Commission to identify wage discrimination with regard to race and gender.

Finally, Ms. Rao approved of the title X gag rule, which, as I just discussed, will harm the health and well-being of people across the country.

It is clear that Ms. Rao is a partisan nominee with a dangerous record.

By the way, she has never tried a case—not in Federal court and not in State court.

Given her past comments, her record in the Trump administration, and her complete lack of experience, it is clear that she does not meet the standard that a lifetime appointment to a vital court requires. I will oppose her nomination today, and I urge my colleagues to do the same thing.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

THE GREEN NEW DEAL

Mr. DAINES. Mr. President, I would like to start by talking about one of the best things we are known for in Montana, and that is our great outdoors, whether it be our national parks, our iconic wildlife, hunting, or fly fishing. Like all Montanans, I want the peace of mind that I can continue to enjoy these opportunities with my kids and grandkids, just as my dad and my grandpa did with me growing up in Montana.

In Montana, we know how to foster commonsense, locally driven conservation to protect our environment. I am here to tell you today that there is nothing common sense about the so-called Green New Deal. In fact, the Green New Deal is a representation of everything that is wrong with Washington, DC. It is a radical, top-down idea that disregards the impacts on hard-working Montanans and Americans across our country.

You see, in Montana, we rely on a diverse portfolio of energy and fuel sources to help grow our economy, to create good-paying jobs, and to preserve our Montana way of life. In order to live where you also like to play—that is what we call Montana—you need a good-paying job. Montana is still a State where a mom or a dad, a grandma or a grandpa, or an uncle or an aunt can take a child down to Walmart and buy an elk tag over the counter and be at a trailhead to start elk hunting within 30 minutes. We need our ag production. We need clean coal. We need sustainable timber production. These are all part of our Montana way of life. They are all important to the great State heritage we have. This Green New Deal would uproot all of that.

This Green New Deal sounds more like a socialist wish list than it does some great, bold conservation plan. Calling for an end to air travel, getting rid of all of the cows, and ceasing all production of coal would literally destroy our State's economy. The Green New Deal flat out doesn't work. Montana's rural communities would be left without any power or electricity. In fact, just this month, we saw record cold temperatures in Montana. I was trying to fly back to Washington, DC, a week ago Monday. When I got to our airport there in Bozeman, it was minus-40 degrees. We had to hold the plane for nearly 3 hours because deicing fluid only works at minus-25 and warmer temperatures.

The data that we have now looked at from during that cold snap shows that it was coal-fired generation—in particular, our Colstrip powerplant—that picked up the slack during those low temperatures. It kept the heat on for families across Montana.

Our wind turbines have difficulty working in subzero temperatures, and that is regardless of whether the wind blows. One of the challenges in a State like Montana is that when a high-pressure system moves in, whether in the wintertime or in the summertime—let's take the winter for example. When high pressure moves in, oftentimes that is associated with low temperatures. That usually is when we have a spike in requirements of energy consumption needs on the grid. What happens when a high-pressure system moves in is that the wind stops blowing. There is a reason wind is referred to as intermittent energy.

I am not opposed to the renewables. I think it is wonderful that we have wind energy in Montana. We have solar. We have hydro. We have a great renewable energy portfolio in Montana. But the reality is that during the coldest days of the winter, the wind doesn't blow. In fact, at minus-23 degrees and colder, they have to shut off the wind turbines because of the stress it presents to the materials of the turbines.

In the summertime, when high-pressure systems move in, the temperatures spike on the high side, and the wind stops blowing. At the same time, we have peak load on the grid.

So the commonsense thing to do is to focus on accelerating development of clean coal technology and keeping a balanced portfolio to make sure we meet the spike demands, whether they are in the summertime or in the wintertime.

While we should focus on accelerating investments to help renewables like wind become more reliable, which makes a lot of sense, we should continue to think about how to make renewables better.

The Green New Deal seems to think we all live in a fantasyland. In fact, it states how the United States has a disproportionate contribution to global

greenhouse gas emissions. Reports show that it is Asia, China, India, and other Asian countries. They are the countries that will drive energy consumption 25 percent higher by 2040 and with it, global gas emissions.

The Green New Deal doesn't tell the positive story right here at home that the U.S.—and listen to this—is actually a world leader in technological energy innovation; that is we, the United States, leads the world in reducing energy-related carbon emissions. In fact, since 2007, our emissions have decreased about 14 percent. In fact, it is more innovation, not more regulation, that will further reduce global carbon emissions.

Our world is a safer, more secure place if we accelerate energy innovation here at home, not cut the rug out from under us and cede that leadership to Asian countries. To top it all off, under the Green New Deal, it is the American people and it is Montanans, the hard-working taxpayers, who are going to pick up the bill.

Some estimates have found this radical proposal would cost hard-working families over $600,000 per household over the proposed timeframe of that deal. That is about $65,000 every year.

After only 10 years of implementation, Montanans will be stuck with a $93 trillion tab; roughly, $10 trillion more than the combined GDP of every nation on the planet in 2017. You see, this Green New Deal has nothing to do with conservation and the environment.

The people of Montana believe in smart and efficient conservation. Listen, I am an avid backpacker. I am an avid fly fisherman. I spend more time in the wilderness than many. My wife and I love to put backpacks on and get back in the High Country and chase golden trout, the elk, and cattle. I love pristine environments. Montanans share a similar passion for the outdoors, but Montanans know we need smart and efficient conservation, and there is not one smart or efficient thing about this proposal.

The Green New Deal is not a bold step forward. It is tragically backward. This is taking us back to Lewis and Clark, but don't take it from me. Take it from the hard-working Montanans, like our mine workers, like our pipe fitters, like our labor unions, which say:

> We will not accept proposals that could cause immediate harm to millions of our members and their families. We will not stand by and allow threats to our members' jobs and their families' standard of living go unanswered.

That is why I am here today. We will not let this Green New Deal proposal go unanswered.

WELFARE-TO-WORK PROGRAMS

Mr. President, our Nation's primary welfare-to-work program is broken. The Temporary Assistance for Needy Families Program, also called TANF, was created with bipartisan support in 1996. It was recently reauthorized temporarily, but I believe we need to take bold action to reform it for today's generation.

TANF recognizes that funding and maintaining a job is the most effective way for healthy, working-age parents to go from government dependency to self-sufficiency. It is not about handouts. It is about giving a hand to those who need help the most.

Now, the more liberal voices of the times argue that TANF Programs wouldn't work. In fact, it was our former colleague, Senator Daniel Patrick Moynihan, who predicted that TANF would result in ''children sleeping on grates, picked up in the morning frozen.''

The critics were wrong. They were very wrong. TANF was a huge success. After TANF became law, welfare caseloads plummeted, child poverty declined, and unemployment among low-income, never married parents went up.

Yet more than 20 years after the historic 1996 reforms, Congress has neglected to act on the loopholes that are undercutting its fundamental work requirements.

Today, very few States are meeting the work participation rate required by the law. In fact, my home State of Montana is one of many that is falling short. You see, the law calls for 50 percent of welfare enrollees to be engaged in work. In Montana, they are only reaching about one-third.

Many States are also using TANF dollars for purposes unrelated to work, and we need to hold those States accountable. That means more transparency and accountability metrics.

As we have seen in President Trump's recent budget proposal, the President agrees that stronger work requirements must be a priority of this Congress. We can take the next bold step forward in reforming the TANF system to close these loopholes and get the American people back to work.

We are fortunate our economy continues to grow, and there are more opportunities being created. Just last Congress, we passed tax relief for the American people so working-class families got to keep more of what they earned and small business owners could afford to invest and grow in their business, creating more jobs. Main Street in America is thriving again.

As employers are rapidly looking to hire, we need to close the gap and ensure those jobs are filled by Americans who need them most. A strong, revitalized TANF Program is urgently needed to close this jobs gap and empower more Americans to find work.

We have a problem in this economy now. In fact, there are too many jobs available and not enough people to fill the jobs. That is a wonderful challenge to face. We have seen that now for 10 consecutive months. That is a great problem to face now in our country, but it is still a problem we need to solve. That is why we will be joining the U.S. House Ways and Means Committee this week to introduce the JOBS Act to demand positive work outcomes, rather than simply meeting ineffective participation rules.

It engages with every work-eligible individual to develop a plan that can lead to a sustainable career. It holds States accountable for their work outcomes and bolsters transparency of every State's performance.

The JOBS Act doesn't just demand work. It enables work. It substantially increases funding for vital childcare services so parents can ensure their child is cared for when they are trying to provide for their families.

It provides struggling beneficiaries with additional time to get the mental health or substance abuse treatment they need before they can hold a job.

It adds apprenticeships as a permissible work activity, alongside job training, getting more education, and building job readiness skills. It targets funds to truly needy families by capping participation to families with incomes below 200 percent of the Federal poverty level.

The JOBS Act recognizes there is dignity in work. A job, to most Americans, is more than just a job. It is an opportunity for mobility. It is a step up toward realizing the American dream. It is a track toward earning higher wages and better benefits. It can be a springboard to a meaningful career, and more importantly, it is hope for those who know hard times all too well. The dignity work brings can provide this hope.

The JOBS Act equips and empowers low-income families toward a better future. I urge my colleagues, Republicans and Democrats, to join me in taking bold action by supporting this important legislation to make our largest welfare-to-work program actually work again.

I yield the floor.

Mrs. FEINSTEIN. Mr. President, I rise today in opposition to the nomination of Neomi Rao to the U.S. Circuit Court of Appeals for the DC Circuit.

The DC Circuit is considered by many to be the most powerful appellate court in the country. This is true in large part because the DC Circuit hears challenges to many actions taken by the Federal Government, including challenges to the adoption or repeal of Federal regulations.

I believe it is particularly relevant that Ms. Rao has a record of working to dismantle key regulations that ensure the air we breathe is safe, that address climate change, and that protect American workers and consumers.

Ms. Rao has a troubling and aggressive record as the head of the Office of Information and Regulatory Affairs. She has led efforts to weaken fuel economy, or CAFE standards, which I authored with Senator Olympia Snowe and which has been the law since 2007. Before the administration proposed freezing these standards, we were set to achieve a fuel economy standard of 54 miles per gallon—MPG—by 2025.

Ms. Rao has also led efforts to repeal the Clean Power Plan. This repeal has been estimated to result in up to 1,400 premature deaths annually by 2030, due to an increase in particulate matter from emissions that are linked to heart and lung disease. Further, the repeal of the Clean Power Plan is expected to cause up to 48,000 new cases of serious asthma and 15,000 new cases of upper respiratory problems every year.

Ms. Rao was also instrumental in reversing the Equal Employment Opportunity Commission's actions to address pay discrimination. Specifically, Ms. Rao eliminated reporting requirements proposed by the EEOC that were designed to identify wage discrimination on the basis of gender or race. Just last week, a Federal judge ruled that Ms. Rao's action was ''arbitrary and capricious,'' which is significant because the arbitrary and capricious standard is high and hard to prove. The judge concluded that Ms. Rao's rationale for her decision was ''unsupported by any analysis.''

Ms. Rao also approved the recently finalized title X ''gag rule'' on family planning. Under this rule, any organization that merely refers patients to an abortion provider is ineligible for title X funding. This will result in many women going without lifesaving cancer screenings, and it will reduce access to contraception.

I asked Ms. Rao about her work dismantling these key regulations. In response to me, she downplayed her responsibility, saying that her role was simply to ''coordinate regulatory policy.''

But when answering the questions of Republican Senators, Ms. Rao expressed pride in her work. Asked specifically about her ''primary contribution to pushing forward with deregulation,'' Ms. Rao responded: ''There are a lot of regulations on the books that don't have the effects that were intended . . . . And, you know, we're looking to pull back the things that are no longer working.''

However, to take just one example, the CAFE standards have been working; they have already saved $65 billion in fuel costs for American families and prevented the emission of 250 million metric tons of carbon dioxide. Unfortunately, her words don't match the actual actions under her leadership.

Moreover, I asked Ms. Rao if she would commit to recusing herself from any case involving regulations that she worked on while serving in her current position. She refused to make such a commitment.

This is of great concern as other nominees have understood the appearance of bias and unequivocally made such commitments.

For example, President Trump's first nominee to the DC Circuit, Greg Katsas, said, ''Under the governing statute, I would have to recuse myself from any case in which, while in the Executive Branch, I had participated as a counsel or advisor or expressed an opinion on the merits.''

In addition to her record of dismantling key regulations that protect the environment, consumers, and worker health and safety, Ms. Rao has taken a number of extremely controversial positions in articles she has written. At Ms. Rao's hearing before the Judiciary Committee, I noted that, while the writings that received the most attention are from when she was in college, several are relevant to the work she has led in the Trump administration and to cases she could hear if confirmed.

For instance, in addressing the issue of date rape, Ms. Rao wrote that if a woman ''drinks to the point where she can no longer choose, well, getting to that point was part of her choice.''

While she has since written a letter expressing that she ''lacked the perspective of how [her articles] might be perceived by others,'' her record demonstrates that these views seem to persist to today. Specifically, Ms. Rao has been personally involved in repealing protections for survivors of campus sexual violence. Ms. Rao has acknowledged that her office approved controversial new rules on campus sexual assault under title IX. Those rules would discourage survivors from reporting their assaults, in part because survivors would be subjected to cross-examination by their attacker's chosen representative. It is safe to assume this change in the guidance will be challenged in the DC Circuit.

In her writings, Ms. Rao also questioned the validity of climate change, criticizing certain student groups for promoting ''a dangerous orthodoxy that includes the unquestioning acceptance of controversial theories like the greenhouse effect,'' which she argued ''have come under serious scientific attack.''

Again, at the hearing, she tried to mitigate these writings saying, it was her ''understanding . . . that human activity does contribute to climate change.''

However, during her tenure in the Trump administration, she has led the effort to overturn the very regulations that combat human contributions to climate change. For example, and as I noted previously, she has overseen the administration's efforts to rescind the Clean Power Plan and weaken fuel economy standards.

I am also concerned about Ms. Rao's professional experience. She is not admitted to practice before the DC Circuit, the court to which she has been nominated. She has never served as a judge, and she has never even tried a case.

In response to a question on the Judiciary Committee's questionnaire about the 10 most significant litigated matters that she personally handled, Ms. Rao listed only three, and two of these were arbitration cases that she worked on while serving as an attorney in the United Kingdom.

Ms. Rao's lack of litigation experience therefore raises an important question as to her qualifications for this seat and suggests that she was nominated not because of her appellate credentials, but because of her anti-regulatory record.

I also have questions about commitments Ms. Rao appears to have made on reproductive rights. I don't believe we should have litmus tests for judicial nominees, and I know many on the other side agree with me on that. Just in 2017, Senator MCCONNELL said, ''I don't think there should be a litmus test on judges no matter who the president is.''

Yet, on a recent radio program, Senator HAWLEY said that, before he could vote for Ms. Rao, he wanted to ''make sure that Neomi Rao is pro-life. It's as simple as that.''

Subsequently, Ms. Rao met with Senator HAWLEY in private and presumably assured him that she would be anti-choice. According to Senator HAWLEY, Ms. Rao went further and ''emphasized that substantive due process finds no textual support in the Constitution.''

Rejecting the entire concept of substantive due process means that Ms. Rao not only believes Roe v. Wade was incorrectly decided, but also other landmark cases, like Griswold v. Connecticut, which held that States cannot restrict the use of contraception.

I am also concerned about her written responses to our questions for the record. She gave several responses that were misleading at best.

Ms. Rao wrote that the center she founded at George Mason University ''did not receive any money from the Koch Foundation.'' She added that the center ''did not receive money from an anonymous donor.''

However, according to public records, in 2016, George Mason University received $10 million from the Koch Foundation and $20 million from an anonymous donor. The grant agreements executing these donations clearly state that support for Ms. Rao's center was one of the conditions of these multi-million dollar gifts and ''Ms. Rao's center benefited from those contributions.''

Additionally, Senator WHITEHOUSE asked Ms. Rao if she had any contact with the Federalist Society when considering potential faculty. Ms. Rao responded ''no,'' but clarified the Federalist Society occasionally made recommendations through its faculty division.

What Ms. Rao failed to mention is that she, herself, was a member of the faculty division of the Federalist Society for her entire time in academia. Given this role, I don't understand why she would claim that she had no contact with the Federalist Society when considering faculty candidates.

In closing, my concerns about Ms. Rao, from her writings to her work dismantling regulations to her lack of candor with the committee, are simply too great for me to support her nomination to the DC Circuit. I will vote

against her confirmation, and I urge my colleagues to do the same.

Mr. MARKEY. Mr. President, I rise to speak in opposition to the nomination of Neomi Rao to serve as a judge on the United States Court of Appeals for the District of Columbia Circuit. Ms. Rao is the latest in a string of ultra-conservative judicial nominees who will rubberstamp Donald Trump's far-right agenda. Her record portends a threat to the rights of women and minorities, to consumer protection statutes and regulations, and to the security of our financial institutions.

Moreover, Ms. Rao utterly lacks the experience to serve on the court that many view as second in importance only to the U.S. Supreme Court. She practiced for only 3 years as an associate at a large law firm. None of her practice was in Federal courts or State courts, before administrative agencies, or involved criminal proceedings.

These are disqualifying reasons on their own, but I rise to speak about Ms. Rao's record on the environment, and the contempt she has demonstrated for fair, reasonable, and commonsense regulations that protect the health of our communities and the safety of our air and drinking water.

Ms. Rao currently serves in the Office of Management and Budget as Administrator of the Office of Information and Regulatory Affairs, OIRA. She is commonly known as the Trump administration's ''regulatory czar.'' This role has her in charge of implementing the Trump administration's anti-environment, climate-change-denying, and polluter-friendly agenda.

Ms. Rao has called climate change a ''dangerous orthodoxy,'' led the Trump administration's efforts to gut fundamental environmental protections, and has misused the regulatory review process for partisan political purposes.

The attacks on the environment that Ms. Rao has launched from OIRA include rolling back national auto fuel efficiency standards, challenging California's Clean Air Act waiver that allowed it to set higher fuel efficiency standards, removing safety rules for fertilizer plants, and rolling back safety rules put in place for oil rigs after the Deepwater Horizon oil spill disaster in 2010.

During review of a proposed rollback of the Methane and Waste Prevention Rule, Ms. Rao's office repeatedly pressured the Environmental Protection Agency, EPA, to adopt fossil fuel industry requests to significantly reduce natural gas leak inspections. This would have doubled the amount of methane released into the atmosphere and, according to the EPA's own determination, conflicted with its legal obligation to reduce emissions.

Ms. Rao's office censored language about the impact of climate change on child health when reviewing a proposed rollback of the Refrigerant Management Program, a program that limited the release of greenhouse gases thousands of times more powerful that carbon dioxide.

Ms. Rao's office approved a proposed EPA rule to roll back public health protections that reduce pollution from wood-burning stoves, despite the EPA's own admission that the new rule would cost nine times as much in harm to public health as it would benefit the industry.

Ms. Rao has overseen the Trump administration's repeal of regulations to address climate change, including a repeal of President Obama's historic Clean Power Plan that would have significantly reduced greenhouse gas emissions. By comparison, Ms. Rao has approved a proposal to replace the Clean Power Plan with a rule that would lead to increases in carbon dioxide emissions, asthma attacks, and even death from black carbon, mercury, and other dangerous air emissions from power plants.

It is bad enough that, with Donald Trump, we have a climate-change denier in the White House, and with Andrew Wheeler, we have a coal industry lobbyist running the EPA. We don't need a judge on the DC Circuit whose record demonstrates that she is a sympathetic ally to their anti-environment agenda. I urge my colleagues to vote no on the nomination of Neomi Rao to the DC Circuit Court of Appeals.

The PRESIDING OFFICER. The Senator from Kansas.

Mr. MORAN. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

Under the previous order, all postcloture time has expired.

The question is, Will the Senate advise and consent to the Rao nomination?

The yeas and nays have been ordered.

The clerk will call the roll.

The bill clerk called the roll.

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

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

The result was announced—yeas 53, nays 46, as follows:

[Rollcall Vote No. 44 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	Booker	Cardin
Bennet	Brown	Carper
Blumenthal	Cantwell	Casey
Coons	Klobuchar	Shaheen
Cortez Masto	Leahy	Sinema
Duckworth	Manchin	Smith
Durbin	Markey	Stabenow
Feinstein	Menendez	Tester
Gillibrand	Merkley	Udall
Harris	Murphy	Van Hollen
Hassan	Peters	Warner
Heinrich	Reed	Warren
Hirono	Rosen	Whitehouse
Jones	Sanders	Wyden
Kaine	Schatz	
King	Schumer	

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 bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of William Beach, of Kansas, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

Mitch McConnell, David Perdue, John Boozman, Thom Tillis, Mike Rounds, John Hoeven, John Barrasso, Chuck Grassley, Roy Blunt, Johnny Isakson, Lamar Alexander, Mike Crapo, Pat Roberts, John Cornyn, Richard Burr, John Thune, Roger F. Wicker.

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

The question is, Is it the sense of the Senate that debate on the nomination of William Beach, of Kansas, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years, 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 Illinois (Ms. DUCKWORTH) and the Senator from Washington (Mrs. MURRAY) are necessarily absent.

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

The yeas and nays resulted—yeas 55, nays 43, as follows:

[Rollcall Vote No. 45 Ex.]

YEAS—55

Alexander	Cruz	Kennedy
Barrasso	Daines	Lankford
Blackburn	Enzi	Lee
Blunt	Ernst	Manchin
Boozman	Fischer	McConnell
Braun	Gardner	McSally
Burr	Graham	Moran
Capito	Grassley	Murkowski
Cassidy	Hawley	Paul
Collins	Hoeven	Perdue
Cornyn	Hyde-Smith	Portman
Cotton	Inhofe	Risch
Cramer	Isakson	Roberts
Crapo	Johnson	Romney

Rounds	Shelby	Toomey
Rubio	Sinema	Wicker
Sasse	Sullivan	Young
Scott (FL)	Thune	
Scott (SC)	Tillis	

NAYS—43

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

NOT VOTING—2

Duckworth	Murray

The PRESIDING OFFICER (Mr. PERDUE). The clerk will report the nomination.

The legislative clerk read the nomination of William Beach, of Kansas, to be Commissioner of Labor Statistics, Department of Labor, for a term of four years.

NOMINATION OF WILLIAM BEACH

Mr. BLUNT. I want to talk a little about the Green New Deal, but I can't pass up the opportunity to point out that we are now starting 30 hours of debate on the Director of the Bureau of Labor Statistics.

It is outrageous. Everybody knows it is outrageous. If you start the clock right now, there will not be an hour of debate—there might not be 10 minutes of debate—on the Director of the Bureau of Labor Statistics, but what our friends on the other side have done is ensure that we can't do any other business during that 30 hours, and, at some point, once it is too late to do anything else this week, they may even waive some of that time back.

This has to change. I certainly would like to see Members on the other side of the aisle work with us to make that change. The bill I have reported out of the Rules Committee that we have reported out of our committee to change this is given more verification every single week, as we try to let the President put a government in place, as we try to do our job of confirming judges to judicial vacancies. That has to stop, and I believe it is about to stop. I would like to see some cooperation from our friends on the other side so we can move forward in the way the Senate should move forward.

THE GREEN NEW DEAL

Mr. President, the Senate has also been talking about legislation called the Green New Deal. A dozen of our colleagues on the other side of the aisle have put this legislation in place. When you sponsor a piece of legislation, it usually means you are for that piece of legislation and think it needs to be debated, and it sure does.

This is a huge piece of legislation. Anything called the green anything would mean you would think it would be mostly about climate change or environmental things, but actually most of it is about other things. I want to talk for a few minutes about what it says about healthcare.

It is estimated that one part of the Green New Deal would cost $36 trillion over the next 10 years. That is about the same amount of money we would spend for everything else over the next 10 years of the money we appropriate. It is such a big number; it is hard to imagine how you would even describe it, but $36 billion would be 100 times what it would cost to rebuild the entire Interstate Highway System. If you can imagine the entire Interstate Highway System, and you wanted to build it all over again—build it again, go in and tear it up, and build it again—do that 100 times over the next 100 years or however many years it would take, that is $36 trillion. I might have even said earlier $36 billion, but it is $36 trillion, 100 times what it would cost to build the entire Interstate Highway System all over again.

It is an absolutely enormous figure, but the government is accepting an absolutely enormous new obligation, an obligation that, just in terms of the healthcare part of this bill, would again be more than all the money we would expect to spend over the next 7 years.

That would take us through fiscal year 2025. Everything we would spend on Social Security, everything we would spend on Medicare, everything we would spend on Medicaid, everything we would spend on defense, on education, on homeland security, on interest on the debt, and everything else would be less money than we would spend in the first decade on Medicare for All.

If you look at this legislation, it is pretty obvious that Medicare for All would, for a lot of reasons, be Medicare for None. One is that big of a system probably wouldn't serve anybody very well, if at all. Two is that Medicare would be eliminated. It would just be part of a big healthcare system. If you are planning on benefiting from Medicare as we know it today, that will not be there if this bill passed because everybody would have something that would be theoretically like Medicare is now, but there wouldn't be Medicare; there wouldn't be Medicaid; there wouldn't be military TRICARE; there wouldn't be the Children's Health Insurance Program. None of the things we have now would exist. They would all become part of this big system of Medicare for All.

In fact, it actually would eliminate private health insurance. We are in this debate way beyond the debate of the days of when President Obama said over and over again, if you like your current healthcare insurance, you can keep your current healthcare insurance. Nobody even pretends with Medicare for All that would be the case. In fact, this legislation specifically says: ''It is unlawful for a private health insurer to sell health insurance coverage that duplicates the benefits provided under this Act.'' You will have no choice but to look at Medicare for All.

So when they say Medicare for All, they really mean Medicare for All. The other forms of healthcare coverage would be gone.

One of our colleagues who is also running for President said: ''Let's eliminate all of that.'' ''That'' in the question was private health insurance. ''Let's eliminate all of that. Let's move on.''

Well, what moving on would look like would be everybody, again, thrown into one system. There would be a single-payer, the Federal Government. There would be a single system. You could call it Medicare for All or anything else you want to call it, but there would be one place to go.

We are now spending about $6 trillion over the next 10 years on Federal healthcare systems. This would go from $6 trillion to $36 trillion.

I could spend a lot of time talking about, how could we afford that? What would the taxes look like? The point is, it is an outrageous proposal, particularly for the millions and millions of Americans who like the insurance they have, who get insurance at work. It has been a benefit in our country that workers first started getting right after World War II. It has been a benefit at work that workers have never paid taxes on. It has been a benefit at work that an awful lot of people have been well served by.

We need to fill in the gaps. We need to create more options. We need to do lots of things. This isn't one of them. When people lose their healthcare options, when people begin to have to stand in line for healthcare like people do in Canada, they are quickly persuaded that, whatever turn was made, it was made in the wrong direction.

This would be a turn in the wrong direction. It would be something the government can't afford and individuals and families will not want. It would be something that people who have actually depended on Medicare being there when they qualify for Medicare—and people pay into it all their working lives, just like they do into Social Security, except there is no cap, so many people pay a lot more into that fund than they do the Social Security fund—but it would be gone. Medicare for All would be Medicare for None.

I think there is a reason sponsors of this bill aren't eager to talk about a lot of it and don't even want to vote on it. If I had sponsored it, I might not want to vote on it either.

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

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

S.J. RES. 7

Mr. DURBIN. Mr. President, I am reading a book called ''These Truths''

by Jill Lepore. It is a history of the United States. She is a really gifted historian and writes quite a few things. She has an article in the New Yorker magazine about Eugene V. Debs, an early Socialist in the 20th century who ran for President. She is a skillful historian, and she tells a story in ''These Truths'' about how this Nation came to be.

Of course, we emerged from a colony—a colony of England, Great Britain—and then fought for our independence. One of the reasons we fought for independence was to take the role of Kings out of the lives of the people who lived in what we call America and to say we aren't going to have Kings making decisions for us here. We will make our own decisions. Thank you. We will call it a democracy, and the people will rule.

At that point, we sat down and tried to put it in writing. The first time we put it in writing, it didn't work out too well. The Articles of Confederation really didn't unite our country and move it in the direction that most people wanted. So the constitutional convention followed. The constitutional convention in Philadelphia sat down and wrote this document, the Constitution of the United States, and here we are, over 200 years later, still living by those words that were written over 200 years ago.

There were efforts to change and amend it to reflect changes in America. The end of slavery, for example, was one of the most significant, but, by and large, the principles of this document have guided us for a long time.

Article I, section 8 gives the Congress—the Senate and the House—the power to declare war. You think to yourself: Well, it is certainly better for the Congress to make that decision than for a President to do it alone. Letting a President do it without the people being involved, or Congress, really would be much like a King deciding whether we would go forward as a nation to be involved in a war.

This week, on the floor of the Senate, we will test that provision in the Constitution and see if the current Members of the Senate believe that the Constitution was right and that the Congress should be declaring war.

My colleagues, BERNIE SANDERS, well-known to most across America, MIKE LEE, a conservative Republican from Utah, and CHRIS MURPHY, a Democrat from Connecticut, have decided that we should have a test vote as to the United States' involvement in Saudi Arabia's bloody war in Yemen. I am glad to be a cosponsor of that legislation.

Regardless of who has been in the White House during the time that I have served in the House and the Senate, I have tried to consistently argue that the American people, through their elected Congress, must play a constitutional role in declaring a war—whether it was President Bush on the Iraq war or President Obama on the U.S. military intervention in Syria or Libya.

I think the Constitution is very clear and very wise in saying that the American people, before we ask their sons and daughters to give up their lives in a war, should have a say in these decisions through their elected Members of Congress.

What we are doing today is deeply important. It occurs in the 18th year of a war in Afghanistan that hardly anyone could have imagined would be the case. Did anyone here who voted, as I did, 18 years ago—18 years ago, voting in this Chamber—for the authorization of the use of force in Afghanistan to go after the perpetrators of 9/11 believe that we were authorizing the longest war in the history of the United States, in Afghanistan—I am sure not a one—or that this authorization would be stretched by Presidents of both political parties to approve U.S. military action in other countries around the world? It became a blanket authorization that has been used time and again.

This brings me to the question before us in the Senate today—the disastrous, bloody war, led by the Saudi Arabians in Yemen, which the United States is supporting.

Has there been a vote in the Senate for that? No. In the House? No. Does anyone here remember authorizing any U.S. military involvement in the war in Yemen? Well, they certainly couldn't find a recorded vote to prove it.

Did anyone who voted in 2001, as I did, to go after the terrorists responsible for 9/11, believe that this would somehow include a Saudi-led quagmire in Yemen?

This war in Yemen is being led by a reckless young Saudi Crown Prince, whom I believe had direct involvement in the brutal murder of a journalist and resident of the United States, Jamal Khashoggi. It is highly unlikely that anybody would have argued that we gave permission for the U.S. Military and taxpayers' dollars to be spent in support of this Saudi Arabian cause.

Not only was this war never authorized by elected representatives or the American people, but it is a humanitarian disaster. An estimated 85,000 children have already died of malnutrition. We have created a famine with this war in Yemen. In a country of 28 million people, nearly half face death through famine.

I have a photo here, which I have displayed once on the floor, but I can't bring myself to do it again. It is a photo of a 7-year-old Yemeni girl, Amal Hussain. It is a heartbreaking photo. It appeared in the New York Times last November. This little girl died shortly thereafter. She starved to death. I just can't bring myself to display this photo again.

Do you know what her mother said after she died? It is what any mother would say: ''My heart is broken.''

This is a reality of the war that the United States supports in Yemen. We have not debated it. We have not approved it. Yet taxpayers' dollars make certain that it continues day after day, week after week, month after month, and year after year.

Now, let's take a look at Saudi Arabia, which has asked us to join in this effort in Yemen that is causing such a humanitarian disaster. This is the same Saudi Arabia—the nation that conducted the cold-blooded murder of Jamal Khashoggi, a nation that is detaining and torturing women's rights activists, including Loujain al-Hathoul and Samar Badawi. This is a nation that is detaining and torturing U.S. citizen Dr. Walid Fitaihi. It is jailing Saudi blogger Raif Badawi and his lawyer, Waleed Abu al-Khair, on charges that are ridiculous on their face.

Saudi Arabia is accused of recruiting and using Sudanese children as soldiers in the war in Yemen. Saudi Arabia continues to turn a blind eye to the export of extremist teachings that have shown up and caused great harm around the world, most recently in Bosnia and Kosovo.

There may be some who think this war is justified. I am not one of them. There may be some who think that because Iran is the enemy, we should be engaged in this war. But, ultimately, this war, this debate, and this vote are not about the merits of any of the things that I have raised. It is not about a vindication of the Houthis, whom the Iranians have sided with, and their troubling role in this horrific civil war. It is about whether we in the Senate, who took an oath to uphold and defend the Constitution, believe it. If we don't believe it, we will just ignore it, let our military wage the war, let the President look the other way, and let this administration come up with another excuse for Saudi Arabia killing that journalist, and we will keep sending our tax dollars in, which prolong this terrible war.

I think the Constitution requires more of us. If you truly believe in what the President is asking us to do in Yemen, if you truly want to stand with Saudi Arabia at this moment in history, show the courage by voting that way. That is all I am asking for.

Our Founding Fathers showed great wisdom. They knew that the decision to send someone's son or daughter into a war was not to be made by a King or a supreme executive but by the people—the people of the United States. So our Constitution wisely rests that responsibility with us—the Senators and Members of the House of Representatives.

Today, there will be a recorded vote—a historic vote—as to whether we go forward with this involvement in the war in Yemen. I will be voting against any more involvement by the United States in this war.

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

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

The question is, Will the Senate advise and consent to the Beach nomination?

Mr. JOHNSON. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

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

The result was announced—yeas 55, nays 44, as follows:

[Rollcall Vote No. 46 Ex.]

YEAS—55

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

NAYS—44

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

NOT VOTING—1

Murray

The nomination was confirmed.

The PRESIDING OFFICER (Mr. ROMNEY). 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 actions.

LEGISLATIVE SESSION

MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session for a period of morning business, with Senators permitted to speak for up to 10 minutes each and with 30 minutes controlled by the Senator from Iowa, Ms. ERNST, or her designee.

The Senator from Wyoming.

THE GREEN NEW DEAL

Mr. BARRASSO. Mr. President, I come to the floor to discuss the so-called Green New Deal.

America needs every form of energy in order to succeed, but the Democrats' extreme Green New Deal would send our strong, healthy, and growing economy over a liberal cliff. This radical plan would eliminate fossil fuels by requiring 100-percent renewable, carbon-free fuels in just 10 years.

Clearly, we realize that the climate is changing and that the global community has a collective duty to deal with this and to address it. Renewables like wind and solar are certainly a key part of the solution, but still, in the United States today, wind and solar provide only 8 percent of our power. Abundant, reliable, and affordable fossil fuels, like coal and natural gas, power about three out of five U.S. homes and businesses. Excluding them would harm our national security; it would make us dependent on foreign energy; it would destroy jobs; and it would reduce our quality of life.

In a letter sent to the Green New Deal's sponsors, the AFL–CIO—the Nation's federation of labor unions that represents about 12½ million employees and 55 different unions—called the plan a threat to U.S. workers. The letter reads: ''We will not accept proposals that could cause immediate harm to millions of our members and their families.''

Those at the AFL–CIO also say the plan is not achievable or realistic, and I agree with them. By themselves, renewables can't keep the lights on, and an all-renewable energy electric power grid would collapse. This isn't serious environmental policy—it is a pipe dream.

The Democrats have yet to provide a cost estimate for the Green New Deal. One analysis by the former Director of the Congressional Budget Office estimates it could cost up to $93 trillion—with a ''t.'' That is more than the U.S. Government has spent in our Nation's entire history—combined. We are $22 trillion in debt right now. So how are we going to pay for it—by borrowing more money we don't have or by hiking taxes?

The crushing burden is going to fall the hardest on working families. To get to this number, it would drain every person's checkbook in America, starting with Warren Buffett and going all the way down. The Green New Deal would cost every American family as much as $65,000 a year every year. That is more than the average family makes in America. In Wyoming, where the average family's income is way above average, it would cost the family $61,000 a year.

Despite the heavy toll it would take, the Green New Deal would still fail to significantly lower the Earth's temperature. Already, America leads the world in reducing carbon emissions. In 2017, the U.S. produced just 13 percent of the global emissions, and China and India combined produced 33 percent.

Let's take a look at this from a global standpoint. To me, it doesn't make any sense at all to destroy our competitive economy and allow the biggest polluters to continue to prioritize growth at our expense. Backbreaking tax increases and heavyhanded mandates are not the answer. The solution is to promote free market innovation, and the Republicans continue to advance several innovative strategies for reducing emissions.

First, we are encouraging carbon capture, utilization, and sequestration technologies. That means actually capturing carbon and using it productively for medical products, for construction products.

There are things we can actually do. Last year, we passed a bipartisan bill in this body that was signed into law. It is called the FUTURE Act, and it expands tax credits for capturing carbon.

The Clean Air Task Force calls it one of the most important bills for reducing global warming pollution in the last two decades.

Our carbon capture work continues with the bipartisan USE IT Act, which is going to help turn captured emissions into valuable products.

The other thing we are promoting is advanced nuclear power technologies. Nuclear power has helped lower emissions by providing most of America's carbon-free energy.

In late December, we passed the bipartisan Nuclear Energy Innovation and Modernization Act. This law will help innovators develop new-age nuclear reactors that are cheaper, better, and more reliable.

We also have extended the nuclear tax credit to speed completion of two new nuclear reactors. We are going to speed that completion—the first in a generation. Together they will prevent 10 million tons of emissions every year.

Third, we are encouraging an increase in the use of renewables. Republicans have repeatedly passed tax incentives to promote clean energy.

These include tax credits for wind, for solar panels, as well as incentives for biodiesel and compressed natural gas. The clean energy strategies that Republicans have been working on in a bipartisan way are working because America leads the world in reducing energy-related emissions.

Since 2007, U.S. emissions have been down 14 percent. This progress is the result of innovation. So let's continue to promote proven solutions. Let's reject the Democrats' Green New Deal as unreasonable, unworkable, and unaffordable.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mrs. CAPITO. Mr. President, last week, I joined several of my colleagues to highlight the unrealistic and unreasonable and impractical ideas of the Green New Deal—the staggering cost, which is more than the Federal Government has spent in our history; the misguided assumptions about what it

would take to decarbonize the U.S. economy on such an aggressive timeline; and the sorts of social programs that fundamentally change the United States, and, I would add, not in a good way, in my opinion.

But the worst part that has been talked about is a point I made last week. This resolution, this green deal resolution, dismisses or ignores the realistic and pragmatic environmental solutions that this Congress and past Congresses have already been working on.

I serve on the Environment and Public Works Committee with Chairman BARRASSO, who just spoke, and we have been working together in many different areas to get the same sorts of ends.

The supporters of the Green New Deal actually claim Congress has done nothing. Unfortunately, some in the media and some others seem to be reiterating that same message.

As in so many policy arenas, the latest shiny object distracts from the great bipartisan work that is being done in these Halls—work that sometimes just doesn't get noticed—and that is exactly what is happening here.

Well, today I would like to highlight some of the practical, realistic, bipartisan efforts that will put us on the right path without killing jobs or overburdening Americans with government spending and higher costs.

Just yesterday, President Trump signed into law the bipartisan lands package we passed in the Senate last month, and it was an overwhelming vote. As part of that legislation, we permanently reauthorized the Land and Water Conservation Fund, which is a critical resource for protecting and preserving some of our country's most beautiful public lands, including those in my State of West Virginia.

Another example of the legislative solutions that we have advanced is the FUTURE Act, which I led with my Democratic colleagues, former Senator Heidi Heitkamp from North Dakota and Senator WHITEHOUSE from Rhode Island, along with Chairman BARRASSO. That legislation had a bipartisan group of 25 cosponsors and the support of an incredibly diverse and broad coalition of supporters: environmental groups, oil and gas companies, Governors from around the country, and labor unions.

What cause could bring these diverse stakeholders together? Carbon capture utilization and storage—CCUS.

The FUTURE Act reauthorized and improved the section 45Q tax credit for CCUS, and it requires the certainty that the carbon stays captured for good and is used in real products for market potential.

It is not about research and development. There are other Federal programs that are reserved for that important endeavor. It is about establishing real incentives for the commercial deployment of CCUS technologies and establishing a national market for carbon.

Only a market-based solution like the FUTURE Act can lead to broad adoption of CCUS. And CCUS is something that the International Panel on Climate Change at the U.N. and several other climate and scientific organizations say must be a part of the international solution to this global challenge.

The FUTURE Act also includes support for direct-air capture projects, and that means not just from a power source or some other manufacturing source. It is actually capturing it in the free air in the environment, which can literally pull CO_2 out of the atmosphere for storage or use in marketable products. That can work to make new industries carbon-negative and carbon-neutral.

The United States can be a leader in this space because the environment is a global concern, and we can't control other countries' industrial and environmental policies, nor do we want them controlling ours.

With CCUS and direct-air capture, not only can we cut our emissions while maintaining high-paying coal, gas, oil, and manufacturing jobs, but we can also capture emissions emitted abroad and use them in value-added products.

The FUTURE Act was passed as part of the bipartisan Budget Act last Congress, and we are already seeing new projects being proposed to benefit from this policy. Even more will be coming forward as we build on this success, and that is where the USE IT Act comes in.

We introduced that legislation with the same group of cosponsors with Environment and Public Works Committee Ranking Member CARPER stepping in for Senator Heitkamp. We have a similar coalition of supporters across industry, environmental groups, State governments, and labor.

The USE IT Act will direct an interagency council to review the guidelines and create a playbook for permitting CCUS projects and associated carbon dioxide pipelines. This certainty from Federal Agencies is essential so that those seeking to utilize the 45Q tax credit that I talked about previously in the FUTURE Act can do so before it expires.

I look forward to advancing this legislation in Congress. We have already had a hearing on it—a very great bipartisan hearing on this—and I look forward to furthering our achievements in the CCUS space.

The FUTURE Act also includes seed money for breakthrough innovations in carbon capture. This expands on the good work that is already being done in CCUS research and development, primarily through the funding of the Fossil Energy Research and Development Office.

Congress has invested more than $4 billion in CCUS through that program alone, in addition to several other programs to make more efficient and environmentally sound use of our fossil resources. Some of these breakthroughs are being developed at the National Energy Technology Lab in Morgantown, WV, in conjunction with outside partners like West Virginia University.

I will continue to advocate for this kind of robust funding for these sorts of innovative energy programs, and I will support improving energy efficiency and ensuring that the United States remains a leader in carbon-free nuclear energy.

Doing the hard-nosed legislating and coalition building to achieve these goals is tough enough without all of the noise around a Green New Deal. Despite this distraction, I am confident we can continue to notch wins in this arena. We have to because there is simply too much riding on it for our economy and for our environment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Mr. President, when it comes to bankrupting our country, the Green New Deal puts all other ideas to shame. It calls for rebuilding or retrofitting every building in America in the next 10 years, eliminating all fossil fuels in 10 years, eliminating nuclear power, and working toward ending air travel. This Green New Deal is not a serious policy idea; it is a unicorn.

Democrats failed to grasp something basic: Republicans and Independents care about the environment. We want clean air, we want clean water, and we want to take care of our environment and natural resources. At the same time, we also care about our economy, jobs for families in our States, and making sure that everyone in our country has the opportunity to succeed. We believe that taking care of the planet and working to create a better economy are objectives that can and must be pursued at the exact same time.

You can't afford to take care of the environment if you don't have a strong economy. The Green New Deal would destroy our economy. To embrace this Green New Deal plan is to be an enemy of the American economy and the American worker because when you stop and think about it, the Green New Deal is, in reality, the green job killer.

Some will say: Why bother picking on this plan? It is not like it has any chance of being enacted.

Here is the problem: A socialist from New York City with a massive Twitter following introduced this nonserious plan, and every single major Democrat running for President immediately embraced it. Let that sink in for a moment.

Climate change is real and requires real solutions, but the Democratic Party has accepted this economy-destroying new deal as a new commandment to go alongside single-payer healthcare and higher taxes on job creators.

For most Americans, this plan is a declaration of war on the economy, our

way of life, and the standard of living for working class families across our great country.

What does this mean for Florida? Well, it would mean the end of the tourism industry; that is, 1.4 million jobs, massive job loss, and unemployment.

As for me, I love and cherish the environment. It is what makes the great State of Florida so great. What I don't love are naive plans that would destroy Florida's economy.

During my time as Governor of Florida, we made record investments in our environment, and we were able to do that only because Florida's economy was booming and we had the resources to make these investments. The Green New Deal would reverse every ounce of progress we have made.

The most incredible part of the Green New Deal plan is the statement that they will provide ''economic security for all people of the United States.'' No government can ever do that. To argue otherwise is a disservice to all hard-working Americans and nothing more than phony political posturing.

I look forward to a time when we don't have to argue about ridiculous proposals being amplified in the media and can actually focus on real solutions to protect our environment and build our economy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. YOUNG. Mr. President, I rise today to speak about the so-called Green New Deal and its impact on Indiana's agricultural community and our Hoosier farmers.

As I said last week, this misguided Green New Deal is unaffordable, unattainable, and unrealistic. In fact, over the next decade, this so-called deal would cost up to $65,000 per American household per year.

This proposal is a job killer, and it is bad news for hard-working Hoosiers. This is especially true for Hoosiers who rely on our vital agriculture industry for their incomes.

Allow me to run through a few numbers. In Indiana, agriculture supports more than 107,000 Hoosier jobs. Agriculture also contributes an estimated $30 billion to Indiana's economy. Indiana is the 10th largest farming state in the Nation, and we are the 8th largest ag export. Perhaps most importantly, 97 percent of Hoosier farms are family owned or operated.

Agriculture is a main driver of our State's economy. It is often said that Indiana feeds the world, and we take a lot of pride in that. We need our ag community to continue thriving. Yet the sponsors of this Green New Deal have spoken about cutting back on the farming practices that employ Hoosiers and put food on the table.

Imagine the crushing cost to Hoosier farmers of changing out all farm equipment for electric vehicles or the cost of upgrading every single building on every farm in Indiana. This is on top of the sharp climb in energy prices that we would see under the Green New Deal. This bad deal would force the cost of doing business to skyrocket for Hoosier manufacturers and our farmers, which would mean higher prices for consumers and less money in the pockets of hard-working Hoosiers.

Jim, a small business owner from Muncie, wrote to my office recently. He said: ''Please stop the Green New Deal in its tracks NOW.''

I also heard from Patrick in Bloomington, who said: ''As a man who has served my country in combat in Vietnam 50 years ago and someone who loves my country deeply—I am very concerned about the direction our nation is heading.'' Regarding the Green New Deal, he added: ''I hope you won't give this idea a second thought.''

Dennis from Greenwood wrote: ''My wife and I are strongly against the 'Green New Deal'. . . . We would recommend that you not support this crazy idea.''

Well, Dennis, I don't intend to.

Susan from Lafayette wrote: ''Please hold strong and promote the values of Indiana and many Americans. . . . ''

The bottom line is this: Hoosiers don't want this harmful Green New Deal. It sets unattainable goals that are bad for Hoosier farmers. It is bad for our economy, and it is bad for our families.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

S.J. RES. 7

Mr. SANDERS. Mr. President, let me begin by thanking Senator MIKE LEE and Senator CHRIS MURPHY for their hard work on this important resolution—work which, in fact, has gone on now for several years.

Today is an extremely important day. Today we in the Senate have the opportunity to take a major step forward in ending the horrific war in Yemen and alleviating the terrible, terrible suffering being experienced by the people in one of the poorest countries on Earth.

Today, equally important, we can finally begin the process of reasserting Congress's responsibility over war-making. As every schoolchild should know, article I of the Constitution clearly states that it is Congress, not the President, that has the power to declare war. In their great wisdom, the Framers of our Constitution, the Founders of this country, gave that enormously important responsibility to Congress because the Members of the House and the Senate are closer and more accountable to the people of this country.

Tragically, however, over many years, Congress has abdicated that responsibility to Democratic Presidents and Republican Presidents. Today we begin the process of reclaiming our constitutional authority by ending U.S. involvement in a war that has not been authorized by Congress and is clearly unconstitutional.

Last December, this body made history for the first time since the War Powers Resolution was passed in 1973. A majority of Senators—56 of us, in a bipartisan way—used those powers from the War Powers Act to end U.S. involvement in a war.

Today we consider that exact same resolution once again in the new Congress. This time, however, unlike last session, this resolution will be brought to the House floor, and I strongly believe will be passed.

Let me say a brief word about the war in Yemen.

In March of 2015, under the leadership of Muhammad bin Salman, then Saudi Defense Minister and now the Crown Prince, a Saudi-led coalition intervened in Yemen's ongoing civil war. As a result of that intervention, Yemen is now experiencing the worst humanitarian disaster on the planet.

According to the United Nations, Yemen is at risk of the most severe famine in 100 years, with some 14 million people facing the possibility of starvation. In one of the poorest countries on Earth, as a result of this war, according to the Save the Children organization, some 85,000 children in Yemen have already starved to death over the last several years—an unimaginable number, unimaginable suffering and destruction. If this war continues, what the experts tell us is that millions more will also face famine and starvation.

Further, Yemen is currently experiencing the worst cholera outbreak in the world, with as many as 10,000 new cases each week, according to the World Health Organization. This is a disease spread by infected water that causes severe diarrhea and dehydration and will only accelerate the death rate. The cholera outbreak has occurred because Saudi bombs have destroyed Yemen's water infrastructure and people are no longer able to access clean drinking water.

The fact is that the United States, with little media attention, has been Saudi Arabia's partner in this horrific war. We have been providing the bombs that the Saudi-led coalition is using. We have been refueling their planes before they drop those bombs, and we have been assisting with intelligence.

In too many cases, our weapons are being used to kill civilians. In August, it was an American-made bomb that obliterated a schoolbus full of young boys, killing dozens and wounding many more. A CNN report found evidence that American weapons have been used in a string of such deadly attacks on civilians since the war began.

This past weekend—this past weekend—at least 20 women and a child were killed in a Saudi-led airstrike on Yemen's northwestern Province of Hajjah, as they huddled in a house to avoid nearby clashes. As is so often the case in war, the innocent, the women and the children, pay the price.

Late last year, I met with several brave Yemeni human rights activists.

They had come to Congress to urge us to put a stop to this war. They told me clearly: When Yemenis see ''Made in America'' on the bombs that are killing them, it tells them that the United States is responsible for this war. That is the sad truth.

The bottom line is that the United States should not be supporting a catastrophic war led by a despotic regime with a dangerous and irresponsible foreign policy.

Some have suggested that Congress moving to withdraw support for this war would undermine the United Nations' efforts to reach a peace agreement, but the opposite is true. It is the promise of unconditional U.S. support for the Saudis that undermines those efforts.

We have evidence of this. Last December, as we were preparing to vote on this same resolution, we received news that U.N. Special Envoy Martin Griffiths reached a breakthrough agreement for a ceasefire in the port city of Hodeidah. That ceasefire, which is being maintained today, is enabling food and increased humanitarian aid into the country.

I have spoken to people at the highest level of those negotiations, who have made it clear that our actions here in the Senate played a significant role in pushing Saudi Arabia toward an agreement. That pressure must continue, and the resolution I hope we pass today will do just that.

Our effort on this issue has clearly made a positive impact, and I thank all of the cosponsors of this resolution for their efforts and all of the civil society organizations—progressive and conservative organizations—that have worked so hard to raise awareness of this conflict and the constitutional implications.

Above and beyond the humanitarian crisis in Yemen, this war has been harmful to our national security and the security of the region. The administration defends our engagement in Yemen by overstating Iranian support for the Houthi rebels. Let me be clear. Iran's support for the Houthis is of serious concern for all of us, but the truth is that support there is far less significant than the administration claims. The fact is that the relationship between Iran and the Houthis has only been strengthened by this war. The war is creating the very problem the administration claims to want to solve.

This war is also undermining the broader effort against violent extremists. A 2016 State Department report found that the conflict had helped al-Qaida and the Islamic State's Yemen branch ''deepen their inroads across much of the country.'' The head of the International Rescue Committee, former British Foreign Minister David Miliband, said in a recent interview that ''the winners are the extremist groups like Al Qaeda and ISIS.'' Late last year, the Wall Street Journal reported that ''nearly two years after being driven from its stronghold in Yemen, one of al Qaeda's most dangerous franchises has entrenched itself in the country's hinterlands as a devastating war creates the conditions for its comeback.''

Here is something that should deeply concern us all. At a time when we are spending billions to fight terrorism all over the world, a February CNN report revealed that Saudi Arabia and its coalition partners have transferred American-made weapons to al-Qaida-linked fighters in Yemen. Does anyone here think it makes sense that U.S. weapons should be given to groups who have declared war against the United States?

This war is both a humanitarian and a strategic disaster.

Let us also not forget that this war is being led by a despotic, undemocratic regime in Saudi Arabia. The United States of America—the most powerful country on Earth—should not be led into a regional war by our client states that are trying to serve their own narrow and selfish interests.

It should not be Saudi Arabia that is developing and implementing American foreign and military policy. Saudi Arabia is a monarchy controlled by one of the wealthiest families in the world—the Saud family. In a 2017 report by the Cato Institute, Saudi Arabia was ranked 149th out of 159 countries for freedom and human rights. Is this really the kind of country whose foreign policy we should be supporting with U.S. taxpayer dollars?

For decades, the Saudis have funded schools, mosques, and preachers who promote an extreme form of Islam known as Wahhabism.

In Saudi Arabia today, women are treated as third-class citizens. Women still need the permission of a male guardian to go to school or to get a job. They have to follow a strict dress code and can be stoned to death for adultery or flogged for spending time in the company of a man who is not their relative.

Last year, Saudi activist Loujain al-Hathloul, a leader in the fight for women's rights, was kidnapped from Abu Dhabi and forced to return to the country. She is currently imprisoned, along with many other human rights activists. Human Rights Watch reported that imprisoned women activists have been subjected to torture, including electric shocks, and other forms of physical and sexual assault.

The people of the entire world received a very clear understanding of the nature of the Saudi regime with the murder of Jamal Khashoggi in the Saudi consulate in Turkey. All of the evidence suggests that the Saudi Crown Prince was directly responsible for that murder. Is that really the kind of regime whose leads we in the United States should be following?

I believe the U.S. Congress has become far too comfortable with military interventions all over the world. We have now been in Afghanistan for nearly 18 years—the longest war in American history. We also have troops in many other countries around the world. The time is long overdue for Congress to reassert its constitutional role in determining when and where our country goes to war. This resolution provides that opportunity.

I hope this body will do exactly as it did in December and, in a bipartisan manner, pass this resolution. The humanitarian catastrophe has only gotten worse in Yemen, and our intervention there is every bit as unconstitutional as it was when we passed this resolution in December.

Let us bring this catastrophic war in Yemen to an end. Let us focus our efforts on a diplomatic resolution to end that war. Let us provide the humanitarian aid needed to protect the hungry and the sick in Yemen. In a historic vote 45 years after the passage of the War Powers Act, let us today reassert Congress's constitutional responsibility in terms of war-making.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mr. COTTON). The Senator from Connecticut.

Mr. MURPHY. Thank you very much, Mr. President.

Once again, I am very pleased to join my friend the Senator from Vermont on the floor to press this body to take seriously its constitutional responsibility and its responsibility to ensure that the United States doesn't enter into hostilities abroad other than in those situations that are vitally necessary to protect our national security interests.

I am so proud to have worked with Senator SANDERS, Senator LEE, and many others here to build a truly bipartisan coalition that is going to do something that, as Senator SANDERS said, is historic.

I have been coming down to the Senate floor for 4 years now raising concerns about U.S. participation in this civil war. When the United States first entered into an agreement with the Saudis to help them in their bombing campaign, very few people could probably locate Yemen on the map. Today, it is the subject of national conversation. With passage in the Senate and the House, regardless of what the President chooses to do, the world now knows that the United States is paying attention to the world's worst humanitarian disaster—a nightmare inside Yemen that is taking the lives of tens of thousands of people.

Sometimes humanitarian disasters and famines are caused by natural events, those that we cannot control—droughts, for instance. This is a man-made humanitarian catastrophe that the United States has something to say about, and we are going to say something about it in a matter of hours.

Let me just say a few things about what will happen if we pass this resolution and it becomes law and what will not happen if we pass this resolution and it becomes law. I think Senator SANDERS covered this, and we have covered this enough.

The first thing that happens is that we uphold the Constitution.

I get it. Declaring war is a lot tougher today than it was 40 years ago or 100 years ago. It is not as if there are big armies that march against each other across open fields. Very rarely is there a nice peace treaty signed to wrap up hostilities. Now we have shadowy and more diffuse enemies who are harder to define. We have wars that seem to never end. But that doesn't obviate Congress's responsibility to set parameters around war. Just because it is harder to declare war today doesn't mean that we still don't have the responsibility to do it.

Over and over again, we have outsourced the decision on hostilities to the President, whether it be President Obama or President Trump. In large part, it is because we just don't want to be in this business any longer.

There is no doubt that when we are helping Saudi Arabia drop bombs on churches, on weddings, on cholera treatment facilities, and on some legitimate military targets, we are engaged in a war, and we should declare it here. That is the first thing that happens.

The second thing that happens if we pass this resolution and it becomes law is that we wash our hands of the blood associated with being a participant in the creation of one the world's worst humanitarian catastrophes.

Never has the world seen a cholera epidemic as big as this one, at least in recorded history. There is no secret as to why there is a cholera epidemic; it is because the Saudis bombed the water treatment facilities, so the water isn't clean any longer.

Whether or not the United States knew about this or signed off on it, we don't know, but the fact is, we should not be associated with a bombing campaign that the U.N. tells us is likely a gross violation of human rights.

Third, if we pass this resolution and it becomes law, peace becomes more likely.

We have evidence of why that is because when we passed this resolution in the Senate at the end of last year, not coincidentally, within days, a partial ceasefire was announced in Hodeidah. Why is that? The reason is twofold. One, when the Saudis realize they don't have a blank check from the United States any longer, they get more serious about peace. Two, the Houthis, who are the other party to this conflict and who don't believe that the United States is an honest broker or that anyone will actually be serious about enforcing concessions they give, come to the table because they see that the United States and others that we support as part of the negotiations will actually be honest brokers and that we are only willing to go so far with our Saudi partners.

The fourth thing that happens, as Senator SANDERS has mentioned, is that we are able to send a message to Saudi Arabia and specifically to the Crown Prince that they need to change their behavior if they want to maintain this relationship.

Some people are going to vote against this because they say it has nothing to do with Jamal Khashoggi. It does. Jamal Khashoggi's name isn't in here. The names of the other American residents who are currently being detained by Saudi Arabia aren't in here. But make no mistake—Muhammad bin Salman, who ordered this campaign of political repression—his No. 1 foreign policy priority is the perpetuation of the war inside Yemen.

Given the violation of trust that has occurred with the United States over the murder of Jamal Khashoggi and the coverup of it, it stands to reason that we would rethink our association with other priorities of the Crown Prince's if he blatantly lied to us about his participation in the human rights violation that has become the obsession of this country and the world. The two are connected. This will be seen as a message to the Saudis that they need to clean up their act.

What will not happen? Casualties will not get worse. The Trump administration says: Well, if we are not part of the coalition, it just means we can't stop civilians from being killed.

Well, forgive me, but it doesn't seem like we have been doing too good of a job thus far if 85,000 children under the age of 5 have died of starvation and disease and tens of thousands of civilians have been caught in the crossfire. We can't get into classified information here, but let's just say there is a limit to what the United States can do as part of this coalition.

There is no evidence to suggest that casualties will get worse. In fact, the cover being lifted of U.S. endorsements of this bombing campaign will make it harder for the Saudis to take chances because they know they don't have the United States to fall back on.

Second, the Saudis will not go somewhere else. This idea that if we just say we are not going to participate in this one single war with you, that the Saudis will all of a sudden break relationships with the United States and go buy their military equipment from Russia, is belied by how this alliance has worked for years. The complication of the Saudis turning around and choosing to go to another partner, if that is how this works, that the nature of our relationship is one in which the United States can never ever refuse a request from the Saudis to participate in one of their military endeavors overseas, then that is not an alliance. An alliance allows you to tell your partner when you think they are wrong and choose, unless you have a treaty obligation of some sort, whether you engage with them.

Lastly, as I mentioned, some people say we will lose our political leverage; that we will make it harder for negotiations to happen. It is exactly the opposite, as evidenced by the fact that when we were debating this resolution last time, as people were telling us that if we passed it we wouldn't have as much leverage in the negotiations, successful negotiations were being concluded in Stockholm.

This is a historic moment for the Congress to step up and say that enough is enough. We are made weaker in the eyes of the world when we willingly participate in war crimes and when we allow for our partner to engage in activity that leads to the slaughter of innocents.

Never mind the conduct of a war in which our true enemies, al-Qaida and ISIS, are getting stronger and stronger by the day. I hope we have the same bipartisan stamp of approval on this resolution today as we did last year, and I hope it stands as a new day for the Senate when we are more willing, on a bipartisan basis, to do our concurrent responsibility, along with the executive branch, to set the foreign policy of this Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to again support efforts to stop U.S. direct military support for the Saudi-led coalition efforts in Yemen.

I do not need to remind my colleagues what is at stake. Each time we have considered this resolution, the situation for Yemenis is even more dire.

Now in its fourth year, this conflict has put nearly 16 million people on the brink of starvation, including 400,000 children who are severely malnourished, displaced more than 3 million people, and done nothing to increase stability or prosperity for the people of Yemen. In fact, the longer this conflict goes on, the larger Iran's foothold in Yemen grows and the more entrenched opposing political factions become.

In addition to the horrifying humanitarian crisis, we have also learned that U.S. coalition partners may be transferring U.S.-origin weapons to known—underline known—terrorist organizations. We have read alarming reports about torture and abuse in prisons throughout Yemen—both Houthi and coalition controlled.

I will simply repeat what I have said before. It is in the interest of the United States to put as much political pressure on the parties to end this conflict as we can. Yes, we have strategic partnerships with Saudi Arabia and the United Arab Emirates, but we must find a way forward to get those relationships on a path that truly serves U.S. interests.

To be clear, the Houthis bear significant responsibility in the deterioration of the state of affairs in Yemen, and that is without a doubt. We do not have diplomatic relations with the Houthis, and we certainly don't sell them arms or provide active military support. This resolution is a good first step, but what we really need is a comprehensive approach to address our interests in the gulf.

Along with Senators YOUNG, REED, GRAHAM, SHAHEEN, COLLINS, and MURPHY, I introduced the comprehensive Saudi Arabia Accountability and Yemen Act. The bill calls for a suspension of offensive weapons sales to Saudi Arabia, sanctions all persons responsible for blocking humanitarian access in Yemen or supporting the Houthis in Yemen, and urges accountability for all actors in Yemen guilty of war crimes.

Finally, it also addresses some of the most reckless Saudi actions by calling for true accountability for those responsible for the murder of American resident and journalist, Jamal Khashoggi, and a report on human rights in Saudi Arabia.

I support this resolution and encourage us to continue to debate. We must evaluate our relationship with these partners and find a path forward not just in Yemen but indeed in the entire gulf region that truly promotes American interests and American values.

Today is a day we can make a clear and unequivocal statement that we do not support this continuing conflict and humanitarian disaster. There is a consequence for acting in the way the coalition has—in many cases, clearly, irresponsibly, with the reckless loss of human life. I hope we can continue to work to go beyond that so we can deal with the entire region's challenges.

I look forward to whatever is the agreement on amendments that may be considered here. I personally would like to see us get an up-or-down vote as a resolution. I understand there may be some amendments.

Depending upon what amendments are made in order, I may seek a second-degree amendment at the end of the day. I am concerned that one of these amendments that are contemplated may be well-intentioned but also may very well be used in such a way to actually undermine the very essence of the underlying vote we are taking.

I will reserve my judgment until that time on that, but in the interim, I urge all of my colleagues to continue to support it, as they did in the last vote on this question of this resolution.

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

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

Mr. LEE. Mr. President, I stand with Senator SANDERS and with Senator MURPHY as a cosponsor of the legislation before us, S.J. Res. 7, which would remove U.S. Armed Forces from Saudi Arabia's war in Yemen.

There were 56 Senators who voted in favor of this resolution just a few months ago, in December, or at the end of the last Congress. That vote was, of course, a victory for the Constitution and for the separation of powers, to say nothing of prudence, of peace, and of justice. The House of Representatives passed its own version of this resolution earlier this year. Now it is back to us. Now it is our turn. Now it is our job to get this passed. We have the opportunity today to reassert Congress's constitutional role over declaring war and over putting American blood and treasure on the line.

In this particular case, the evidence is clear that we ought not be involved in this unconstitutional, unjustified, and, ultimately, immoral war. The Yemeni war has claimed the lives of tens of thousands of people, including those of countless innocent civilians. It has created countless refugees, orphans, widows, and it has also displaced countless families. The numbers are nothing short of staggering.

Since 2015, more than 6,000 civilians have died, and more than 10,000 have been wounded. The majority of these casualties—over 10,000 of them—has been as the result of airstrikes led by the Saudi-led coalition. In one attack last year, the Saudis dropped a U.S.-made bomb on a schoolbus that killed 40 young children on a school trip and wounded another 30 children in addition to that.

Yemen is now facing rampant disease and mass starvation. An estimated 15 million people do not have access to clean water and sanitation, and 17 million don't have access to food. Photographs from Yemen depict malnourished children who have every rib in their tiny bodies exposed and jetting out as manifestations of their starvation. Over 85,000 children have died of starvation since 2015.

In short, the situation in Yemen has become the worst humanitarian crisis in the world, and the United States has been abating the horrors of this war. Indeed, our country has actually made the crisis worse by helping one side bomb innocent civilians. I don't say that lightly. It is with great soberness that I raise this very real and very serious accusation.

So it begs the question: How did we get entangled in this crisis to begin with? How did we get involved? Why and how and under what circumstances did this become our war to fight?

In March of 2015, Saudi Arabia launched a war against the Houthi rebels. Shortly after the Houthis ousted the Saudi-backed government in the capital city of Sanaa, the Obama administration—without consulting Congress, of course—authorized U.S. military forces to provide logistical and intelligence support to the Kingdom of Saudi Arabia-led coalition fighting that war. U.S. military support has continued ever since then, for the last 4 years, including with midair refueling, surveillance, reconnaissance information, and target selection assistance. In other words, we have been supporting and, in fact, have been actively participating in the activities of war. We are involved in this conflict as, no less, cobelligerents.

Some of my colleagues have argued to the contrary and have suggested that we are somehow not involved in this war in Yemen. Yet, if we are honest with ourselves, we know that isn't true. We know that this argument falls dead flat on its face. As Defense Secretary Jim Mattis himself acknowledged in December of 2017, just a little over a year ago, our military has been helping the Saudis with target selection assistance or with ''making certain they hit the right thing.''

In other words, we are helping a foreign power bomb its adversaries in what is, undoubtedly, indisputably, a war. Previously, we were helping them even with midair refueling assistance—that is, helping Saudi jets that were en route to bombing missions and other combat missions on the ground inside of Yemen. If that doesn't constitute direct involvement in a war, I don't know what does.

Other opponents of our resolution claim somehow that our involvement in Yemen is constitutional, that it is lawful under the War Powers Act of 1973. It is true that under the War Powers Act, the executive branch is authorized to use Armed Forces in cases of emergencies and in other certain, rigid, well-established time constraints. Yet, you see, the conflict in Yemen does not constitute a threat to the safety of American citizens, and our involvement has far surpassed any emergency time allotted under the War Powers Resolution.

The Houthis, while, perhaps, no friends of the American people, make up a regional rebel group that does not itself threaten American national security. In fact, the longer we fight against it, the more we give reason to it to hate America and to embrace the opportunists who are our true enemies in the region—those who make up the regime in power in Iran. The more we prolong the activities that destabilize this region, the longer we harm our own interests in terms of trade and broader regional security.

The War Powers Act also states that the assignment of U.S. Armed Forces to coordinate and to participate in the hostilities of a foreign power, of a foreign country, itself constitutes a conflict of war. Some have argued that we have not been engaging in hostilities and, therefore, somehow, have not violated the War Powers Act. This claim falls flat in several respects.

First, the claim itself is categorically untrue. As we heard before, we are literally telling the Saudis what to bomb, what to hit, and what and whom to take out.

Second, these opponents are relying on an old, 1976 memorandum that is internal to the executive branch and internal to the Department of Defense itself that was written by a lawyer within the Department of Defense. Talk about the fox guarding the henhouse. It defers to a Department of Defense lawyer's memorandum from 1976 that uses an unreasonably,

unsustainably, indefensibly slim definition of the word ''hostilities.'' This definition may or may not have been relevant then. I don't know. I was only 5 years old at the time it was written. Yet we no longer live in a world in which ''war'' means exclusively two competing countries that are lined up on opposite ends of the battlefield, in two columns, and that are engaged in direct exchanges of fire across the same ground. That is not how war is waged anymore.

War activities, of course, have changed dramatically since 1976. Like bell-bottoms and so many fads of that era, this is a dynamic that has changed today. Our war in today's America increasingly relies on high technology and on high-technology solutions. Our wars have involved cyber activity, reconnaissance, surveillance, and high-tech target selection. These, by the way, are the precise activities that we ourselves are undertaking in Yemen. It is not just that we are involved somehow on the sidelines. These activities themselves constitute war.

Even aside from this overly narrow, cramped, and indefensible definition of the word ''hostilities'' and separate and apart from the definition of the word ''hostilities,'' under the War Powers Act, we ourselves do not have to technically be involved in hostilities in order to trigger the responsibilities of the Congress under the War Powers Act in order to make sure that the legislative branch actually does its job to declare war or to authorize the use of military force under the War Powers Act and under the Constitution. The War Powers Act, in fact, is triggered so long as we are sufficiently involved with the armed forces of another nation when those armed forces of another nation are themselves involved in hostilities, which they indisputably are.

The Saudi-led coalition directing the activities in the civil war in Yemen against the Houthis is undeniably involved in hostilities. We are undeniably assisting the coalition in those movements, in those activities, in those acts of war. We, therefore, by definition under the plain language of the War Powers Act itself, are subjected to the terms of the War Powers Act. The Saudis are, without question, involved in those hostilities. We can't doubt that. No one here can credibly claim to the contrary.

Finally, some argue that this resolution might somehow harm or undermine or hurt our efforts to combat terrorism in the region specifically with regard to al-Qaida and ISIS. Importantly, however, this resolution explicitly states that the resolution would not impede the military's ability to fight these terror groups. In fact, U.S. involvement in Yemen has, arguably, undermined the effort against al-Qaida's affiliates. The State Department's Country Reports on Terrorism for 2016 found that the conflict between the Saudi-led forces and Houthi insurgents has actually helped al-Qaida in the Arabian Peninsula, or AQAP, as it is often described, and ISIS' Yemen branch to ''deepen their inroads across much of the country.''

It appears that our involvement in Yemen accomplishes no good at all, only harm—and significant harm at that. Recent events are bringing that into an even clearer light. In October, there was the killing of Jamal Khashoggi. Then, just the week before last, news broke that the Saudis tortured a man while he was detained there in 2017. He had dual citizenship in the United States and Saudi Arabia. Shortly before that, a report also came out that suggested that Saudi Arabia had transferred American-made, American-manufactured weapons to al-Qaida-linked fighters and to other militant groups. In other words, the Saudis are likely using our own weapons in violation of our own end-user agreements with them, by the way, to commit these atrocities of war. That is not OK.

It is becoming clearer and clearer that the Kingdom of Saudi Arabia is not an ally that deserves our unwavering, unquestioning, unflinching support. It is not an ally that deserves our support or our military intervention, especially when our own security—the safety of the American people—is not on the line, and I haven't heard anyone in this body maintain otherwise.

Indeed, perhaps we ought not be supporting this regime at all. At a bare minimum, we ought not be deferring unflinchingly to this regime, and we ought not be fighting an unjust war on its behalf half a world away, putting at risk not only U.S. treasure but also, potentially, U.S. blood and the blood of countless innocent civilians who are in the line of fire as a result of this. To the contrary, to continue supporting them in this war would be bad diplomacy and would undermine our very credibility on the world stage.

Look, regardless of where you stand on this war, these decisions matter, and we ought to take them seriously. In fact, each and every one of us has sworn an oath to take things like this seriously.

The Constitution puts the war-making power—the power to declare war—in the hands of Congress. There was a good reason for this. It has everything to do with the fact that Congress is the branch of the Federal Government most accountable to the people at the most regular intervals, and our Founding Fathers wisely understood that it was dangerous to allow the powers of government to accumulate in the hands of the few or in the hands of one person.

One of the reasons they put the war-making power in the hands of Congress is they wanted to make a strong break away from the system that had evolved in our old system of government, the one involved in our old capital based in London, where the chief executive himself had the power unilaterally to make war.

This was a decided break from that tradition. There were other traditions that we continued, that we adopted. Many of our rights, our liberties, our processes in government were patterned after the British model. This one was not. It was deliberately the choice of the Founding Fathers not to continue with that tradition, and that is why we and only we can declare war.

You see, it is not that we are flawless. It is not that we are any smarter than people in other branches. Quite to the contrary, it has only to do—and everything to do—with the fact that we are more accountable to the people at more routine intervals.

When you put the power to declare war or authorize the use of military force in Congress, you guarantee that this decision will be made carefully and deliberately in full view of the American people. Public debates have a way of bringing the American people into the discussion, into the deliberation.

You see, there is no such thing as a clean war. There is no such thing as a war that is detached from moral peril, from moral consequences, from grave and heartbreaking results in which innocent men, women, and children lose their lives or are subjected to the worst privations known to human beings.

It is for that very reason that we owe it to those affected by war—not just the brave men and women who fight for us and protect us but for people all over the world and for the good name of the United States to be protected—that as we publicly debate the moral consequences of war, the grave implications that war has for our country and others involved in the conflict are the business of all of the American people and should never be reserved for one person.

We need to carefully weigh the risks and merits of engaging in any conflict in an open and in an honest manner. So instead of placing this power in the hands of a King or even just in the executive branch generally where it can be used unilaterally to declare war, the Founders placed it here in Congress, knowing that we are more accountable to the people than the other branches, and the power would be less likely to be abused here.

There is a lot at stake. There is a lot at stake whenever the lives of American military personnel are placed on the line and whenever the lives of innocent men, women, and children are on the line, too—precious lives, each of immeasurable worth. These decisions result in the shedding of blood, the shedding of blood that will be on our hands if we fail both to exercise our constitutional prerogatives and to take that very responsibility very seriously.

Over the last 80 years, we have tragically seen what happens when the muscle of the legislative branch begins to atrophy as a result of the failure of those who occupy these very seats to exercise their legislative muscle. When we fail to exercise that power that the

Constitution entrusts to us, entrusted to us in that document to which each of us has taken an oath, we imperil the entire system and the safety of our country. We also cheapen the moral certainty with which our Armed Forces need to be able to proceed in order to make what they do right and legally and morally justifiable.

So today, I respectfully and with all the passion and energy I am capable of communicating urge my colleagues once again to vote to end our involvement in this unauthorized, unjustified, unconstitutional, and immoral war.

DIRECTING THE REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES IN THE REPUBLIC OF YEMEN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS

Mr. LEE. Mr. President, I ask unanimous consent that the Foreign Relations Committee be discharged from further consideration of S.J. Res. 7 and that the Senate proceed to the immediate consideration of S.J. Res. 7. I further ask that there be 2 hours of debate, equally divided between the two leaders or their designees, with 10 minutes of the Democratic time being reserved for Senator MENENDEZ; further, that the following amendments be called up and reported by number, Paul amendment No. 193, Inhofe amendment No. 194, and Rubio amendment No. 195; further, that no other first-degree amendments be in order and no second-degree amendments be in order prior to a vote in relation to these amendments; finally, that upon the use or yielding back of that time, the Senate vote in relation to the amendments in the order listed and that following the disposition of the amendments, the joint resolution, as amended, if amended, be read a third time and the Senate vote on passage of the joint resolution as amended, if amended, with 2 minutes equally divided prior to each vote.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A joint resolution (S.J. Res. 7) to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

Thereupon, the committee was discharged, and the Senate proceeded to consider the resolution.

AMENDMENTS NOS. 193, 194, AND 195

The PRESIDING OFFICER. The clerk will report the amendments by number.

The bill clerk read the amendments as follows:

The Senator from Utah [Mr. LEE], for others, proposes amendments numbered 193, 194, and 195.

The amendments are as follows:

AMENDMENT NO. 193

(Purpose: To provide that nothing in the joint resolution may be construed as authorizing the use of military force)

At the end, add the following:

SEC. 6. RULE OF CONSTRUCTION REGARDING NO AUTHORIZATION FOR USE OF MILITARY FORCE.

Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1547(a)(1)), nothing in this joint resolution may be construed as authorizing the use of military force.

AMENDMENT NO. 194

(Purpose: To provide an exception for supporting efforts to defend against ballistic missile, cruise missile, and unmanned aerial vehicle threats to civilian population centers in coalition countries, including locations where citizens and nationals of the United States reside)

On page 5, line 7, insert after ''associated forces'' the following: ''or operations to support efforts to defend against ballistic missile, cruise missile, and unmanned aerial vehicle threats to civilian population centers in coalition countries, including locations where citizens and nationals of the United States reside''.

AMENDMENT NO. 195

(Purpose: To provide a rule of construction regarding intelligence sharing)

Insert after section 3 the following new section:

SEC. 4. RULE OF CONSTRUCTION REGARDING INTELLIGENCE SHARING.

Nothing in this joint resolution may be construed to influence or disrupt any intelligence, counterintelligence, or investigative activities relating to threats in or emanating from Yemen conducted by, or in conjunction with, the United States Government involving—

(1) the collection of intelligence;

(2) the analysis of intelligence; or

(3) the sharing of intelligence between the United States and any coalition partner if the President determines such sharing is appropriate and in the national security interests of the United States.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Mr. President, just like last year, I remain deeply concerned about the humanitarian situation in Yemen, as well as the erratic behavior of Saudi Arabia's leadership. We have all suffered through that.

However, I oppose the resolution brought forth by Senators LEE, MURPHY, and SANDERS, which, if implemented, would end all security cooperation with our partners in Yemen against the Houthis.

First of all, we are not engaged in hostilities in Yemen against the Houthis, and here is what we are doing in Yemen: We are providing intelligence support that helps construct no-strike lists that enable humanitarian efforts and protect humanitarian aid workers.

Some of these workers are workers we are very close to—our allies. Our intelligence support is also vital to assisting our partners in defending themselves against the Iranian-supported ballistic missile attacks.

It is important to emphasize that our partners are the tip of the spear, not us. Beyond this, our security cooperation provides leverage that we have used with the Saudi-led coalition to advance peace negotiations.

If we pull that support, here is what we can expect: Israel loses, Iran wins, and the humanitarian situation will get worse. I think we all understand that.

Our partners will be less capable to confront the lethal ballistic missile threat, and peace efforts will lose a vital line of support. Moreover, if a ballistic missile hits a population center and kills Americans because we, due to the resolution, withheld intelligence, it would be unforgiveable. That is why I introduced an amendment to specifically protect our civilian population.

In closing, the vote is not about whether we approve of Saudi Arabia's behavior; I don't. It is about whether we will use our leverage with the Saudi-led coalition to ensure humanitarian access and promote peace, and, more fundamentally, it is about whether we take seriously our responsibility to keep Americans safe. That is really what this is all about. It merely includes that we would eliminate the threats to civilian population centers in coalition countries, including locations where citizens and nationals of the United States reside. I can't imagine anyone would be opposed to that.

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

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

DECLARATION OF NATIONAL EMERGENCY

Mr. REED. Mr. President, I rise to support the joint resolution of disapproval and to urge my colleagues to do so as well.

Let's be clear, there is no national security emergency at the southwestern border. The President and his administration continue to mislead Americans about what really is happening at the border in order to fulfill a misguided campaign promise to build a wall. After weeks of threats and toying with the idea of declaring a national emergency to circumvent Congress, the President, in my view, wrongly issued such a proclamation on February 15 under the authority of the National Emergencies Act.

This proclamation redirects military construction funds provided by Congress to the Department of Defense for projects deemed important to the readiness, welfare, and missions of our Armed Forces. This action is an extreme overreach of Executive authority. No President has ever declared a national emergency to circumvent Congress for a construction project he failed to get approved through legislation.

In fact, this authority to use military construction funds in an emergency has only been used twice for projects in the United States—first by President George Herbert Walker Bush during Operation Desert Shield and then by President George W. Bush in the aftermath of the 9/11 terrorist attacks—and those projects addressed

immediate and recognized needs of our warfighters. While the administration claims President Obama also used this authority, the distinction is, he used it for its true intent, to provide facilities quickly in overseas locations for our warfighters in combat zones. To say those needs are the same as President Trump's campaign pledge to build a wall is simply wrong and misleading.

The President tries to justify this emergency as responding to a humanitarian crisis at the border, but the wall is not an effective solution to that crisis. What he ignores is the fact that the House and Senate overwhelmingly approved $22.54 billion in border security funding in the recent appropriations bill to enhance physical barriers at ports of entry, to hire additional law enforcement personnel, to address the humanitarian needs of migrants, and to increase counternarcotics and counterweapons detection technologies used at the border. Moreover, I would argue that to truly stop the influx of migrants at our southern border, there has to be a much more coordinated international effort led by the Department of State to address the conditions in Central America that cause migrants to leave their homes. Stopping mass migration at the source is the most effective and humane policy.

In its statement opposing the resolution before us today, the administration characterizes increasing numbers of ''family units, unaccompanied minors, and persons claiming a fear of return'' as a national security threat and a national emergency. Let us be clear. These groups of people present no military threat to our Nation. General O'Shaughnessy, Commander of U.S. Northern Command, confirmed this in a hearing before the Senate Armed Services Committee on February 26, when he said: ''The threats to our nation from our southern border are not military in nature.'' So I have a hard time understanding why the administration thinks it is acceptable to use Department of Defense dollars for a wall that would provide little to no value to the Department of Defense in countering the very real military threats our Nation does confront across the globe.

Some have argued that the wall is a necessary response to the opioid crisis we are experiencing. There is no doubt we have a serious substance abuse crisis in this country. According to the Centers for Disease Control, over 70,000 people died in 2017 of drug overdoses. That means more people died that year because of drug overdoses than due to car crashes or gun violence. These numbers are staggering, and no community is immune. Congress has worked in a bipartisan manner to combat this crisis, passing landmark legislation and historic increases in funding, but the administration has failed to live up to its commitments. A wall will not fix this problem.

Indeed, while the administration would have the American people believe these drugs are coming across the southwestern border between ports of entry—where they want to build this wall—the facts from the Drug Enforcement Agency's 2018 National Drug Threat Assessment reveal otherwise.

In the case of heroin, in their words, ''The majority of flow is through [privately owned vehicles] entering the United States at legal ports of entry.'' This will not be stopped by building a wall.

When it comes to fentanyl, according to the National Drug Threat Assessment, smaller quantities but of higher purity are ''transported into the United States in parcel packages directly from China or from China through Canada.'' A wall on the southwest border will not stop packages of fentanyl coming through the mail from China. Again, according to the DEA, the fentanyl that is smuggled in from Mexico is most commonly, in their words, ''concealed in [vehicles] . . . through [southwest border ports of entry]''—not through the terrain where the President wants to build a wall.

To underscore this point, just 2 days ago, Customs and Border Patrol announced the seizure of the biggest shipment of cocaine recovered at the ports of New York and New Jersey in 25 years. About 1.6 tons of cocaine were seized from a shipping container that arrived at the port in Newark, NJ. President Trump's wall would not have stopped this shipment.

Instead of addressing, for example, the high-purity fentanyl and fentanyl precursors coming from China or improving law enforcement's ability to detect and seize drugs at the ports of entry, this emergency declaration for a wall will divert billions of dollars from our troops and other national defense priorities and will not make our country any safer. Canceling or delaying military construction projects will have damaging impacts to the military services. These projects are intended to improve deteriorating airfields and piers, provide modern training and maintenance facilities, rehabilitate antiquated and hazardous hospitals and schools, remediate environmental contamination at former bases, and contribute to alliance and partnership responsibilities around the globe.

Bypassing congressional intent that these funds be used on vetted military construction projects in order to build a border wall Congress has rejected time and again is an affront to our Nation's system of checks and balances. It is also an abuse of the power of Congress granted to the President to use in times of true security emergencies or in times of war to address the immediate needs of our Armed Forces.

Furthermore, the administration wants to use another authority, title 10 United States Code, section 284, which allows the Department of Defense, without requiring an emergency declaration, to ''provide support for the counterdrug activities or activities to counter transnational organized crime of any other department or agency of the Federal Government,'' to include the ''[c]onstruction of roads and fences and installation of lighting to block drug smuggling corridors across international boundaries of the United States.''

This seems to be within the realm of the President's contemplation, but because there is only about $238 million remaining in this counterdrug account, the administration plans to reprogram roughly $2.5 billion appropriated in other DOD accounts into this counterdrug account to use for the wall. We know much of the funds being transferred would not be used for their original intent.

For example, the Army will have excess funding in military pay because it will not meet anticipated end strength, and fewer personnel opted into the new blended retirement system than anticipated, which created savings. However, instead of transferring these dollars to higher priority defense needs, DOD will have to use these amounts for the wall.

Ironically, the $238 million now remaining in the counterdrug accounts will not be used for its original purpose of providing critical intelligence, surveillance, reconnaissance, and other detection capabilities for drug interdiction in the Caribbean, Central and South America, and Asia. It will be used to build a wall that will not solve the Nation's drug problems. We are literally taking money that is now being used to help interdict the flow of drugs through the Caribbean, in the Pacific, et cetera, and will put it into the ground in Mexico, where the drugs are not passing through.

We also know DOD has immediate and compelling needs of its own that we should be addressing. The Air Force and the Marines need billions of dollars to clean up and rebuild Tyndall Air Force Base and Camp Lejeune after hurricanes devastated both installations last year. According to the Marines, it is about $3.5 billion to Camp Lejeune, and—according to some numbers I have seen for Tyndall—it is about $5 billion for Tyndall. Instead of fixing Camp Lejeune and Tyndall Air Force Base, the President is going to take that $8 billion and put it into a wall through the deserts of the Southwest.

What is more important to the national security of the United States than rebuilding our major Marine Corps facility on the Atlantic Coast and rebuilding our major Air Force facility in the Florida Panhandle? I think, clearly, we should invest in our troops in the Marines and Air Force. We know all of the services continue to have readiness gaps in aircraft maintenance, depot maintenance, and ship overhauls. We know there continues to be a shortage of childcare facilities in certain locations, but these very real needs in our military are put in jeopardy because of the President's obsession with building a wall on the border.

As I indicated, the President intends to fill the 284 account by reprogramming funds. Congress authorizes this reprogramming process to allow the Department of Defense to conduct a certain amount of transfers of funds between accounts for unforeseen problems. By tradition and custom, reprogramming is done with the specific approval of the defense oversight committees, but this time, when DOD transfers dollars to pay for the President's wall, Congress will have no say. The administration will only notify Congress it is happening. Again, this is another example of complete disregard for the legislative branch's role, as directed by the Constitution, in approving and appropriating funds for the activities of the executive branch.

Furthermore, the amount of funds that can be reprogrammed in a year has a $4 billion limit, and DOD will use a significant portion of that $4 billion to transfer money for the wall. This means that billions of dollars of other high-priority defense needs will not be met this year, needs like ship maintenance, unexpected fuel costs, vehicle upgrades, and other equipment shortfalls we will see at the end of this year. The Department of Defense is in a situation where they have ships that have to be refueled, they have ships that have to be overhauled, they have equipment that must be prepared for the readiness of the troops that they will not have the money for because it has been spent already, and they have exhausted their reprogramming not serving the needs of the military but building a wall in the middle of the deserts of the Southwest.

We need to address the real issues at our southwest border. To do so, I will continue to support effective border security measures, such as those in the recently passed Homeland Security Appropriations Act to invest in new technology and equipment, increase the number of Customs and Border Protection agents, and make smart physical improvements at ports of entry.

This law also included funding to increase the number of immigration judges to help reduce the backlog in our immigration system, provide humanitarian aid for Central American countries, and address humanitarian concerns at the border.

These efforts are important and appropriate for the true nature of the situation, but I cannot support diverting billions of dollars of money from the needs of our men and women in uniform to fulfill a campaign promise. Therefore, I will vote in support of the resolution to terminate the President's inappropriate declaration.

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

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

S.J. RES. 7

Mr. SULLIVAN. Mr. President, I wanted to come down here and participate in this debate. It is the second one we have had in a couple of months on the floor of the U.S. Senate regarding this resolution with regard to U.S. policies and participation in helping Saudi Arabia—a difficult ally but nevertheless a longstanding ally of the United States—in its conflict with regard to Yemen. There have been a number of speeches, as there were last time we debated this issue a few months ago on the Senate floor.

I do want to call out my Senate colleague from the great State of Utah, Senator LEE, who has been down here passionately arguing the issue of constitutional authority that the President may or may not have with regard to our U.S. military activities with regard to the conflict in Yemen. Senator LEE is a great constitutional scholar. He is someone who cares deeply about this issue, as do I. He is one of the leaders in the Senate on this issue. That is where he has been focused. That is why I believe he is part of this resolution that we are going to be voting on here in a few minutes on the Senate floor.

I happen to disagree with him that under the War Powers Act, the United States of America doing air refueling of Saudi aircraft—not above Yemen, not above our conflict zone, but above Saudi Arabia—would constitute hostilities. I think that is too limiting a view of that statutory prohibition in the War Powers Act. I know Senator LEE comes at this very honestly; I just happen to respectfully disagree with him.

I say to the Presiding Officer, as you have been watching this debate, the vast majority of my colleagues, all of whom I have deep respect for—Senator DURBIN, Senator SANDERS, Senator MURPHY, and Senator MENENDEZ—have all been on the floor the last hour or so making the case that if we, the United States, limit our involvement in this war in Yemen, somehow it is going to get better.

We all want the humanitarian crisis in Yemen to end. We all want that. I think all 100 U.S. Senators want that. The arguments that have been made—and by the way, they were made a couple of months ago. We debated this for a week. Nearly every U.S. Senator came down here on the floor. They have just done it again. They said: The Saudis are involved in this war in Yemen, a civil war—they are—and the involvement of the United States is actually increasing the humanitarian crisis.

These are the arguments. I have been listening. By the way, they were the arguments a couple of months ago. Senator after Senator after Senator made that argument. Well, I just wanted to provide a counter-argument. I am hoping my colleagues are listening because we should not pass this resolution. We should not pass this resolution.

One thing that all of these debates—and I listened and I watched. Certainly, we debated this a couple of months ago for almost a whole week. Do you know what word never came up from my colleagues in these debates—almost never? The word ''Iran.'' Why is that important? As the Presiding Officer probably knows, the Houthis are actually backed by the Iranians. The Iranians are the biggest state sponsor of terrorism in the world. Right now, we are having this debate all about the humanitarian crisis in Yemen, which we want to stop—we want to stop—but this resolution would say: OK, one of the best ways to stop it is we, the U.S. Senate, are going to tell the U.S. military that in terms of military assistance regarding Yemen, they can't work at all anymore. We are not going to allow that.

Somehow our lack of involvement is going to, A, help end the war, and B, help end the humanitarian crisis. That is the argument. That is what we are voting on right now. I happen to think that argument is wrong. I think that, but I am going to talk about some people who have testified on this very issue in the last couple of weeks who have a lot of knowledge on this issue. I am going to replay a little bit of what they said because I think it is important for other Senators to hear this. Yes, we have a lot of experts, but I am going to talk about some of the people who have talked about this recently, who I think have a little more expertise on this issue than the vast majority—I would say actually every Member of this body, with all due respect.

Let me go back to this point. Right now, as the Ayatollahs in Tehran watch this debate, they are very pleased. They are very pleased. Why? Because nobody is talking about them. Nobody is talking about them. Well, I am going to talk about them.

First of all, with regard to what started as a humanitarian crisis—which has been going on for a long time, but this war really kicked in when Iranian-backed Houthi rebels seized power in 2015. There is not a lot of discussion about how this began, but that is how it began. Tehran has been trying to establish a Hezbollah-like entity on the Arabian Peninsula in Yemen, increasing capabilities to target cities in Saudi Arabia with ballistic missiles supplied by Iran. This is all part of Iran's broader strategy in the region to encircle our traditional allies—Saudi Arabia, the Gulf Arab States, and, of course, Israel—with proxy fighters in Syria, Lebanon, and Yemen. Yet nobody is talking about Iran.

Let's talk about the humanitarian crisis in Yemen. U.S. humanitarian aid has totaled almost $697 million in the last 14 months. Yes, the Saudis could do a much better job, but they have invested over $1 billion in trying to end the suffering.

Iran—the country that started this war, the country that nobody on the Senate floor is even talking about—has not spent a dime to relieve the suffering. Now, of course, they have supplied weapons and ballistic missiles in the tens of millions of dollars but nothing to relieve the suffering.

(Mrs. BLACKBURN assumed the Chair.)

There is something else here that I wanted to reemphasize on the floor of the Senate. The horrible death of Mr. Khashoggi is something we have all condemned. It is very important that we do that. It is very important that we get to the bottom of it. Again, there has been a lot of discussion on that death, and any death is a problem, but let's talk about some other deaths, again, caused by the Iranians—a country we are not even talking about in this debate.

In 2005, 2006, and 2007, they started supplying Iraqi Shia militias with very sophisticated, improvised explosive devices that killed and wounded over 2,000 American soldiers—2,000 American soldiers.

Where is the outrage on that? How come no one is talking about that issue? Where are the editorials about that issue—killing our servicemembers?

The whole concept in which we have to view this issue is through the lens of the Iranian efforts to spread terrorism and to push their malign interests, including in Yemen. Yet, once again, it is all about the Saudis, and no one is talking about Iran. No one is talking about Iran.

What has happened in the last couple of days since we debated this issue 2 months ago? Well, we had an Armed Services Committee hearing. It was classified, but I am going to talk about things that I asked some of the witnesses—all of the witnesses with regard to operations in Yemen and Saudi Arabia—and the answers are clearly not classified.

I asked: Will stopping U.S. support to help the Saudis end the conflict in Yemen? No. Would it prevent more civilian casualties? No. Would it give leverage to our negotiators and speed up the peace process? No. Would it support Israel's interests in the region? No. Would it support the U.S. interests in the region? No. Would it help embolden Iran with its regional malign goals? Yes.

These are the experts in the U.S. intelligence community and the Pentagon giving these answers. This is about 3 or 4 weeks ago. They are questions that I was asking.

Let me give you another group of experts. Just last week, we had a hearing. The Senate Foreign Relations Committee had a hearing for the nominations of our new Ambassador to Saudi Arabia, General John Abizaid, and our new Ambassador to Iraq, a career Ambassador, Ambassador Tueller, a career Foreign Service officer. That Ambassador had just spent the last several years as Ambassador to Yemen.

I had the honor of introducing General Abizaid at his confirmation hearing just last week. He was the U.S. Central Command commander. By the way, he was the U.S. CENTCOM commander when this spread of these IEDs killing American soldiers started and began. I happen to have been a Marine Corps major, a staff officer to General Abizaid for 1½ years during this time. I had the honor of introducing him.

This is an individual who is a great American, by the way, who spent his life in the Middle East. He retired as a four-star general, speaks Arabic, has a master's degree from Harvard on Middle East studies, and was an Olmsted scholar at the University of Amman in Jordan. He knows a lot about this issue that we are debating, as does Ambassador Tueller, who had just spent the last several years as the U.S. Ambassador in Yemen. He is a career Foreign Service officer who is getting ready to go to Iraq as our Ambassador.

We have a lot of expertise here, but, with all due respect to my Senate colleagues, these gentlemen have spent their lives in the region. I am just going to quote from a couple of the questions and answers that came from General Abizaid and Ambassador Tueller on what is going on in the region.

Here is an important one. Ambassador Tueller was asked about the humanitarian crisis in Yemen. Remember, this is the current Ambassador to Yemen—a very, very knowledgeable career political officer, a career Foreign Service officer. He said: But almost 100 percent of the humanitarian catastrophe in Yemen has been caused by the Iranian-backed Houthis that overthrew the Yemeni Government, destroyed the institutions of state, and caused approximately a 40-percent decline in the GDP of the country.

Let me say that again. This is the current Ambassador to Yemen, who is getting ready to be Ambassador to Iraq. He was asked who was responsible. Right now, if you listen to the Members of the Senate, it is all the Saudis, and the Iranians have nothing to do with it.

Here is a guy who knows more than anybody, with all due respect to the people in this body, on Yemen: One of the things I often feel badly about is because we have a relationship with Saudi Arabia, and understandably, hold them to a higher account. We do focus on the consequences of Saudi actions. That is what is going on in this debate right now. But almost 100 percent of the humanitarian catastrophe in Yemen has been caused by the Iranian-backed Houthis that overthrew the government in 2015, destroyed the institutions of state, and caused approximately a 40-percent decline in the GDP of the country.

He continued: I see very, very little reporting, for example, of the millions and millions of mines that the Houthis have planted around the country, that in fact have caused more civilian casualties and continue to cause civilian casualties going into the future. That is a great concern, and I think the American people need to be concerned about the humanitarian issues caused by the Iranian-backed Houthis.

This is last week in the Senate Foreign Relations committee. Now, you wouldn't know it in this debate because everybody is saying the whole problem is Saudi Arabia.

Saudi Arabia is a problem. They are an ally. They are a difficult ally. They are a complicated ally. But one of the experts in our country on this issue says that almost 100 percent of this is the Iranian-backed Houthis who caused the humanitarian crisis.

Let me just make a couple of more points. This is General Abizaid. I see the chairman of the Foreign Relations Committee is on the floor, and I hope he will talk to this because this was in front of his committee. Iran and its proxies want us out of the region.

By the way, that is what this resolution would help us do. This is General Abizaid last week: They see that their agenda is served by having the United States disengaged and out to not counter their malign influence. I think it is very important that we work to ensure that the relationship with Saudi Arabia allows us to continue our influence in the region. I think, as we continue to apply pressure to them, what I hope is that we can create conditions with some of the elements to begin to abandon sort of the Houthi ideological project, a project that because it is an Iranian project really in Yemen will never bring stability to Yemen.

Again, what is going on here is that the Iranian-backed Houthis in Yemen are causing the humanitarian crisis. The Iranian regime wants us out of the region, including in Yemen, and the U.S. Senate is getting ready to vote on a resolution that does just that.

Again, the Ayatollahs are watching this debate, and they are very pleased. They are very pleased with what is happening.

Let's hear one more final thing that General Abizaid said, again, in this hearing just last week—a man who understands so much more about what is going on in the region than my colleagues here on the Senate floor: One thing we can't afford in Yemen, we can't afford to withdraw U.S. expertise to the coalition about how to fight.

He is talking about the Saudis.

He continued: Does anyone think that if we leave and take our assistance with regard to the Saudis, that is going to help the humanitarian situation in Yemen?

The question almost answers itself, and here is General Abizaid, the former CENTCOM commander, at the Senate Foreign Relations Committee just last week, saying that is not a good idea: If we want them, the Saudis, to fight right, we need to continue to give them that expertise.

That is exactly the opposite of what this Senate resolution is getting ready to do.

He continued: As far as competence in military operations conducted by the Saudi coalition, I think they have much work to do. We all agree with that. It is very important for us to continue to talk to them about the targeting system—we all agree with that—and about the way that they go about hitting the various targets, and about the professionalization of their forces, and when mistakes are made, that they do like what we do, which is to convene a board of officers, talk about the mistakes, and then take corrective action necessary to gain better and better expertise.

This is still General Abizaid, just last week: I am hopeful that there is a way to move forward with regard to easing humanitarian problems in Yemen, and that it will continue. And if I am confirmed—which we all hope he will be very soon—will tell the Saudi Government they need to do that.

But the former commander of U.S. Central Command—and I spent 1½ years with him in the region, seeing him in action every day—emphatically stated that if we don't work with the Saudis in terms of military assistance, it is going to get worse.

The current Ambassador to Yemen testified last week that almost 100 percent of the humanitarian crisis in Yemen is caused by the Houthi rebels backed by the Iranians. Yet, if you listen to the debate today and if you listen to the debate 3 months ago on the floor of the Senate, almost nobody even talks about Iran.

So given that the experts believe this strongly, given that they have more knowledge—and they are not political; one is a career four-star general, and one is a career Foreign Service officer—and given that they think this is a really bad idea to vote for this resolution, I am not sure how it advances American interests. I am not sure how it advances humanitarian interests in Yemen, which we all want to advance. It certainly will not advance the peace process, which we all want to move forward.

The only entity in the Middle East that will be cheering a resolution in support of American withdrawal with regard to the Saudis is the biggest state sponsor of terrorism in the region, and that is Iran. That is not just me saying it. That is literally some of the most prominent experts in the country who have spent their lives focused on these issues.

I urge my colleagues to vote no on this resolution that we are going to take up here very soon.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAMER). The Senator from Idaho.

Mr. RISCH. Mr. President, first of all, I want to associate myself with those clear, concise comments of my friend and colleague from the great State of Alaska. He is absolutely right from not only a military standpoint but also from the standpoint of getting this resolved through a political resolution.

We are going to consider the Senate joint resolution today, and it is a joint resolution that directs removal of U.S. Armed Forces from hostility in the Yemen conflict unless authorized by Congress. The premise of this resolution is fundamentally flawed.

Let's start here, though. Every single one of us—all 100 of us—can agree what a horrible situation this is and what a horrible catastrophe this is in Yemen. But this resolution sets a bad precedent for using the War Powers Act to express political disagreements with a President under expedited Senate rules.

I want to start by making it absolutely clear what is and what is not happening with respect to our current U.S. engagement in Yemen.

First of all, this is what isn't happening. What is not happening is the injection of U.S. troops into active hostilities in Yemen. We are not doing that.

What we are doing, however, is most important. We provide limited, noncombat support, including intelligence sharing, and the practices that minimize civilian casualties to the Saudi-led coalition. This support is advisory in nature and helps defend the territorial integrity of the region, which faces a very real threat from the Iranians and the Iranian-backed Houthis.

This point can't be understated. The United States conducts war operations entirely differently from any other country on the face of the Earth, and it is done with a direct and involved method of minimizing civilian casualties. Our presence here assists the parties in conducting operations to minimize those civilian casualties, and it is badly needed there because there are tremendous civilian casualties.

Iran's support for the Houthis, notably the transfer of missiles and other weaponry, threatens to undermine our partners' territorial integrity. It imperils key shipping routes and puts U.S. interests at risk, including the thousands of U.S. personnel and citizens currently within the range of Iranian-made missile systems under the control of the Houthis. That said, there can be no argument that after 4 long years of conflict, Yemen, a country with a long history of socioeconomic challenges is now in the grip of the world's worst humanitarian crisis at this moment. An estimated 24 million—80 percent of the Yemeni population—are in need of some kind of assistance and 15.9 million people—more than half of the country's population—remain severely food insecure.

A resolution to this conflict must be found, and make no mistake, many of us on a bipartisan basis are working regularly every day to do everything within our power to restore peace in a country that has been ravaged by years of proxy war and fractious infighting. But we all recognize that lasting peace can be achieved only through a political settlement brokered by the U.N. The U.N.-led peace talks are our best bet for achieving peace in Yemen, and they appear to be at a critical juncture at this moment.

In the past, we have helped advance the negotiations by using the support we provide to the coalition as leverage over the parties to advance the negotiating process. In the past, parties have been reluctant to take on the negotiating process, but in the place we are in, we have the ability to leverage them to get there.

As this body considers ways to drive effective U.S. policy that helps end the war and relieves humanitarian suffering in Yemen, I urge Members to bear in mind that the U.N. negotiations are our best hope for achieving peace. We must do everything in our power to advance this cause, and advancing this cause does not mean turning our backs on the negotiations and on what is going on there at this time. We need to stay engaged with the limited engagement that we have had.

The peace envoys have come to this body and have testified over and over again, and they are telling us they want deeper U.S. engagement. Voting for this resolution sends a terrible message of U.S. division and lack of resolve. We need to send a signal and resolve that we are committed to playing an important role in pushing for a sustainable political settlement. As I stated, turning our backs at this critical moment is only going to empower them, and it is going to send a message to people that they don't need to negotiate right now and that they are actually making gains.

I urge my colleagues to vote against this at this time and give peace a chance through the negotiations.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Mr. President, I want to be very clear about a couple of things. No. 1, the fact that the word ''hostilities''—

Mr. INHOFE. Will the Senator yield for a parliamentary inquiry?

Mr. LEE. Yes, sir.

Mr. INHOFE. It was my understanding that before the vote on my amendment, I would be recognized prior to the vote for 1 minute or so. Is that correct?

The PRESIDING OFFICER. The first vote is on the Paul amendment, but there are 2 minutes of debate, equally divided, prior to this vote.

The Senator from Utah.

Mr. LEE. Mr. President, I need to make a few points, and I say these with great respect for my distinguished colleagues on the other side of this issue, with great respect for my colleagues, the Senator from Alaska and the Senator from Idaho, from whom we just heard.

I must nonetheless insist on a couple of points being made. No. 1, this tortured definition of the word ''hostilities'' that we have heard over and over and over again is itself, No. 1, ridiculous and, No. 2, utterly at odds

with and irrelevant under the War Powers Act.

The War Powers Act itself, in title 50 of the United States Code, section 1547(c), states in pertinent part that ''For purposes of this chapter, the term 'introduction of United States Armed Forces' includes the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an imminent threat that such forces will be engaged, in hostilities.''

There is absolutely no question here that the Kingdom of Saudi Arabia-led coalition is involved in hostilities. No one doubts that. No one tries to dress it up in ridiculous language amounting to anything other than what it is, which is a war. It is also beyond dispute that our U.S. Armed Forces are, in fact, involved in the commanding, the coordinating, the participating in the movement of and the accompanying of those forces, as they themselves are engaged in hostilities. Therefore, the War Powers Act is itself implicated, and that matters.

Why? Well, because in the absence of an act of Congress authorizing this, it is unconstitutional for us to send our brave young men and women into harm's way. It is unconstitutional and unlawful for us to be involved in a war, and, make no mistake, we are involved in a war.

Next, we hear a lot about Iran—Iran this and Iran that. I get that. I get that some people in this Chamber really like war or at least really like this war. I get that some people in this Chamber really distrust the regime in Iran, and of that latter group, I count myself among them. The regime in charge of Iran is not a friend of the United States and is, in fact, an enemy.

I do not understand—for the life of me, I cannot comprehend how the fact that the Iranian regime is an enemy to the United States in any way, shape, or form authorizes an unconstitutional war effort, an undeclared war by the United States in a civil war half a world away in Yemen. It makes no sense. It is a complete non sequitur. So, look, if somebody wants to bring a resolution declaring war on Iran, let's have that conversation. If somebody wants to use military force in Iran or anywhere else in the world—in Yemen—let's have that conversation too.

Remember a few years ago, when President Obama decided he wanted us to go to war in Syria. At the time he made that point, Congress reconvened. I believe it was during a summer recess. Congress came back. We had a lot of discussions. A lot of us received classified briefings in the SCIF, and, ultimately, Congress concluded: Let's not do that. We didn't authorize that, but that is, in fact, for Congress to decide. That is, in fact, Congress's decision.

The fact that Iran or the regime of Iran may be an enemy of the United States does not justify our going to war in a civil war against the Houthi rebels in Yemen. To suggest otherwise makes no sense and shouldn't carry the day here.

Third, experts—we hear a lot of talk about ''experts.'' I don't care whether general this, that, or the other or civilian this, that, or the other in the Pentagon or elsewhere in the executive branch of the government thinks that our going to war in somebody else's civil war half a world away makes sense. I really don't care. They don't hold this office.

I care in the sense that I will listen to them; I care in the sense that their opinion might be informative to us as we exercise our constitutional authority to decide whether we should go to war. But it is a complete non sequitur to suggest that general this, that, or the other or somebody or other at the Pentagon who is an ''expert'' thinks that we should be in that war or that we should somehow be able to circumvent the Constitution and the law in order to go to war.

Finally, with respect to the suggestion that this would somehow hinder our involvement in international humanitarian aid, that is completely incorrect. That is not at all what this resolution does. This resolution wouldn't do that.

What this resolution does is very simple. It says that short of the U.S. Congress's declaring war or authorizing the use of military force in the civil war in Yemen, half a world away, we shouldn't be there, and we should get out. I strongly urge my colleagues to support this resolution.

Thank you.

Mr. REED. Mr. President, I would like to discuss the situation in Yemen and express my continued support for the resolution that is currently before us.

The conflict in Yemen is approaching its 4th year and has resulted in the most severe humanitarian crisis in the world. The human cost of this war is truly hard to fathom. According to the United Nations, approximately 20 million people—or more than two-thirds of Yemen's population—have no reliable source of food or access to medical care; roughly 10 million Yemenis are on the brink of famine; more than 3.3 million Yemenis have been displaced from their homes; and credible reports indicate that approximately 80,000 children have died of starvation and another 360,000 children suffer from severe acute malnutrition.

The international community must come together to demand an end to the violence in Yemen and a sustainable political agreement. I strongly support the efforts of the U.N. Special Envoy for Yemen Martin Griffiths, in partnership with the United States and other engaged nations, to expeditiously negotiate an end to the conflict and bring relief to the Yemeni people. The December 2018 Stockholm Agreement and resulting ceasefire around the port of Hudaydah was a critical confidence building measure that will hopefully provide a foundation for continued negotiations.

I commend my colleagues Senators SANDERS, MURPHY, and LEE for their steadfast efforts to keep focus on the suffering of the Yemeni people. As the events of the last 4 years have made clear, there is no military solution to this civil war.

I remain deeply concerned about the significant number of civilian casualties that have resulted from airstrikes by the Saudi-led coalition. I strongly supported the decision last fall to cease U.S. aerial refueling support to the coalition, an outcome I long advocated for. It is appropriate for the U.S. to help the coalition avoid civilian casualties, but those efforts have not yet yielded sufficient results. Secretary Pompeo acknowledged this fact when he told Congress in September that ''Recent civilian casualty incidents indicate insufficient implementation of reforms and targeting processes'' and ''Investigations have not yielded accountability measures'' into the behavior of coalition pilots flying missions into Yemen. It is clear that the coalition has not sufficiently minimized the impact of the war on Yemeni civilians, and more must be done. The U.S. should use all available leverage to affect better outcomes.

The resolution before us would make clear that Congress does not support the introduction of U.S. forces into hostilities in Yemen absent an affirmative authorization for the use of military force. I believe that any U.S. assistance to members of the Saudi-led coalition should be explicitly limited to the following objectives: enabling counterterrorism operations against al Qaeda and ISIS; defending the territorial integrity of Saudi Arabia and UAE, including against specific, imminent ballistic missile and UAV threats; preserving freedom of navigation in the maritime environment around Yemen; and enhancing the training and professionalism of their armed forces with a primary focus on the adherence to the Law of Armed Conflict and the prevention of civilian casualties. With particular regard to defense against ballistic missile and UAV threats, the United States cannot be in the position of providing targeting information in Yemen that would be misused by the Saudi-led coalition either deliberately or through carelessness.

Continued U.S. engagement is critical to helping to resolve the conflict in Yemen, but any assistance to the Saudi-led coalition should be provided in accordance with the principles outlined above, activities which I do not believe conflict with the War Powers Resolution. From a policy perspective, the provision of U.S. support that could be used to enable offensive operations against the Houthis runs counter to our objective of ending the

civil war and risks exacerbating the suffering of the Yemeni people. Beyond the humanitarian crisis, the conflict continues to negatively impact the strategic security interests of the United States, Saudi Arabia, and UAE, including by emboldening Iran and relieving pressure on al Qaeda and ISIS. It is time for this war to end, and Congress should take every opportunity to make its voice clear on this point.

ORDER OF BUSINESS

Mr. LEE. Mr. President, I ask unanimous consent that Senator MENENDEZ's time be reserved; that all other remaining time be yielded back; and that the Senate begin voting on the amendments, as under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

AMENDMENT NO. 193

The PRESIDING OFFICER. There will now be 2 minutes of debate, equally divided, prior to the vote in relation to the Paul amendment no. 193.

Who yields time?

Mr. LEE. I yield back time.

Mr. SANDERS. We yield back time.

The PRESIDING OFFICER. Is all time yielded back?

The question is on agreeing to the amendment.

The amendment was agreed to.

AMENDMENT NO. 194

The PRESIDING OFFICER. There are now 2 minutes of debate, equally divided, prior to the vote in relation to the Inhofe amendment.

The Senator from Oklahoma.

Mr. INHOFE. Mr. President, we have heard a lot of controversy about this. I think the main thing for me at this late hour in relation to use of force—ours is not that type of activity there. We are on the outside. We are providing intelligence. We are not the tip of the spear. We are not the inductee in that type of action.

I would just say that if they are successful in their efforts, then the loser would be Israel. Iran would be the winner, and the humanitarian situation would be worse. I think most of us understand that.

The amendment we are talking about right now is merely an amendment that would put us in a position where, if a ballistic missile or cruise missile or UAV hits a population center and kills Americans, because we, due to the resolution, withheld intelligence, it would be unforgiveable. I think we all understand that. American lives could be lost.

That is why I introduced an amendment to specifically protect civilian populations. I am talking about not just other countries but our civilian population. We all know the exposure is there, and this would take that exposure away.

MOTION TO TABLE

The PRESIDING OFFICER. The Senator from Vermont.

Mr. SANDERS. Mr. President, I strongly oppose this amendment.

This amendment provides an exception to this resolution in support of efforts to defend against threats to civilian population centers in coalition countries, including locations where citizens and nationals of the United States reside. But the President already has authority to support the defense of U.S. partners and U.S. citizens residing in those countries, so it simply duplicates the authorities the President already has.

In the best interpretation, this amendment is unnecessary, but this amendment could also very easily be used by the administration as a loophole that will allow the Department of Defense to continue the unauthorized activities that the sponsors of this resolution are attempting to halt.

This resolution is intended to end U.S. support for the Saudi war against the Houthis in Yemen, support that has not been authorized by Congress as the Constitution requires. Under the language of this amendment, the administration could continue to wage that war under different pretenses.

The goal of this resolution is to get the United States out of a war. Senator INHOFE's amendment creates a pretext to keep the United States in that war.

I urge my colleagues to vote against it, and I move to table the Inhofe amendment and ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 52, nays 48, as follows:

[Rollcall Vote No. 47 Leg.]

YEAS—52

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

NAYS—48

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

The motion to table the amendment (No. 194) was agreed to.

VOTE ON AMENDMENT NO. 195

The PRESIDING OFFICER. There is now 2 minutes of debate equally divided prior to the vote in relation to amendment No. 195.

Mr. CORNYN. We yield back all time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to amendment No. 195.

The amendment (No. 195) was agreed to.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

The result was announced—yeas 54, nays 46, as follows:

[Rollcall Vote No. 48 Leg.]

YEAS—54

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

NAYS—46

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

The joint resolution (S.J. Res. 7), as amended, was passed, as follows:

S.J. RES. 7

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. FINDINGS.

Congress makes the following findings:

(1) Congress has the sole power to declare war under article I, section 8, clause 11 of the United States Constitution.

(2) Congress has not declared war with respect to, or provided a specific statutory authorization for, the conflict between military forces led by Saudi Arabia, including forces from the United Arab Emirates, Bahrain, Kuwait, Egypt, Jordan, Morocco, Senegal, and Sudan (the Saudi-led coalition), against the Houthis, also known as Ansar Allah, in the Republic of Yemen.

(3) Since March 2015, members of the United States Armed Forces have been introduced into hostilities between the Saudi-led coalition and the Houthis, including providing to the Saudi-led coalition aerial targeting assistance, intelligence sharing, and mid-flight aerial refueling.

(4) The United States has established a Joint Combined Planning Cell with Saudi Arabia, in which members of the United States Armed Forces assist in aerial targeting and help to coordinate military and intelligence activities.

(5) In December 2017, Secretary of Defense James N. Mattis stated, ''We have gone in to be very—to be helpful where we can in identifying how you do target analysis and how you make certain you hit the right thing.''.

(6) The conflict between the Saudi-led coalition and the Houthis constitutes, within the meaning of section 4(a) of the War Powers Resolution (50 U.S.C. 1543(a)), either hostilities or a situation where imminent involvement in hostilities is clearly indicated by the circumstances into which United States Armed Forces have been introduced.

(7) Section 5(c) of the War Powers Resolution (50 U.S.C. 1544(c)) states that ''at any time that United States Armed Forces are engaged in hostilities outside the territory of the United States, its possessions and territories without a declaration of war or specific statutory authorization, such forces shall be removed by the President if the Congress so directs''.

(8) Section 8(c) of the War Powers Resolution (50 U.S.C. 1547(c)) defines the introduction of United States Armed Forces to include ''the assignment of members of such armed forces to command, coordinate, participate in the movement of, or accompany the regular or irregular military forces of any foreign country or government when such military forces are engaged, or there exists an imminent threat that such forces will become engaged, in hostilities,'' and activities that the United States is conducting in support of the Saudi-led coalition, including aerial refueling and targeting assistance, fall within this definition.

(9) Section 1013 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (50 U.S.C. 1546a) provides that any joint resolution or bill to require the removal of United States Armed Forces engaged in hostilities without a declaration of war or specific statutory authorization shall be considered in accordance with the expedited procedures of section 601(b) of the International Security and Arms Export Control Act of 1976 (Public Law 94–329; 90 Stat. 765).

(10) No specific statutory authorization for the use of United States Armed Forces with respect to the conflict between the Saudi-led coalition and the Houthis in Yemen has been enacted, and no provision of law explicitly authorizes the provision of targeting assistance or of midair refueling services to warplanes of Saudi Arabia or the United Arab Emirates that are engaged in such conflict.

SEC. 2. REMOVAL OF UNITED STATES ARMED FORCES FROM HOSTILITIES IN THE REPUBLIC OF YEMEN THAT HAVE NOT BEEN AUTHORIZED BY CONGRESS.

Pursuant to section 1013 of the Department of State Authorization Act, Fiscal Years 1984 and 1985 (50 U.S.C. 1546a) and in accordance with the provisions of section 601(b) of the International Security Assistance and Arms Export Control Act of 1976 (Public Law 94–329; 90 Stat. 765), Congress hereby directs the President to remove United States Armed Forces from hostilities in or affecting the Republic of Yemen, except United States Armed Forces engaged in operations directed at al Qaeda or associated forces, by not later than the date that is 30 days after the date of the enactment of this joint resolution (unless the President requests and Congress authorizes a later date), and unless and until a declaration of war or specific authorization for such use of United States Armed Forces has been enacted. For purposes of this resolution, in this section, the term ''hostilities'' includes in-flight refueling of non-United States aircraft conducting missions as part of the ongoing civil war in Yemen.

SEC. 3. RULE OF CONSTRUCTION REGARDING CONTINUED MILITARY OPERATIONS AND COOPERATION WITH ISRAEL.

Nothing in this joint resolution shall be construed to influence or disrupt any military operations and cooperation with Israel.

SEC. 4. RULE OF CONSTRUCTION REGARDING INTELLIGENCE SHARING.

Nothing in this joint resolution may be construed to influence or disrupt any intelligence, counterintelligence, or investigative activities relating to threats in or emanating from Yemen conducted by, or in conjunction with, the United States Government involving—

(1) the collection of intelligence;

(2) the analysis of intelligence; or

(3) the sharing of intelligence between the United States and any coalition partner if the President determines such sharing is appropriate and in the national security interests of the United States.

SEC. 5. REPORT ON RISKS POSED BY CEASING SAUDI ARABIA SUPPORT OPERATIONS.

Not later than 90 days after the date of the enactment of this joint resolution, the President shall submit to Congress a report assessing the risks posed to United States citizens and the civilian population of Saudi Arabia and the risk of regional humanitarian crises if the United States were to cease support operations with respect to the conflict between the Saudi-led coalition and the Houthis in Yemen.

SEC. 6. REPORT ON INCREASED RISK OF TERRORIST ATTACKS TO UNITED STATES ARMED FORCES ABROAD, ALLIES, AND THE CONTINENTAL UNITED STATES IF SAUDI ARABIA CEASES YEMEN-RELATED INTELLIGENCE SHARING WITH THE UNITED STATES.

Not later than 90 days after the date of the enactment of this joint resolution, the President shall submit to Congress a report assessing the increased risk of terrorist attacks on United States Armed Forces abroad, allies, and to the continental United States if the Government of Saudi Arabia were to cease Yemen-related intelligence sharing with the United States.

SEC. 7. RULE OF CONSTRUCTION REGARDING NO AUTHORIZATION FOR USE OF MILITARY FORCE.

Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1547(a)(1)), nothing in this joint resolution may be construed as authorizing the use of military force.

MORNING BUSINESS

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

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

MOBILE MAMMA

Mr. GRASSLEY. Mr. President, on behalf of my constituent, Christy Teslow, I ask unanimous consent to have printed in the RECORD information about a program she founded to help educate children of all ages about the importance of being a good digital citizen.

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

Mobile Mamma is a non-profit organization which was founded in 2017 in Cresco, Iowa. We are 6 moms who are working professionals that use a common-sense approach to educate about the impact of technology. We personally have children ranging in age from kindergarten to college and wanted to be better educated about using devices of daily use, with the common goal to keep our children safe and secure while being online. From our own research, we felt compelled to design a curriculum to share with students and adults of all ages.

Statement of the Problem. Children today are so self-reliant on their mobile devices which in turn has caused a social disconnect with society. Children are more concerned with their ''e-reputation'' and not as much of what their real-life reputation is. Parents have an ethical and moral role to provide children with online safety. The problem is, children are not safe online and parents are unaware of the detrimental dangers, harms, and effects of social media.

Conceptual Framework. Clear and concise communication about parents' expectations are especially important. Research has demonstrated that teens, whose parents use effective monitoring practices, are less likely to make poor decisions such as having sex at a young age, smoking, using illegal drugs, drinking alcohol, being physically aggressive, or skipping school (Center for Disease Control and Prevention, 2012). Teens who believe their parents disapprove of risky behaviors are less likely to participate in these behaviors. Teens rely on their parents and other adults in their daily lives for information about online safety. In 2013, a study by the Center for Disease Control and Prevention titled ''Adolescents, Technology, and Reducing Risk for HIV, STDs, and Pregnancy'', a participant stated ''I multitask every second I am online. At this very moment, I am watching TV, checking my email every two minutes, reading a newsgroup about who shot JFK, burning some music to a CD, and writing this message'' (a 17-year-old male). According to Farrukh, Sadwick, and Villasenor (2014), parents seek information on how to best protect children online through various channels. Parents utilize general news media 38% of the time, other parents 37%, and school teachers 29%.

Statement of the Purpose. The purpose of the Be a B.E.A.R. program is to educate children of all ages about the importance of being a good digital citizen. The Be a B.E.A.R. curriculum is designed to teach children from kindergarten through high school about what is acceptable to portray on social media and what is not acceptable. The intention of the Be a B.E.A.R. program is not only designed for children but can be applied to adults as well. The purpose of the program is to gain a positive structured approach to handling online situations.

Significance of the Program. There is an ethical and moral responsibility of schools and adults that give these devices to children, to properly educate themselves and their children. With the rising mental health crisis, not only in Iowa but across the Nation, the devices of daily living (also known as Smartphones, tablets, etc) are causing these issues. Some of these issues include: low self-esteem, anxiety, depression, sadness, sleeplessness, and paranoia. Due to the mental health concerns, if we can get this program in schools it will help give a positive

use to technology by determining what a good digital footprint and digital citizen are. This program continues to educate both parents and children about cybersecurity/safety, the potential harms and dangers associated with the evolving virtual environment, and discusses in detail about the responsibility needed by all ages when it comes to the constant influx of technology in our children's lives. With the increasing suicide rates, there is a direct correlation between human trafficking, cyberbullying, and sexting that are negatively impacting society.

DEFINITION OF TERMS

Good digital citizen: While online portraying yourself as a positive person and using appropriate etiquette

Good digital footprint: Leaving positive markers when using the internet and social media sites

B.E.A.R.:

B = breathe, stop and take a breath before reacting to a situation that may cause you negative feelings

E = explain to the other person or parties how the negative behaviors that are being portrayed are impacting you personally

A = affirm actions, your choice is to walk away, block the other party on social media, and ignore

R = report the unwanted behavior to a trusted adult such as parents, teachers, or counselors.

Timeline. Currently, we are involved with two Northeast Iowa School Districts. We are using a 7-week program to educate the students in the following grades kindergarten, third, sixth, eighth, and eleventh about the Be a B.E.A.R. program. Each student has completed a pre-test about the different objectives that are covered in the core curriculum. After completion of the program there will be a post-test administered to determine the learning curve of the students.

Currently, we do not have substantial results because of the initiation phase we are in. After the completion of our 7-week program we will have results to support our statement of intent.

Conclusion. By implementing these steps of the Be a B.E.A.R. program with children and adults, we can bring positivity and education while being safe online.

GUATEMALA

Mr. LEAHY. Mr. President, for the past dozen years, the International Commission against Impunity in Guatemala, with financial support from the United States and other countries, has worked in collaboration with Guatemala's Public Ministry. That partnership has enabled courageous Guatemalan prosecutors to investigate and bring to trial cases they never could have pursued without the international ''shield'' and assistance provided by CICIG. It has also enabled courageous constitutional court magistrates to defend Guatemala's weak judicial institutions. In a country where throughout its history high-ranking public officials, including senior military officers, and corporate elites have enjoyed near total impunity for corrupt acts and violent crimes, the Guatemalan people finally saw that justice is possible.

Not surprisingly, that collaboration encountered fierce opposition from its inception. The same high-ranking officials and elites who feared becoming the targets of corruption investigations sought to curtail CICIG's role. Last year, that opposition culminated in President Morales expelling the CICIG commissioner and subsequently announcing that the agreement establishing CICIG would be terminated, effective immediately. That announcement was made, without warning, after months of negotiations between Guatemalan, UN, and U.S. officials on reforms requested by the Morales government, which would have established the position of Deputy Commissioner as well as certain reporting and oversight requirements.

In response to that announcement, as well as other worrisome trends in Guatemala, last week Senator CARDIN and I, along with Representatives TORRES and MCGOVERN, introduced legislation in the Senate and House entitled the ''Guatemala Rule of Law Accountability Act.'' Its purpose is to respond to the flagrant actions by the Morales government to subvert the rule of law, including its campaign against CICIG.

In fact, the Morales government lacks authority to unilaterally curtail an agreement with the United Nations, a point that was made clear by the UN Secretary General. CICIG's mandate continues in effect until September 2019, at which point it may or may not be renewed. However, I am concerned that there are some, including at the UN, who believe CICIG should significantly reduce its activities and, for all intents and purposes, fade into the sunset. This would mean that, for the remaining 6 months of its current mandate, CICIG personnel would no longer attend trials or engage in further investigations. Essentially, CICIG would discontinue its public activities and its personnel would be limited to preparing for the shutdown that would presumably occur in September.

This is extremely worrisome for several reasons. First, donors would be paying to simply keep the lights on. Second, CICIG would cease to function half a year before the end of its mandate. This would be an enormous waste of time and resources that could be used to continue pursuing important cases and to ensure their proper handoff to the public ministry. Third, it would send a terrible message to the Guatemalan people, especially to the families of the victims.

CICIG's work under Commissioner Ivan Velazquez has been important not only for Guatemala, but for all of Central America. There are still many cases under investigation. Abandoning these cases would be a grave mistake. It would signal that the Morales government's tactics of intimidation and obstruction of justice paid off. It would undermine future anticorruption efforts in Guatemala, as well as send a terrible message to anticorruption effort's in Honduras and fledgling efforts in El Salvador. The United Nations and the international community have a responsibility to do everything possible to prevent this result.

On a related topic, the Guatemalan Congress is about to debate, for the third and final time, legislation to grant amnesty to former military personnel who are charged with or convicted of war crimes and crimes against humanity. If the amnesty legislation is approved, those serving prison sentences will reportedly be released within 24 hours. The Guatemalan Congress has long had a reputation for being corrupt, and absolving military officers who engaged in heinous crimes is clearly a payoff to obstruct justice and undermine the rule of law.

We remember that Guatemala was ravaged by three decades of an internal armed conflict that included crimes of genocide. An estimated 200,000 people, mostly rural Mayan villagers, were killed, and, according to the United Nations, more than 90 percent of those killings were committed by the army. The peace accords that ended that disaster were never implemented, and for decades, the victims of those crimes were denied justice. Now the Guatemalan Congress, with the support of President Morales, is on the verge of adding insult to injury by freeing the few army officers who were sent to prison. If that happens, the Guatemalan Government will join other pariah governments that fail to uphold their most sacred obligation to provide security and justice for their citizens.

SAUDI ARABIA

Mr. LEAHY. Mr. President, it has been more than 5 months since journalist and American resident Jamal Khashoggi was tortured and murdered inside the Saudi consulate in Istanbul. More than 5 months since the Saudi Government initially denied it had anything to do with Mr. Khashoggi's disappearance and told the world, in a calculated and quickly disproven lie, that he left the consulate unharmed.

As the Saudi Government's complicity became clear, its explanations became even more convoluted. We were told to accept that the operation that resulted in Mr. Khashoggi's death was an interrogation gone wrong, carried out by rogue agents who somehow flew to Istanbul, executed Mr. Khashoggi, and worked with a local collaborator to cover up the crime, all, despite their ties to the highest levels of government, without the knowledge of the Crown Prince. Although Senators—Republicans and Democrats—who have been briefed on the matter found that possibility preposterous, President Trump and Secretary Pompeo seemed ready to accept the Saudi Government's lies.

The truth is that, while there is a mountain of information circulating in the press that suggests the Crown Prince was involved in the planning and approval of the assassination of Mr. Khashoggi, there are still many unanswered questions.

We know the Saudi Government identified certain Saudi officials who allegedly carried out this murder, but we do not know how they were identified, what these officials were asked, by whom, and what they have said about the crime, or why some of them were brought to trial and others were not.

We know that the Trump administration sanctioned 17 Saudi officials, but we have not been told to what extent or why these individuals were targeted for sanctions and others were not. We know that there was a local collaborator, but we have not been told his nationality or identity, nor the whereabouts of Mr. Khashoggi's body, which has not been returned to his family.

What do we know? We know that the Saudi Government—the royal family—is sticking to the latest version of its story, absolving itself of any culpability. The Trump administration maintains, despite many mixed signals, that it is doing everything in its power to ensure Mr. Khashoggi's murderers are held accountable for their actions.

If that is true, we would expect the administration to be transparent and to cooperate with the Congress.

But while I would like to be persuaded of their commitment to pursuing justice in this case, their efforts to date have been anything but convincing. On October 10, 2018, Senators Corker, MENENDEZ, GRAHAM, and I, along with a majority of the members of the Foreign Relations Committee, sent a letter to the President to trigger a 120-day review and determination on the imposition of sanctions pursuant to the Global Magnitsky Human Rights Accountability Act with respect to any foreign person involved in the murder of Mr. Khashoggi. The response of the administration has been to ignore the legal requirement to make that determination. This is only the latest attempt by the administration to obstruct the Congress's access to information about this crime.

Rather than ignoring its legal obligations and keeping Congress in the dark, the administration should be working with Congress and the international community, to expose the truth about who gave the orders to kill Mr. Khashoggi. If the administration has nothing to hide, then they have nothing to lose and everything to gain by being part of the effort to see justice done.

One way for the administration to prove it is serious about accountability is to fully cooperate with the UN Special Rapporteur on extrajudicial, summary or arbitrary executions, who is reviewing the evidence in the Khashoggi case. The White House, the State Department, and our intelligence agencies should promptly provide her with any relevant information in their possession.

As I stated on February 3, 2019, if the President continues to take actions such as ignoring the clear mandate of the Magnitsky Act or otherwise refuses to cooperate with the investigations of this murder, the White House will share the blame for attempting to cover up the crime and for helping those responsible to evade justice.

The administration should also urge the Saudi Government to guarantee a fair and public trial for the men accused of being involved in the killing of Mr. Khashoggi, that meets international standards of due process. A trial that fails to disclose all of the facts—a trial that is rushed and secretive—will be seen as simply further obstruction of justice. Real accountability must occur in this case.

We know all too well that Mr. Khashoggi's murder is only one example of the brutal way in which the Saudi Government, led by the Crown Prince, treats anyone it perceives as a threat, which means anyone who dares criticize the government or who advocates for human rights.

Since May 2018, prominent women's rights advocates have been imprisoned and tortured by the Saudi Government or banned from traveling, without any criminal charges being brought—women like 25-year-old Loujain al-Hathloul, who had a driver's license from the United Arab Emirates and advocated for the right of Saudi women to drive, but was arrested in a sweeping crackdown on women's activists just before the Saudi Government lifted the ban on female drivers. Dr. Hatoon al-Fassi, another women's rights advocate and a history professor, was arrested in June 2018 and remains confined to this day. While these women have not been charged, their so-called crime is obvious: engaging in independent activism. The royal family will do whatever it takes to make clear that they alone can create change in Saudi Arabia.

That is why, like these women, anyone of influence, including average citizens who advocate for reforms, is at risk in Saudi Arabia. It is not only opposition that the Crown Prince fears, it is the appearance of capitulation to ordinary citizens that he seeks to avoid by cracking down on those who are merely advocating for reforms he himself claims to support. His repression has touched every segment of society, from journalists to women's rights advocates to economists like Dr. Essam al-Zamil, who was detained in September 2017, presumably due to his opposition to the Crown Prince's economics plan, and Mohammad Fahad al-Qahtani, an economics professor and human rights activist who was sentenced in 2013 to 10 years in prison for breaking allegiance with the royal family and defaming the judiciary.

Sometimes the motivation behind the Crown Prince's actions is a complete mystery. One egregious case is that of Dr. Walid Fitaihi, a U.S. citizen who earned his medical degree from George Washington University and a master's degree in public health from Harvard University. Dr. Fitaihi was seized by Saudi authorities for unknown reasons in November 2017. He has reportedly been severely tortured, and he remains in prison. In fact, before Mr. Khashoggi was murdered, he wrote about Dr. Fitaihi's detention on social media to decry the arbitrary and repressive trends developing under the Crown Prince's rule. Like Jamal Khashoggi, there is not a shred of evidence that Dr. Fitaihi is guilty of anything. He should be released immediately. I ask unanimous consent that a copy of the March 4, 2019, editorial in the Washington Post, entitled, ''Saudi Arabia is torturing a U.S. citizen. When will Trump Act?'' which highlights Mr. Fitaihi's case, be printed in the RECORD following my remarks.

These cases are only a fraction of the known examples of the Crown Prince's repression. There are countless others that don't escape the royal family's tight control of information in the country. This is the so-called reformer we are told to put our trust in to help lead Saudi Arabia into the future. As others in this body have said, he is no reformer; he is an impulsive, ruthless gangster. It would be naive not to think that the Crown Prince's actions will lead to greater public resentment and instability in Saudi Arabia and jeopardize our long-term interests in the region. Contrary to the thinking of the White House, no amount of arms sales and no amount of oil can change that reality.

I urge all Senators to join me in urging the White House and in supporting legislative action as appropriate to protect our national interests by ensuring that United States relations with Saudi Arabia are guided, first and foremost, by our principles and, most importantly, by our commitment to the rule of law.

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

[From the Washington Post, Mar. 4, 2019]

SAUDI ARABIA IS TORTURING A U.S. CITIZEN. WHEN WILL TRUMP ACT?

(By Editorial Board)

Before he was murdered inside a Saudi Consulate in October, our colleague Jamal Khashoggi questioned why Saudi Arabia had detained a prominent doctor, Walid Fitaihi, a dual Saudi-U.S. citizen seized in a November 2017 roundup of businessmen. The detainees, in what was described as an anti-corruption drive, were held at the Ritz-Carlton hotel in Riyadh. ''What happened to us?'' Khashoggi, himself a Saudi, asked on Twitter. ''How can a person like @Walidfitaihi get arrested, and for what reason?'' He added, ''With no interceding channels to pursue & no Attorney General to answer questions & verify charges, of course everyone is struck with awe and helplessness.''

Today, Khashoggi is no longer able to ask such impertinent questions. He was assassinated in Istanbul by a hit squad that intelligence reports say was dispatched by the Saudi crown prince, Mohammed bin Salman. But Khashoggi's question remains relevant. Mr. Fitaihi, founder of a medical center in Jeddah, is still a captive. It is not known precisely why, and he has never been charged, although the New York Times quoted a friend saying he was being pressured to give evidence against a relative.

He has been tortured during his captivity. He was reportedly grabbed from his room at

the Ritz, slapped, blindfolded, stripped to his underwear, bound to a chair, shocked with electricity and whipped so severely that he could not sleep on his back for days. The Times said his lawyer has written to the State Department that the doctor ''is in fear for his life, that he cannot take his situation any longer, and that he desires all possible help.'' The Associated Press quoted the lawyer as saying Mr. Fitaihi is now in a prison hospital after suffering ''an emotional breakdown.'' Mr. Fitaihi earned his medical degree from George Washington University and holds a master's degree in public health from Harvard University.

On another front in Mohammed bin Salman's drive to crush critical voices, Saudi Arabia's public prosecutor announced charges Friday against a group of female activists who campaigned to give women the right to drive—a right that Mohammed bin Salman conferred after they sought it. The activists have been jailed for nearly a year, during which Amnesty International says they have been tortured and sexually abused. They did nothing wrong and should be released unconditionally and immediately.

In the New York Times Magazine on Sunday, Secretary of State Mike Pompeo, asked about the crown prince's role in the Khashoggi murder, declared that the United States would ''hold everyone that we determine is responsible for this accountable in an appropriate way, a way that reflects the best of the United States of America.''

A doctor with U.S. citizenship was tortured and held without charge. Women who stood for human dignity and equality were jailed and tortured. A journalist was killed. Yet President Trump and his administration—including his son-in-law, Jared Kushner, who last week met with the crown prince—are loath to act. That does not reflect the best of the United States of America.

AMENDMENT NO. 193 TO S.J. RES. 7

Mr. SCOTT of Florida. Mr. President, I oppose amendment No. 193 to S.J. Res. 7, as I believe it is an unnecessary measure that too broadly narrows the President's role in international affairs. I would have voted no if the amendment had been called for a roll-call vote.

INTERNATIONAL WOMEN'S DAY

Mr. CARDIN. Mr. President, today I wish to commemorate International Women's Day, which occurred this past Friday, March 8, 2019. On this day each year, we recognize and celebrate women's incredible achievements and double down on our commitment to advance gender equality and women's empowerment, both at home and abroad.

The theme of International Women's Day this year is ''Think equal, build smart, innovate for change,'' which highlights the importance of finding new ways to advance gender equality, especially by utilizing technology. In January of this year, President Trump signed a bill Senator BOOZMAN and I sponsored, the Women's Entrepreneurship and Economic Empowerment Act, WEEE Act, into law. This important, bipartisan legislation allows women around the world, including those living in poverty, to access critical tools to start and grow their businesses. It requires that 50 percent of U.S. Agency for International Development's micro, small, and medium-sized enterprise resources are targeted to activities that reach the very poor, as well as enterprises women own, manage, and control. The WEEE Act empowers women to invest in themselves, their families, and their communities.

A McKinsey Global Institute report estimates that achieving global gender parity in economic activity could add as much as $28 trillion to annual global gross domestic product by 2025. The WEEE Act will help women overcome the critical barriers they face when seeking economic opportunity and the legislation will open doors for children, families, and communities to benefit, too.

This year's theme of ''Think equal, build smart, innovate for change'' also provides the opportunity to celebrate some of the incredible and life-changing innovations being launched around the world. In Cambodia, for example, CARE has developed a gamified mobile app called ''Chat!'' to provide cost-effective and high-impact reproductive health education to its young, female population working in the garment industry. Cambodia has the largest youth and adolescent population in Southeast Asia; two-thirds of the population are under the age of 29. Increasing numbers of Cambodians, especially young women, are migrating to urban areas to support its garment industry.

According to CARE, 85 percent of Cambodia's garment factory workers are women, who are vulnerable to abuse and exploitation. According to the United Nations' research on women, one in three women are likely to face violence in her lifetime. Therefore, applications like Chat! are critical to reach this population and provide reproductive health information and services, helping these women make informed and healthy choices and prevent unplanned pregnancies.

While International Women's Day provides the opportunity to celebrate such successes, it is also critically important to recognize the work that lies ahead in the fight for gender equality, and especially the challenges that female human rights defenders face in this fight. A recent United Nations report on human rights defenders describes increased resistance to the work of female human rights defenders at multiple levels, linked to the rise of populism, fundamentalism, and violent extremism around the world.

The report highlights the increasing number of countries that are actively restricting fundamental human rights, including the freedoms of expression, association, and assembly, and specifically notes the enforced disappearances of female defenders in Saudi Arabia. Samar Badawi and Nassima al-Sadah, for example, were arrested last summer for advocating to lift the ban on female drivers and end the guardianship system that prevents women from legal and social independence. Amal al-Harbi was also arrested last summer for advocating for the release of her husband, Fowzan al-Harbi, a human rights defender. These female human rights defenders remain detained to this day, and several of these activists are due to appear in Saudi court this week. With no access to legal representation, I and many of my colleagues fear that these activists will be charged and tried for crimes they did not commit, as a result of engaging in peaceful activities to advance human rights in Saudi Arabia, which are protected under international law.

The reduction in funding for women's rights in recent years is also an immense challenge to future progress, a challenge exasperated by the Trump administration's actions, particularly in the realm of women's health. The Trump administration's reinstatement and expansion of the Mexico City policy, often referred to as the Global Gag Rule, for example, has closed the door on some of the most effective, life-saving family planning programs by disqualifying international organizations from receiving U.S. family planning assistance if any non-U.S. funds are used to provide abortion services or counseling. The implementation of this expanded policy, as the aforementioned UN report notes, has ''threatened the integration of health services and created division in civil society around the world.'' As underscored by the example of Chat!, we know that family planning tools are critical to providing the education, information, and services that help prevent unplanned pregnancies and abortions.

As I have stated in the past, America's global leadership begins with our progress here in the United States. This also extends into the realm of gender equality. A critical challenge to progress here at home is the fact that our own Constitution does not already guarantee women the same rights and protections as men. The Fourteenth Amendment of the Constitution guarantees ''equal protection of the laws,'' and the Supreme Court, so far, has held that most sex or gender classifications are subject to only ''intermediate scrutiny'' when analyzing laws that may have a discriminatory impact. Ratification of the Equal Rights Amendment, ERA, by State legislatures would provide the courts with clearer guidance in holding gender or sex classifications to the ''strict scrutiny'' standard. That is why on January 25, 2019, Senator MURKOWSKI and I introduced a resolution to immediately remove the ratification deadline and reopen consideration of the ERA for ratification by the States and finally guarantee full and equal protections to women in the Constitution.

While we have much to celebrate on this day, I want to take this opportunity to remind my colleagues in the U.S. Senate that we must continue to use our leadership positions to shine a spotlight on human rights violations, wherever they occur, and push for the

immediate release of human rights defenders around the world, imprisoned for exercising fundamental human rights. We must also end the Global Gag Rule once and for all, and we must finally grant women equality under the law. By doing so, we will truly recommit ourselves to breaking down the barriers that remain for women's empowerment, so that we can pave the path towards prosperity for generations to come.

CENTENNIAL OF THE THERMOPOLIS CHAMBER OF COMMERCE

Mr. BARRASSO. Mr. President, today I wish to celebrate the centennial of the Thermopolis, WY, Chamber of Commerce.

On March 23, the Thermopolis Chamber of Commerce celebrates their 100th anniversary at an annual banquet. What was once called the old Thermopolis Commercial Club incorporated in Hot Springs County as the Thermopolis Chamber of Commerce on February 4, 1919.

The future of the chamber was entrusted to elected directors: President Guy J. Gay, Vice President C.C. Beaver, and Directors Peter Sill, I.W. Wright, Harris Woods, A.W. Harrigan, and C.E. Stewart. Their guidance laid the foundation for a chamber that continues to foster the growth of business and sense of community in Thermopolis.

In an article dated February 7, 1919, the Thermopolis Independent Record wrote of the intended mission of the new chamber of commerce. ''We wish to create better business, better homes, better government, a better community and, in general, create a better brotherhood of man. We ask only what is fair. All who live here are the owners of our community and our community is our biggest asset.''

This spirit has driven Wyoming's people, businesses, and communities since its inception and will continue for generations to come. To further expand the chamber's embrace of community, on November 13, 1987, the Thermopolis Chamber of Commerce passed a resolution to change its name to the Thermopolis Hot Springs Chamber of Commerce. This combined all of Hot Spring County's corner of the Big Horn Basin into the chamber's mission.

The citizens of Thermopolis and Hot Springs County are blessed to live in a beautiful environment. Located in northern Wyoming and nestled on the world's largest mineral hot spring, Thermopolis is bordered by the Hot Springs State Park and the Wind River Canyon. The Owl Creek Mountains lie to the South while the Absaroka Range is to the West. The hot springs have been free to the public since purchase of the land from Native Americans in 1896.

The construction of the railroad had a major impact on the development of Hot Springs County. In 1910, the Burlington Railroad reached Thermopolis from the north. In 1911, the Burlington completed its line through Wind River Canyon to the south. This gave the entire Bighorn Basin much better connections with the rest of Wyoming. On February 9, 1911, the legislature approved establishment of Hot Springs County with Thermopolis as county seat. County government was organized in January 1913. The Thermopolis Chamber of Commerce was organized just a few years later in an office on South 5th Street.

For 100 years, the hard-working people at the chamber welcomed visitors to the area. One of today's main attractions is the rich prehistoric areas of Hot Springs County. The Wyoming Dinosaur Center offers a professional paleontological experience for the whole family. The center is an impressive 16,000-square-foot complex. It includes a world-class museum, working dig sites, and a modern preparation laboratory. Interpretive dig site tours allow visitors to walk the same ground as ancient dinosaurs and watch as scientists recover fossils from burial sites.

Hot Springs County as we know it today is vastly different from 100 years ago. It is this shared history between today's residents and those of the past that creates a special bond. Under direction and guidance from the chamber board of directors, executive director Meri Ann Rush and two office assistants, Kailey Dvorak and Kymberlee Oliver, continue the traditions of promoting Wyoming's people, businesses, and communities, started by the chamber 100 years ago. chamber board members are president Deb Tudor, vice president Pastor Sam Needham, treasurer Vivian Butchart, secretary Susan Linko, past president Greg Willson, Phillip Scheel, Barb Heinze, Robin Griffin, Kerri Manig, Amanda Kraushaar, Lana Nicodemus, Shelly Burrows, and middle school representative Jackson Reed.

In honor of the centennial of the Thermopolis Hot Springs County Chamber of Commerce, I invite my colleagues to see this wonderful place in person. Thermopolis is the hometown of my wife Bobbi and her brother Mike. Her parents, Bob and Jerry Brown, continue to live there today. Bob served Thermopolis as the longtime postmaster, as well as in World War 2 and the Korean war. Jerry owned a store downtown.

It is a great privilege to recognize this remarkable organization advancing Wyoming business and tourism. Bobbi joins me in extending our congratulations and gratitude to the Thermopolis Hot Springs Chamber of Commerce on their centennial celebration.

ADDITIONAL STATEMENTS

TRIBUTE TO GERALD KOTKOWSKI

● Ms. HASSAN. Mr. President, when Gerald Kotkowski of Hampton, NH, was preparing for retirement, he knew he would have more time on his hands and wanted to find a way to give back to his community. Inspired by his own life experiences, Gerald chose to serve as a volunteer driver to help people undergoing cancer treatment, as well as those who experience visual impairments. Since he started working with both Future in Sight and the American Cancer Society, Gerald has provided more than 400 rides to his fellow Granite Staters in need. For his incredible volunteerism, I am proud to recognize him as March 2019's Granite Stater of the Month.

Gerald began driving people undergoing cancer treatment after he heard about the program from a coworker. The cause, he said, touched him because of his own experiences; he and his wife both have had cancer scares, and their daughter was diagnosed with leukemia as a child. While his daughter has thankfully been cancer-free for over two decades, he still remembers the impact that the diagnosis had on his family. Gerald also provides rides to Granite Staters who experience visual impairments through Future in Sight, inspired by a friend with low vision. Many of the people Gerald drives are from rural parts of our State or don't have the support networks they need while undergoing treatment and are profoundly grateful for the simple act.

In addition to providing rides, Gerald is also active in supporting adult Granite Staters who experience disabilities. Inspired in part by raising his own daughter who experiences Down syndrome, every Monday, Gerald plays basketball with adults who experience disabilities through Friends in Action NH, an organization dedicated to providing social and recreational activities to those who experience disabilities. Gerald also serves on the board of the organization.

For his selfless work to support those who need care in his community and to ensure that those who experience disabilities are fully included, I am proud to recognize Gerald as the March 2019 Granite Stater of the Month.●

TRIBUTE TO FRANK MORONEY

● Mr. MARKEY. Mr. President, today I recognize Frank Moroney, executive director of AFSCME Council 93 and the AFSCME International vice president for the northern New England region. For his entire life, Frank has been a committed and fearless advocate for working people. Now, after four decades of service, he is entering a well-deserved retirement.

Frank began his career with AFSCME in 1967, when he joined Local 1358 as a worker in the Brookline Water Department. He quickly rose through the union ranks, and in 1971, he was elected president of the local. Frank scored two huge victories for his members early in his career. In 1973, he successfully took his local on strike

and received important longevity benefits for its members. He then fought for survivor health insurance benefits for all Brookline's municipal employees, taking the fight to the voters and winning on a ballot initiative.

Frank would build on these achievements as his career progressed, improving the lives of thousands of public employees throughout New England. He secured numerous wage increases, obtained more paid sick leave time, and successfully negotiated the Agency Fee in Maine. In 2012, Frank was appointed as the executive director of Council 93 and as vice president to the AFSCME International Executive Board, where he has served since. It is a leadership position befiting his service and dedication.

On April 1, 2019, Frank will retire as AFSCME Council 93 executive director. Throughout my and Frank's years of service, I have had the privilege of working closely with him and am lucky enough to call him my friend. Frank is irreplaceable, but his successes have left the council strong and one of the most effective AFSCME affiliates in the Nation.●

TRIBUTE TO BRANDY BUNKLEY

● Mr. RUBIO. Mr. President, today I recognize Brandy Bunkley, the Union County Teacher of the Year from Union County High School in Lake Butler, FL.

Brandy has taught for 21 years and is the career specialist at Union County High School. Her dedication and support for students has been credited for the increasing graduation rate at the school.

Brandy believes that every voice has value and that every student matters. As a teacher, she works to ensure her students are developing clear and positive career paths for themselves and provides a caring and enthusiastic support system.

Throughout her time at Union County High School, she has put a high importance on the value of students' voices and as individuals by forming strong teaching relationships with her students. She has continuously proven that being an educator is deeply rooted in her core.

I extend my sincere thanks and gratitude to Brandy for her dedication to her students and look forward to hearing of her continued success in the years to come.●

TRIBUTE TO KAMILLE CHAPMAN

● Mr. RUBIO. Mr. President, today I am pleased to honor Kamille Chapman, the Lake County Teacher of the Year from Mount Dora Middle School in Mount Dora, FL.

After receiving this award, Kamille credited the relationships she builds with her students as one of the reasons for her success. She works with her students to improve their lives and considers improved academic results a byproduct. When some students have behavioral issues, she invites them to have lunch with her instead of writing a referral, believing this to be an investment in their well-being.

Kamille's eighth grade geometry students score 21 percent higher than any other school in her district and they outperform their ninth and 10th grade peers. Ninety-three percent of her algebra students pass their end of course exam, an increase from the previous 50 percent passage rate 2 years ago. She originally returned to Mount Dora Middle School with the intention to retire in 2016 after first leaving in 1996. Instead, her students inspired her to continue teaching after being surrounded by positive influences that reminded her why she became a teacher.

Kamille earned her bachelor's degree in health education from the State University of New York Cortland and her master's degree in education from Florida State University. She has taught over a 32-year span in Houston, TX, and several schools throughout Lake County. She also worked as a curriculum specialist for math and science for middle and high schools in the county.

I express my sincere thanks and appreciation to Kamille for all the fine work she has done throughout her career for her students and offer my best wishes on her future endeavors.●

TRIBUTE TO JUSTEN EARLY

● Mr. RUBIO. Mr. President, today I honor Justen Early, the Hernando County Teacher of the Year from Nature Coast Technical High School in Brooksville, FL.

Justen's desire to become a teacher began when he first volunteered as a football coach at Central High School. He became invested in the success of his players, both on the football field and in the classroom. From this experience, he decided his next step would be to enter the classroom.

As a teacher, Justen seeks to build a camaraderie to make students feel they are a part of a community. He focuses on his students learning differences and encourages them to make teaching suggestions.

Justen attended Florida A&M University and currently teaches technology support classes. He serves as the co-offensive coordinator of the high school's football team. He has been with the school since 2014 and is grateful for his school's administration for providing him the opportunity to teach. Justen credits his success to his mother, grandmother, aunt, Mrs. Rosemarie Poluchowicz of the language arts department, and Coach Rudolph Story for their mentorship.

I extend my sincere thanks and gratitude to Justen for his dedication in helping his students succeed in life and offer my best wishes for his continued success in the coming years.●

TRIBUTE TO DONELLE EVENSEN

● Mr. RUBIO. Mr. President, today I recognize Donelle Evensen, the Flagler County Teacher of the Year from Rymfire Elementary School in Palm Coast, Fl.

After receiving this award, Donelle said, ''It makes me feel like I may have accomplished what I've set out to do and that's increase student achievement and increase support for our teachers and make them feel like they' re valued and are appreciated for what they do every day.'' She tries each day to plan different ways to inspire and excite students and teachers at her school.

Donelle previously spent 10 weeks backpacking through nine European countries with her husband. This experience served as a reminder of life back home and how we treat those around us and the true value of all lives. She has brought this reflection to her classroom to share with her students.

Donelle has been an educator for 13 years and currently is the literacy coach for kindergarten through sixth grade at her school. She earned her master's degree in elementary reading and literacy from Walden University in 2008 and her master's certification in educational leadership from Stetson University in 2017.

I express my sincere thanks and appreciation to Donelle for her devotion to her students and look forward to hearing of her continued success in her future endeavors.●

TRIBUTE TO ELISA HALL

● Mr. RUBIO. Mr. President, today I am pleased to recognize Elisa Hall, the Suwannee County Teacher of the Year from Suwannee County High School in Live Oak, FL.

Elisa is a Florida High Impact Teacher and was honored to receive this important recognition. In her classroom, she implemented the House System, which encourages friendly competitions, school spirit, and a comradery built by students who strive to help each other succeed. She collaborated with her fellow teachers, Emily Blackmon and Vanessa Menhennett, to create this system.

The House System consists of four houses named Diligence, Optimism, Generosity, and Sincerity, to spell out DOGS, in honor of the school's mascot, the Suwannee Bulldogs. The houses are mixed with students from ninth through twelfth grade and compete with one another to win the House Championship. Elisa's work with the House System is credited with increasing students' motivation to earn prizes through improved attendance, completion of assignments, positive behaviors, and teamwork.

A ninth grade English teacher at Suwannee County High School, Elisa has taught at the school since 2015. Through her positive experiences within the school district, she is dedicated

to giving back to others and working hard for her students.

I extend my best wishes to Elisa on receiving this award and look forward to hearing of her continued success in her future endeavors.●

TRIBUTE TO HEATHER RAWLINS

● Mr. RUBIO. Mr. President, today I am honored to recognize Heather Rawlins, the Levy County Teacher of the Year from Chiefland Elementary School in Chiefland, FL.

Heather works closely with her colleagues in order to solve problems and coach them in the best teaching practices for students. She strives to continue her professional growth through instructional and educational leadership and earned several recognitions for her teaching abilities throughout her career.

Heather has taught for 10 years at various elementary schools throughout Florida and currently is a reading coach at Chiefland Elementary School, focusing on the iReady curriculum for her students. She also coaches teachers on the best practices for professional development in English Language Arts blocks.

Heather graduated summa-cum laude from Flagler College with two bachelor of arts degrees, elementary education—K–6—with ESOL endorsement and deaf education—K–12—in 2009. She also graduated summa-cum laude from Saint Leo University with her master of education degree, educational leadership in 2015.

I am thankful for the commitment Heather has given to her students and teachers throughout her career. I convey my best wishes to her on receiving this award and wish her continued success in the coming years.●

TRIBUTE TO JULIE WADE

● Mr. RUBIO. Mr. President, today I recognize Julie Wade, the Columbia County Teacher of the Year from Eastside Elementary School in Lake City, FL.

Julie dedicates her time as a teacher to building relationships and trust with all of her students, even those considered the most difficult. She uses chess as an opportunity to reward and motivate her students and involves herself in various events throughout her school.

Julie's work with her students is credited to their scoring the second highest Florida Standards Assessments English Language Arts scores in the school district and the highest Florida Standards Assessments for fourth grade math scores in the county last school year.

Julie has been a teacher for 8 years and currently teaches fourth grade at Eastside Elementary School. She has taught at the school for 3 years and sponsors the math bee. She is currently enrolled in a masters of education program.

I extend my sincere thanks and gratitude to Julie for her dedication to her students and look forward to hearing of her continued success in the years to come.●

TRIBUTE TO JESSICA WATKINS

● Mr. RUBIO. Mr. President, today I recognize Jessica Watkins, the Nassau County Teacher of the Year from Yulee Elementary School in Yulee, FL.

Jessica builds relationships with her students and enjoys seeing them thrive in the classroom and after graduation. She cares for her students and believes they can rise to any challenge set before them.

Outside of her classroom, Jessica has dedicated her time to mentoring new teachers and interns. She also has served on her school district's reading curriculum building team, the writing professional development team, and the language arts/grammar building team, all in efforts to improve student outcomes in classrooms beyond her own.

Jessica is a fourth grade teacher at Yulee Elementary School, where she serves as the fourth grade chairperson, is on the school leadership team, and on the positive behavioral interventions and support team. She has spent 4 years teaching in Nassau County and 8 years overall in education.

I extend my best wishes and gratitude to Jessica for her dedication to her students and colleagues. I look forward to hearing of her continued success in the years to come.●

MESSAGE FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 596. An act to prohibit United States Government recognition of the Russian Federation's claim of sovereignty over Crimea, and for other purposes.

H.R. 1404. An act to strengthen the United States response to Russian interference by providing transparency on the corruption of Russian President Vladimir Putin.

H.R. 1582. An act to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes.

H.R. 1608. An act to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes.

H.R. 1617. An act to direct the Director of National Intelligence to submit intelligence assessments of the intentions of the political leadership of the Russian Federation, and for other purposes.

H.R. 1654. An act to amend title 44, United States Code, to modernize the Federal Register, and for other purposes.

MEASURES REFERRED

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

H.R. 596. An act to prohibit United States Government recognition of the Russian Federation's claim of sovereignty over Crimea, and for other purposes; to the Committee on Foreign Relations.

H.R. 1404. An act to strengthen the United States response to Russian interference by providing transparency on the corruption of Russian President Vladimir Putin; to the Select Committee on Intelligence.

H.R. 1582. An act to amend title 44, United States Code, to require preservation of certain electronic records by Federal agencies, to require a certification and reports relating to Presidential records, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1608. An act to amend the Federal Advisory Committee Act to increase the transparency of Federal advisory committees, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1654. An act to amend title 44, United States Code, to modernize the Federal Register, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC–552. A communication from the Board Chairman and Chief Executive Officer, Farm Credit Administration, transmitting the Administration's proposed fiscal year 2020 Budget and Performance Plan; to the Committee on Agriculture, Nutrition, and Forestry.

EC–553. A communication from the Chief of the Planning and Regulatory Affairs Branch, Food and Nutrition Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled ''Hiring Flexibility Under Professional Standards'' (RIN0584–AE60) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC–554. A communication from the Acting Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Dixon R. Smith, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC–555. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled ''Annual National Defense Stockpile Operations and Planning Report''; to the Committee on Armed Services.

EC–556. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Somalia that was declared in Executive Order 13536 on April 12, 2010; to the Committee on Banking, Housing, and Urban Affairs.

EC–557. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Community Reinvestment Act Regulations'' (RIN3064–AE97) received in the Office of the President of the Senate on March 11, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–558. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Depository Institution Management Interlocks

Act'' (RIN3064–AE92) received in the Office of the President of the Senate on March 11, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–559. A communication from the Director of Legislative Affairs, Federal Deposit Insurance Corporation, transmitting, pursuant to law, the report of a rule entitled ''Limited Exception for a Capped Amount of Reciprocal Deposits From Treatment as Brokered Deposits'' (RIN3064–AE89) received in the Office of the President of the Senate on March 11, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC–560. A communication from the Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled ''Food Additives Permitted in Feed and Drinking Water of Animals; Selenomethionine Hydroxy Analogue'' ((21 CFR Part 573) (Docket No. FDA–2015–F–2712)) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC–561. A communication from the Acting Director, Office of Communications and Legislative Affairs, Equal Employment Opportunity Commission, transmitting, pursuant to law, the Commission's Annual Sunshine Act Report for 2018; to the Committee on Homeland Security and Governmental Affairs.

EC–562. A communication from the Director of the Office of Business Transformation, Department of Housing and Urban Development, transmitting, pursuant to law, the Department's fiscal year 2017 inventory of commercial and inherently governmental activities; to the Committee on Homeland Security and Governmental Affairs.

EC–563. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–7, ''Sports Wagering Procurement Practices Reform Exemption Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–564. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–8, ''Rental Housing Registration Extension Temporary Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–565. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–9, ''Federal Worker Housing Relief Temporary Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–566. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–19, ''Sports Wagering Lottery Clarification Temporary Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–567. A communication from the Chairman of the Council of the District of Columbia, transmitting, pursuant to law, a report on D.C. Act 23–20, ''Bryant Street Tax Increment Financing Temporary Amendment Act of 2019''; to the Committee on Homeland Security and Governmental Affairs.

EC–568. A communication from the Regulation Policy Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled ''Update: Enrollment - Provision of Hospital and Outpatient Care to Medal of Honor Veterans'' (RIN2900–AQ34) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Veterans' Affairs.

EC–569. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Advanced Methods to Target and Eliminate Unlawful Robocalls'' ((CG Docket No. 17–59) (FCC 18–177)) received in the Office of the President of the Senate on March 11, 2019; to the Committee on Commerce, Science, and Transportation.

EC–570. A communication from the Deputy Chief, Consumer and Governmental Affairs Bureau, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Misuse of Internet Protocol (IP) Captioned Telephone Service; Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities'' ((CG Docket Nos. 13–24 and 3–123) (FCC 19–11)) received in the Office of the President of the Senate on March 11, 2019; to the Committee on Commerce, Science, and Transportation.

EC–571. A communication from the Deputy Chief, Office of Economics and Analytics, Federal Communications Commission, transmitting, pursuant to law, the report of a rule entitled ''Connect America Fund; Universal Service Reform - Mobility Fund'' ((WT Docket Nos. 10–90 and 10–208) (FCC 18–183)) received in the Office of the President of the Senate on March 11, 2019; to the Committee on Commerce, Science, and Transportation.

EC–572. A communication from the Assistant Chief Counsel for Regulatory Affairs, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Hazardous Materials: Enhanced Safety Provisions for Lithium Batteries Transported by Aircraft (FAA Reauthorization Act of 2018)'' (RIN2137–AF20) received in the Office of the President of the Senate on March 11, 2019; to the Committee on Commerce, Science, and Transportation.

EC–573. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; 2018 Commercial Quota Harvested for the Commonwealth of Massachusetts'' (RIN0648–XG392) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–574. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Mackerel, Squid, and Butterfish Fishery; 2018 Illex Squid Quota Harvested'' (RIN0648–XG349) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–575. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''International Fisheries: Western and Central Pacific Fisheries for Highly Migratory Species; Closure of Purse Seine Fishery on the High Seas in 2018'' (RIN0648–XG458) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–576. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries in the Exclusive Economic Zone Off Alaska; Sablefish in the West Yakutat District of the Gulf of Alaska'' (RIN0648–XG402) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–577. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XG115) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–578. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the West Yakutat District of the Gulf of Alaska'' (RIN0648–XG400) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–579. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder Fishery; 2018 Commercial Quota Harvested for the State of Rhode Island'' (RIN0648–XG692) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–580. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries'' (RIN0648–XG695) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–581. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Atlantic Herring Fishery; 2018 Management Area 1B Directed Fishery Closure'' (RIN0648–XG512) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–582. A communication from the Acting Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Central Regulatory Area of the Gulf of Alaska'' (RIN0648–XG675) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–583. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Bering Sea and Aleutian Islands Management Area'' (RIN0648–XF948) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–584. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled ''Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Western Regulatory Area of the Gulf of Alaska'' (RIN0648–XG502) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–585. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Shrimp Fishery Off the Southern Atlantic States; Closure of the Penaeid Shrimp Fishery Off South Carolina'' (RIN0648–XF955) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–586. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2018 Commercial Accountability Measure and Closure for South Atlantic Blueline Tilefish'' (RIN0648–XG424) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–587. A communication from the Director, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Real Fish Fishery of the Gulf of Mexico; 2018 Recreational Accountability Measure and Closure for Gulf of Mexico Grey Triggerfish'' (RIN0648–XG421) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–588. A communication from the Acting Deputy Assistant Administrator for Regulatory Programs, Office of Sustainable Fisheries, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled ''Fisheries of the Northeastern United States; Summer Flounder, Scup, and Black Sea Bass Fisheries; 2019 Specifications'' (RIN0648–BI48) received during adjournment of the Senate in the Office of the President of the Senate on March 8, 2019; to the Committee on Commerce, Science, and Transportation.

PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–12. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida, urging the United States Congress to enact legislation that would eliminate the addition of a question regarding citizenship to the decennial United States Census questionnaire; to the Committee on Homeland Security and Governmental Affairs.

POM–13. A resolution adopted by the Republican Party of Sarpy County, Nebraska memorializing its support for the President of the United States' proposal to construct a secure border wall, and urging the United States Congress to immediately take action to fund the construction; to the Committee on Homeland Security and Governmental Affairs.

POM–14. A resolution adopted by the Mayor and City Commission of the City of Miami Beach, Florida, urging the United States Congress to recognize and support states' rights relative to the legalization of medical marijuana; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 46. A bill to repeal the Klamath Tribe Judgment Fund Act (Rept. No. 116–6).

S. 50. A bill to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes (Rept. No. 116–7).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. ISAKSON for the Committee on Veterans' Affairs.

*John Lowry III, of Illinois, to be Assistant Secretary of Labor for Veterans' Employment and Training.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. THUNE (for himself and Mr. WYDEN):

S. 765. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on Finance.

By Mr. TILLIS (for himself, Mr. GRASSLEY, Mr. CORNYN, and Mr. CRAPO):

S. 766. A bill to amend title 11, United States Code, to promote the investigation of fraudulent claims against certain trusts, to amend title 18, United States Code, to provide penalties against fraudulent claims against certain trusts, and for other purposes; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Mr. BROWN, and Mr. KING):

S. 767. A bill to amend the Internal Revenue Code of 1986 to qualify homeless youth and veterans who are full-time students for purposes of the low income housing tax credit; to the Committee on Finance.

By Ms. WARREN (for herself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MANCHIN, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. REED, Mr. SANDERS, Mrs. SHAHEEN, Ms. SMITH, Ms. STABENOW, Mr. UDALL, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. WYDEN, and Mr. HEINRICH):

S. 768. A bill to amend the Higher Education Act of 1965 to provide for the refinancing of certain Federal student loans, and for other purposes; to the Committee on Finance.

By Mr. UDALL (for himself, Mr. WHITEHOUSE, Mr. CARPER, Mr. HEINRICH, Mr. REED, Mr. WYDEN, and Ms. HIRONO):

S. 769. A bill to require the disclosure of certain visitor access records; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GRASSLEY (for himself, Ms. KLOBUCHAR, Mr. CORNYN, Mr. DURBIN, Mr. LEAHY, Mr. BLUMENTHAL, and Mr. MARKEY):

S. 770. A bill to provide for media coverage of Federal court proceedings; to the Committee on the Judiciary.

By Mr. RUBIO (for himself and Mrs. SHAHEEN):

S. 771. A bill to amend section 21 of the Small Business Act to require cyber certification for small business development center counselors, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. RUBIO (for himself and Mr. CARDIN):

S. 772. A bill to require an annual report on the cybersecurity of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. GARDNER (for himself and Mr. PETERS):

S. 773. A bill to require the Center for Medicare and Medicaid Innovation to test the effect of including telehealth services in Medicare health care delivery reform models; to the Committee on Finance.

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. 774. A bill to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. SCHATZ:

S. 775. A bill to amend the America COMPETES Act to require certain agencies to develop scientific integrity policies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. MCSALLY (for herself, Ms. SINEMA, and Ms. ROSEN):

S. 776. A bill to amend the Radiation Exposure Compensation Act for purposes of making claims under such Act based on exposure to atmospheric nuclear testing, and for other purposes; to the Committee on the Judiciary.

By Mr. GARDNER (for himself, Mr. HEINRICH, Mr. MORAN, and Mr. MARKEY):

S. 777. A bill to direct the Secretary of Labor to enter into contracts with industry intermediaries for purposes of promoting the development of and access to apprenticeships in the technology sector, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MURKOWSKI (for herself, Mr. WHITEHOUSE, Mr. PETERS, and Ms. COLLINS):

S. 778. A bill to direct the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to conduct coastal community vulnerability assessments related to ocean acidification, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WHITEHOUSE (for himself and Mrs. SHAHEEN):

S. 779. A bill to end offshore corporate tax avoidance, and for other purposes; to the Committee on Finance.

By Mr. WHITEHOUSE (for himself and Mr. VAN HOLLEN):

S. 780. A bill to amend the Internal Revenue Code of 1986 to provide for current year inclusion of net CFC tested income, and for other purposes; to the Committee on Finance.

By Ms. BALDWIN (for herself, Ms. WARREN, Mr. MERKLEY, Ms. DUCKWORTH, Mr. KAINE, Mr. REED, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. WHITEHOUSE, Mrs. FEINSTEIN, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. BOOKER, and Ms. HIRONO):

S. 781. A bill to amend the Internal Revenue Code of 1986 to provide for the proper tax treatment of personal service income earned in pass-thru entities; to the Committee on Finance.

By Ms. STABENOW (for herself and Mr. BARRASSO):

S. 782. A bill to amend title XVIII of the Social Security Act to improve access to mental health services under the Medicare program; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. MARKEY, Ms. HIRONO, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 783. A bill to amend the Children's Online Privacy Protection Act of 1998 to give Americans the option to delete personal information collected by internet operators as a result of the person's internet activity prior to age 13; to the Committee on Commerce, Science, and Transportation.

By Ms. KLOBUCHAR (for herself and Ms. COLLINS):

S. 784. A bill to amend the Elementary and Secondary Education Act of 1965 to expand the military student identifier program to cover students with a parent who serves in the reserve component of the Armed Forces; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TESTER (for himself, Mr. MORAN, Ms. BALDWIN, Ms. STABENOW, Mr. KAINE, Mr. MARKEY, Ms. SINEMA, Ms. HIRONO, Mr. DURBIN, Mr. CASEY, Ms. HARRIS, Mr. UDALL, Mr. BLUMENTHAL, Mr. MURPHY, Mr. WARNER, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. MENENDEZ, Mr. BOOKER, Ms. SMITH, Mr. MANCHIN, Ms. KLOBUCHAR, Mr. SANDERS, and Ms. DUCKWORTH):

S. 785. A bill to improve mental health care provided by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. WARNER (for himself, Mr. MORAN, Mrs. CAPITO, and Mr. CASEY):

S. 786. A bill to amend the Internal Revenue Code of 1986 to establish a new tax credit and grant program to stimulate investment and healthy nutrition options in food deserts, and for other purposes; to the Committee on Finance.

By Ms. WARREN (for herself, Mrs. GILLIBRAND, and Mr. MARKEY):

S. 787. A bill to make housing more affordable, and for other purposes; to the Committee on Finance.

By Mr. MERKLEY (for himself, Ms. COLLINS, Ms. BALDWIN, Mr. BOOKER, Mr. MARKEY, Mr. JONES, Mr. WHITEHOUSE, Mr. BLUMENTHAL, Mr. LEAHY, Ms. HARRIS, Ms. CANTWELL, Mr. VAN HOLLEN, Ms. STABENOW, Mrs. MURRAY, Ms. WARREN, Mr. WYDEN, Ms. CORTEZ MASTO, Ms. KLOBUCHAR, Mr. CARDIN, Ms. ROSEN, Mr. CASEY, Mr. SANDERS, Mr. PETERS, Mr. BROWN, Mr. MENENDEZ, Ms. SMITH, Mr. REED, Mrs. SHAHEEN, Mr. COONS, Mr. KAINE, Mr. HEINRICH, Ms. HASSAN, Mr. BENNET, Mr. MURPHY, Mr. CARPER, Mr. UDALL, Mr. TESTER, Mr. DURBIN, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Mr. SCHATZ, Ms. DUCKWORTH, Mr. KING, Mr. WARNER, Ms. HIRONO, Mr. SCHUMER, and Ms. SINEMA):

S. 788. A bill to prohibit discrimination on the basis of sex, gender identity, and sexual orientation, and for other purposes; to the Committee on the Judiciary.

By Mrs. MURRAY (for herself and Mr. PORTMAN):

S. 789. A bill to amend the Higher Education Act of 1965 to improve the financial aid process for homeless and foster care youth; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRAHAM (for himself, Mr. BURR, and Mr. TILLIS):

S. 790. A bill to clarify certain provisions of Public Law 103–116, the Catawba Indian Tribe of South Carolina Land Claims Settlement Act of 1993, and for other purposes; to the Committee on Indian Affairs.

By Mr. DURBIN (for himself, Mr. TESTER, Mr. VAN HOLLEN, Mr. BENNET, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. PETERS, Mr. JONES, Mr. BROWN, Ms. STABENOW, Ms. HARRIS, Ms. KLOBUCHAR, Mr. UDALL, Ms. DUCKWORTH, and Mr. WYDEN):

S. 791. A bill to amend title 38, United States Code, to provide for clarification regarding the children to whom entitlement to educational assistance may be transferred under the Post-9/11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BURR (for himself, Mr. TILLIS, and Mr. PAUL):

S. Res. 108. A resolution honoring the life, accomplishments, and legacy of Representative Walter Beamon Jones, Jr.; considered and agreed to.

ADDITIONAL COSPONSORS

S. 25

At the request of Mr. CRUZ, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 25, a bill to reserve any amounts forfeited to the United States Government as a result of the criminal prosecution of Joaquin Archivaldo Guzman Loera (commonly known as ''El Chapo''), or of other felony convictions involving the transportation of controlled substances into the United States, for security measures along the Southern border, including the completion of a border wall.

S. 62

At the request of Ms. KLOBUCHAR, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 62, a bill to amend title XVIII of the Social Security Act to allow the Secretary of Health and Human Services to negotiate fair prescription drug prices under part D of the Medicare program.

S. 106

At the request of Mr. BLUNT, the names of the Senator from Ohio (Mr. PORTMAN) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 106, a bill to reauthorize and extend funding for community health centers and the National Health Service Corps.

S. 107

At the request of Mr. RUBIO, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 107, a bill to provide any State with a child welfare demonstration project that is scheduled to terminate at the end of fiscal year 2019 the option to extend the project for up to 2 additional years.

S. 133

At the request of Ms. MURKOWSKI, the names of the Senator from Missouri (Mr. BLUNT), the Senator from South Dakota (Mr. ROUNDS), the Senator from Oklahoma (Mr. INHOFE) and the Senator from Arkansas (Mr. BOOZMAN) were added as cosponsors of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 201

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 201, a bill to amend title 13, United States Code, to make clear that each decennial census, as required for the apportionment of Representatives in Congress among the several States, shall tabulate the total number of persons in each State, and to provide that no information regarding United States citizenship or immigration status may be elicited in any such census.

S. 215

At the request of Mr. THUNE, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 323

At the request of Mrs. MURRAY, the names of the Senator from Iowa (Mr. GRASSLEY), the Senator from Rhode Island (Mr. REED), the Senator from Minnesota (Ms. SMITH), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Alabama (Mr. JONES), the Senator from Delaware (Mr. COONS), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 323, a bill to direct the Secretary of Education to establish the Recognition Inspiring School Employees (RISE) Program recognizing excellence exhibited by classified school employees providing services to students in prekindergarten through high school.

S. 362

At the request of Mr. WYDEN, the names of the Senator from New Jersey (Mr. BOOKER), the Senator from Arizona (Ms. MCSALLY) and the Senator

from New Mexico (Mr. UDALL) were added as cosponsors of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 450

At the request of Mr. GARDNER, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 450, a bill to require the Secretary of Veterans Affairs to carry out a pilot program to expedite the onboarding process for new medical providers of the Department of Veterans Affairs, to reduce the duration of the hiring process for such medical providers, and for other purposes.

S. 504

At the request of Ms. SINEMA, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 504, a bill to amend title 36, United States Code, to authorize The American Legion to determine the requirements for membership in The American Legion, and for other purposes.

S. 518

At the request of Ms. CANTWELL, the names of the Senator from New York (Mr. SCHUMER) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 518, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 521

At the request of Mr. BROWN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 521, a bill to amend title II of the Social Security Act to repeal the Government pension offset and windfall elimination provisions.

S. 537

At the request of Ms. ROSEN, the names of the Senator from Montana (Mr. DAINES) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 537, a bill to amend the Internal Revenue Code of 1986 to provide the work opportunity tax credit with respect to hiring veterans who are receiving educational assistance under laws administered by the Secretary of Veterans Affairs or Defense.

S. 546

At the request of Mrs. GILLIBRAND, the names of the Senator from Maine (Mr. KING) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 546, a bill to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes.

S. 589

At the request of Mr. LANKFORD, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 589, a bill to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to complete regular appropriations.

S. 592

At the request of Mr. REED, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 592, a bill to amend the Securities and Exchange Act of 1934 to promote transparency in the oversight of cybersecurity risks at publicly traded companies.

S. 598

At the request of Mr. PETERS, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 598, a bill to amend title 38, United States Code, to increase certain funeral benefits for veterans, and for other purposes.

S. 611

At the request of Mr. SANDERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 611, a bill to provide adequate funding for water and sewer infrastructure, and for other purposes.

S. 622

At the request of Mr. JONES, the names of the Senator from Illinois (Mr. DURBIN), the Senator from South Dakota (Mr. ROUNDS), the Senator from Vermont (Mr. SANDERS) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 622, a bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes.

S. 625

At the request of Ms. KLOBUCHAR, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 625, a bill to direct the Election Assistance Commission to carry out a pilot program under which the Commission shall provide funds to local educational agencies for initiatives to provide voter registration information to secondary school students in the 12th grade.

S. 630

At the request of Mr. BROWN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 630, a bill to amend the Consumer Financial Protection Act of 2010 with respect to arbitration.

S. 632

At the request of Mr. LANKFORD, the names of the Senator from Maine (Mr. KING), the Senator from Maine (Ms. COLLINS) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S. 632, a bill to amend the Internal Revenue Code of 1986 to repeal the inclusion of certain fringe benefit expenses for which a deduction is disallowed in unrelated business taxable income.

S. 657

At the request of Mr. BRAUN, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 657, a bill to amend title XXVII of the Public Health Service Act to establish requirements with respect to prescription drug benefits.

S. 717

At the request of Mr. MERKLEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 717, a bill to amend the Toxic Substances Control Act to prohibit the manufacture, processing, and distribution in commerce of asbestos and asbestos-containing mixtures and articles, and for other purposes.

S. 731

At the request of Ms. MCSALLY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 731, a bill to amend the Anti-Border Corruption Act of 2010 to authorize certain polygraph waiver authority, and for other purposes.

S. 739

At the request of Mr. UDALL, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 739, a bill to protect the voting rights of Native American and Alaska Native voters.

S. 752

At the request of Mr. KAINE, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 752, a bill to amend the Higher Education Act of 1965 to provide for teacher and school leader quality enhancement and to enhance institutional aid.

S. 764

At the request of Mr. LEE, the names of the Senator from Texas (Mr. CORNYN) and the Senator from Arizona (Ms. MCSALLY) were added as cosponsors of S. 764, a bill to provide for congressional approval of national emergency declarations, and for other purposes.

S.J. RES. 7

At the request of Mr. SANDERS, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S.J. Res. 7, a joint resolution to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

S. CON. RES. 5

At the request of Mr. BARRASSO, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Con. Res. 5, a concurrent resolution supporting the Local Radio Freedom Act.

S. RES. 100

At the request of Mr. UDALL, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 100, a resolution recognizing the heritage, culture, and contributions of American Indian, Alaska Native, and Native Hawaiian women in the United States.

S. RES. 102

At the request of Mr. PORTMAN, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Oklahoma (Mr. LANKFORD) were added as cosponsors of S. Res. 102, a resolution designating April 2019 as ''Second Chance Month'' .

S. RES. 104

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. Res. 104, a resolution calling on the Government of Iran to fulfill repeated promises of assistance in the case of Robert Levinson, the longest held United States civilian in our Nation's history.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. THUNE (for himself and Mr. WYDEN):

S. 765. A bill to promote neutrality, simplicity, and fairness in the taxation of digital goods and digital services; to the Committee on Finance.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 765

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Digital Goods and Services Tax Fairness Act of 2019''.

SEC. 2. MULTIPLE AND DISCRIMINATORY TAXES PROHIBITED.

(a) MULTIPLE TAXES.—No State or local jurisdiction shall impose multiple taxes on the sale or use of a covered electronic good or service.

(b) DISCRIMINATORY TAXES.—No State or local jurisdiction shall impose discriminatory taxes on the sale or use of a digital good or a digital service.

SEC. 3. SOURCING LIMITATION.

Subject to section 6(a), taxes on the sale of a covered electronic good or service may only be imposed by a State or local jurisdiction whose territorial limits encompass the customer tax address.

SEC. 4. CUSTOMER TAX ADDRESS.

(a) SELLER OBLIGATION.—

(1) IN GENERAL.—Subject to subsection (e)(2), a seller shall be responsible for obtaining and maintaining in the ordinary course of business the customer tax address with respect to the sale of a covered electronic good or service, and shall be responsible for collecting and remitting the correct amount of tax for the State and local jurisdictions whose territorial limits encompass the customer tax address if the State or local jurisdiction has the authority to require such collection and remittance by the seller.

(2) CERTAIN TRANSACTIONS.—When a customer tax address is not a business location of the seller under clause (i) of section 7(4)(A)—

(A) if the sale is a separate and discrete transaction, then a seller shall use reasonable efforts to obtain a customer tax address, as such efforts are described in clauses (iii), (iv), and (v) of section 7(4)(A), before resorting to using a customer tax address as determined by clause (vi) of such section 7(4)(A); and

(B) if the sale is not a separate and discrete transaction, then a seller shall use reasonable efforts to obtain a customer tax address, as such efforts are described in clauses (ii), (iii), (iv), and (v) of section 7(4)(A), before resorting to using a customer tax address as determined by clause (vi) of such section 7(4)(A).

(b) RELIANCE ON CUSTOMER-PROVIDED INFORMATION.—A seller that relies in good faith on information provided by a customer to determine a customer tax address shall not be held liable for any additional tax based on a different determination of that customer tax address by a State or local jurisdiction or court of competent jurisdiction, unless and until binding notice is given as provided in subsection (c).

(c) ADDRESS CORRECTION.—If a State or local jurisdiction is authorized under State law to administer a tax, and the jurisdiction determines that the customer tax address determined by a seller is not the customer tax address that would have been determined under section 7(4)(A) if the seller had the additional information provided by the State or local jurisdiction, then the jurisdiction may give binding notice to the seller to correct the customer tax address on a prospective basis, effective not less than 45 days after the date of such notice, if—

(1) when the determination is made by a local jurisdiction, such local jurisdiction obtains the consent of all affected local jurisdictions within the State before giving such notice of determination; and

(2) before the State or local jurisdiction gives such notice of determination, the customer is given an opportunity to demonstrate in accordance with applicable State or local tax administrative procedures that the address used is the customer tax address.

(d) COORDINATION WITH SOURCING OF MOBILE TELECOMMUNICATIONS SERVICE.—

(1) IN GENERAL.—If—

(A) a covered electronic good or service is sold to a customer by a home service provider of mobile telecommunications service that is subject to being sourced under section 117 of title 4, United States Code, or the charges for a covered electronic good or service are billed to the customer by such a home service provider; and

(B) the covered electronic good or service is delivered, transferred, or provided electronically by means of mobile telecommunications service that is deemed to be provided by such home service provider under section 117 of such title,

then the home service provider and, if different, the seller of the covered electronic good or service, may presume that the customer's place of primary use for such mobile telecommunications service is the customer tax address described in section 7(4)(A)(ii) with respect to the sale of such covered electronic good or service.

(2) DEFINITIONS.—For purposes of this subsection, the terms ''home service provider'', ''mobile telecommunications service'', and ''place of primary use'' have the same meanings as in section 124 of title 4, United States Code.

(e) MULTIPLE LOCATIONS.—

(1) IN GENERAL.—If a digital service, audio or video programming service, or VoIP service is sold to a customer and available for use by the customer in multiple locations simultaneously, the seller may determine the customer tax addresses using a reasonable and consistent method based on the addresses of use as provided by the customer and determined in agreement with the customer at the time of sale or at a later time.

(2) DIRECT CUSTOMER PAYMENT.—

(A) ESTABLISHMENT OF DIRECT PAYMENT PROCEDURES.—Each State and local jurisdiction shall provide reasonable procedures that permit the direct payment by a qualified customer, as determined under procedures established by the State or local jurisdiction, of taxes that are on the sale of covered electronic goods or services to multiple locations of the customer and that would, absent such procedures, be required or permitted by law to be collected from the customer by the seller.

(B) EFFECT OF CUSTOMER COMPLIANCE WITH DIRECT PAYMENT PROCEDURES.—When a qualified customer elects to pay tax directly under the procedures established under subparagraph (A), the seller shall—

(i) have no obligation to obtain the multiple customer tax addresses under subsection (a); and

(ii) not be liable for such tax, provided the seller follows the State and local procedures and maintains appropriate documentation in its books and records.

SEC. 5. TREATMENT OF BUNDLED TRANSACTIONS, DIGITAL CODES, AND OTHER RULES.

(a) BUNDLED TRANSACTION.—If a charge for a distinct and identifiable covered electronic good or service is aggregated with and not separately stated from one or more charges for other distinct and identifiable goods or services, which may include other covered electronic goods or services, and any part of the aggregation is subject to taxation, then the entire aggregation may be subject to taxation, except to the extent that the seller can identify, by reasonable and verifiable standards, one or more charges for the nontaxable goods or services from its books and records kept in the ordinary course of business.

(b) DIGITAL CODE.—The tax treatment of the sale of a digital code shall be the same as the tax treatment of the sale of the covered electronic good or service to which the digital code relates.

(c) APPLICATION OF FIXED CHARGES TO VOIP SERVICE.—With respect to VoIP service, if any tax is based on a fixed charge, such fixed charge shall be based on the number of simultaneous outbound calls the customer has purchased the right to place, regardless of actual usage or the number of the customer's phone numbers.

(d) RULE OF CONSTRUCTION.—The sale of a digital code shall be considered the sale transaction for purposes of this Act.

SEC. 6. NO INFERENCE.

(a) CUSTOMER LIABILITY.—Subject to the prohibition provided in section 2, nothing in this Act modifies, impairs, supersedes, or authorizes the modification, impairment, or supersession of any law allowing a State or local jurisdiction to impose tax on and collect tax directly from a customer based upon use of a covered electronic good or service in such State.

(b) NON-TAX MATTERS.—This Act shall not be construed to apply in, or to affect, any non-tax regulatory matter or other context.

(c) STATE TAX MATTERS.—The definitions contained in this Act are intended to be used with respect to interpreting this Act. Nothing in this Act shall prohibit a State or local jurisdiction from adopting different nomenclature to enforce the provisions set forth in this Act.

(d) INTERNET TAX FREEDOM ACT.—Nothing in this Act modifies, impairs, supersedes, or authorizes the modification, impairment, or supersession of the Internet Tax Freedom Act (47 U.S.C. 151 note).

SEC. 7. DEFINITIONS.

In this Act, the following definitions shall apply:

(1) AUDIO OR VIDEO PROGRAMMING SERVICE.—The term ''audio or video programming service'' means programming provided by, or

generally considered comparable to programming provided by, a radio or television broadcast station, regardless of the facilities used to deliver or provide such service.

(2) COVERED ELECTRONIC GOOD OR SERVICE.—The term ''covered electronic good or service'' means a digital good, digital service, audio or video programming service, or VoIP service.

(3) CUSTOMER.—The term ''customer'' means a person that purchases a covered electronic good or service or digital code.

(4) CUSTOMER TAX ADDRESS.—

(A) IN GENERAL.—The term ''customer tax address'' means—

(i) with respect to the sale of a covered electronic good or service that is received by the customer at a business location of the seller, such business location;

(ii) if clause (i) does not apply and the primary use location of the covered electronic good or service is known by the seller, such location;

(iii) if neither clause (i) nor clause (ii) applies, and if the location where the covered electronic good or service is received by the customer, or by a donee of the customer that is identified by such customer, is known to the seller and maintained in the ordinary course of the seller's business, such location;

(iv) if none of clauses (i) through (iii) applies, the location indicated by an address for the customer that is available from the business records of the seller that are maintained in the ordinary course of the seller's business, when use of the address does not constitute bad faith;

(v) if none of clauses (i) through (iv) applies, the location indicated by an address for the customer obtained during the consummation of the sale, including the address of a customer's payment instrument, when use of this address does not constitute bad faith; or

(vi) if none of clauses (i) through (v) applies, including the circumstance in which the seller is without sufficient information to apply such paragraphs, one of the following locations, as selected by the seller, provided that such location is consistently used by the seller for all such sales to which this clause applies:

(I) The location in the United States of the headquarters of the seller's business.

(II) The location in the United States where the seller has the greatest number of employees.

(III) The location in the United States—

(aa) from which the seller makes digital goods available for electronic delivery; or

(bb) from which digital services, VoIP services, or audio or video programming services are provided electronically.

(B) EXCLUSION.—For purposes of this paragraph, the term ''location'' does not include the location of a server, machine, or device, including an intermediary server, that is used simply for routing or storage.

(5) DELIVERED OR TRANSFERRED ELECTRONICALLY; PROVIDED ELECTRONICALLY.—The term ''delivered or transferred electronically'' means the delivery or transfer of a digital good by means other than tangible storage media, and the term ''provided electronically'' means the provision of a digital service, audio or video programming service, or VoIP service remotely via electronic means.

(6) DIGITAL CODE.—The term ''digital code'' means a code that conveys only the right to obtain a covered electronic good or service without making further payment.

(7) DIGITAL GOOD.—The term ''digital good'' means any software or other good that is delivered or transferred electronically, including sounds, images, data, facts, or combinations thereof, maintained in digital format, where such software or other good is the true object of the transaction, rather than the activity or service performed to create such software or other good, that results in the delivery to the customer of a complete copy of such software or other good, with the right to use permanently or for a specified period, and includes, as an incidental component, charges for the delivery or transfer of such software or other good.

(8) DIGITAL SERVICE.—

(A) IN GENERAL.—The term ''digital service'' means any service that is provided electronically, including the provision of remote access to or use of a digital good, and includes, as an incidental component, charges for the electronic provision of the digital service to the customer.

(B) EXCEPTIONS.—The term ''digital service'' does not include a service that is predominantly attributable to the direct, contemporaneous expenditure of live human effort, skill, or expertise, a telecommunications service, an ancillary service, Internet access, audio or video programming service, or a hotel intermediary service.

(C) CLARIFYING DEFINITIONS.—For purposes of subparagraph (B)—

(i) the term ''ancillary service'' means a service that is associated with or incidental to the provision of telecommunications services, including, but not limited to, detailed telecommunications billing, directory assistance, vertical service, and voice mail services;

(ii) the term ''hotel intermediary service''—

(I) means a service provided by a person that facilitates the sale, use, or possession of a hotel room or other transient accommodation to the general public; and

(II) does not include the purchase of a digital service by a person who provides a hotel intermediary service or by a person who owns, operates, or manages hotel rooms or other transient accommodations;

(iii) the term ''Internet access'' means any service included within the definition of the term ''internet access'' under section 1105(5) of the Internet Tax Freedom Act (47 U.S.C. 151 note); and

(iv) the term ''telecommunications service''—

(I) means the electronic transmission, conveyance, or routing of voice, data, audio, video, or any other information or signals to a point, or between or among points;

(II) includes such transmission, conveyance, or routing in which computer processing applications are used to act on the form, code, or protocol of the content for purposes of transmission, conveyance, or routing, without regard to whether such service is referred to as VoIP service; and

(III) does not include data processing and information services that allow data to be generated, acquired, stored, processed, or retrieved and delivered by an electronic transmission to a purchaser where such purchaser's primary purpose for the underlying transaction is the processed data or information.

(9) DISCRIMINATORY TAX.—

(A) IN GENERAL.—The term ''discriminatory tax'' means any tax imposed by a State or local jurisdiction on digital goods or digital services that—

(i) is not generally imposed and legally collectible by such State or local jurisdiction on transactions involving similar property, goods, or services accomplished through other means;

(ii) is not generally imposed and legally collectible at the same or higher rate by such State or local jurisdiction on transactions involving similar property, goods, or services accomplished through other means;

(iii) imposes an obligation to collect or pay the tax on a person, other than the seller, that the State or local jurisdiction would not impose in the case of transactions involving similar property, goods, or services accomplished through other means;

(iv) establishes a classification of digital services or digital goods providers for purposes of establishing a higher tax rate to be imposed on such providers than the tax rate generally imposed on providers of similar property, goods, or services accomplished through other means; or

(v) does not provide a resale and component part exemption for the purchase of digital goods or digital services in a manner consistent with the State's resale and component part exemption applicable to the purchase of similar property, goods, or services accomplished through other means.

(B) CLARIFICATION.—For purposes of this paragraph, any tax that is limited in its application to only certain services, providers, or industries shall not be considered to be generally imposed, with the exception of any State tax which is imposed—

(i) in lieu of a generally imposed tax; and

(ii) at a rate which is not greater than the rate of such tax.

(10) LOCAL JURISDICTION.—

(A) IN GENERAL.—The term ''local jurisdiction'' means—

(i) any municipality, city, county, township, parish, transportation district, or assessment jurisdiction;

(ii) any other local jurisdiction in the territorial jurisdiction of the United States with the authority to impose a tax; and

(iii) any governmental entity or person acting on behalf of an entity described in clause (i) or (ii) and with the authority to assess, impose, levy, or collect taxes.

(B) EXCEPTION.—The term ''local jurisdiction'' shall not include a State.

(11) MULTIPLE TAX.—

(A) IN GENERAL.—The term ''multiple tax'' means any tax that is imposed by one State, one or more of that State's local jurisdictions, or both on the same or essentially the same covered electronic good or service that is also subject to tax imposed by another State, one or more local jurisdictions in such other State (whether or not at the same rate or on the same basis), or both, without a credit for taxes paid in other jurisdictions.

(B) EXCEPTION.—The term ''multiple tax'' shall not include a tax imposed by a State and one or more political subdivisions thereof on the same covered electronic good or service or a tax on persons engaged in selling covered electronic goods or services which also may have been subject to a sales or use tax thereon.

(12) PRIMARY USE LOCATION.—

(A) IN GENERAL.—The term ''primary use location'' means a street address representative of where the customer's use of a covered electronic good or service will primarily occur, which shall be the residential street address or a business street address of the actual end user of the covered electronic good or service, including, if applicable, the address of a donee of the customer that is designated by the customer.

(B) CUSTOMERS THAT ARE NOT INDIVIDUALS.—For the purpose of subparagraph (A), if the customer is not an individual, the primary use location is determined by the location of the customer's employees or equipment (machine or device) that make use of the covered electronic good or service, but does not include the location of a person who uses the covered electronic good or service as the purchaser of a separate good or service from the customer.

(13) SALE AND PURCHASE.—The terms ''sale'' and ''purchase'', and all variations thereof, shall include the provision, lease, rent, license, and corresponding variations thereof.

(14) SELLER.—

(A) IN GENERAL.—The term ''seller'' means a person making sales of covered electronic goods or services.

(B) EXCEPTIONS.—A person that provides billing service or electronic delivery or transport service on behalf of another unrelated or unaffiliated person, with respect to the other person's sale of a covered electronic good or service, shall not be treated as a seller of that covered electronic good or service.

(C) RULE OF CONSTRUCTION.—Nothing in this paragraph shall preclude the person providing the billing service or electronic delivery or transport service from entering into a contract with the seller to assume the tax collection and remittance responsibilities of the seller.

(15) SEPARATE AND DISCRETE TRANSACTION.—The term ''separate and discrete transaction'' means a sale of a covered electronic good or service or digital code sold in a single transaction that does not involve any additional charges or continued payment in order to maintain possession of the digital good or access to or usage of the digital service, audio or video programming service, or VoIP service.

(16) STATE.—The term ''State'' means—

(A) any of the several States, the District of Columbia, or any territory or possession of the United States; and

(B) any governmental entity or person acting on behalf of an entity described in subparagraph (A) and with the authority to assess, impose, levy, or collect taxes.

(17) TAX.—

(A) IN GENERAL.—The term ''tax'' means any charge imposed by any State or local jurisdiction for the purpose of generating revenues for governmental purposes, including any tax, charge, or fee levied as a fixed charge or measured by gross amounts charged, regardless of whether such tax, charge, or fee is imposed on the seller or the customer and regardless of the terminology used to describe the tax, charge, or fee.

(B) EXCLUSIONS.—The term ''tax'' does not include an ad valorem tax, a tax on or measured by capital, a tax on or measured by net income, apportioned gross income, apportioned revenue, apportioned taxable margin, or apportioned gross receipts, or a State or local jurisdiction business and occupation tax imposed on a broad range of business activity in a State that enacted a State tax on gross receipts after January 1, 1932, and before January 1, 1936.

(18) VOIP SERVICE.—The term ''VoIP service'' means any interconnected VoIP service, as defined in section 9.3 of title 47, Code of Federal Regulations, or any successor technology.

SEC. 8. EFFECTIVE DATE; APPLICATION.

(a) GENERAL RULE.—This Act shall take effect 60 days after the date of enactment of this Act.

(b) EXCEPTIONS.—A State or local jurisdiction shall have 2 years from the date of enactment of this Act to modify any State or local tax statute enacted prior to the date of enactment of this Act to conform to the provisions set forth in sections 4 and 5 of this Act.

(c) APPLICATION TO LIABILITIES AND PENDING CASES.—Nothing in this Act shall affect liability for taxes accrued and enforced before the effective date of this Act or affect ongoing litigation relating to such taxes.

SEC. 9. SAVINGS PROVISION.

If any provision or part of this Act is held to be invalid or unenforceable by a court of competent jurisdiction for any reason, such holding shall not affect the validity or enforceability of any other provision or part of this Act unless such holding substantially limits or impairs the essential elements of this Act, in which case this Act shall be deemed invalid and of no legal effect as of the date that the judgment on such holding is final and no longer subject to appeal.

By Mrs. FEINSTEIN (for herself and Ms. HARRIS):

S. 774. A bill to adjust the boundary of the Santa Monica Mountains National Recreation Area to include the Rim of the Valley Corridor, and for other purposes; to the Committee on Energy and Natural Resources.

Mrs. FEINSTEIN. Mr. President, I am pleased to introduce the ''Rim of the Valley Corridor Preservation Act.'' This legislation would expand the boundaries of the Santa Monica Mountains National Recreation Area by 191,000 acres.

This legislation would provide surrounding communities with much-needed access to nature and open space, while maintaining private property rights and existing local land-use authorities.

The proposed expansion is based upon findings of the National Park Service after a six-year special resource study of the area.

This study was directed by Congress in the Rim of the Valley Corridor Study Act, passed in 2008.

The National Park Service's recommendation takes into account over 2,000 comments received from the public, elected officials, local organizations, and other stakeholders.

This bill would add an additional 191,000 acres, known as the Rim of the Valley Unit, to the existing Santa Monica Mountains National Recreation area to provide members of the local community with improved recreational and educational opportunities.

The proposed expansion would also better protect natural resources and habitats, including valuable habitat for endangered wildlife, such as the California red-legged frog, mountain lions, bobcats, foxes, badgers, coyotes, and deer.

Notably, the ''Rim of the Valley Corridor Preservation Act'' would only allow the Department of the Interior to acquire non-Federal land within the new boundaries through exchange, donation, or purchase from willing sellers.

I want to highlight that this legislation will not create any additional liability or restrictions for private property owners.

This legislation will significantly expand outdoor recreational opportunities for residents of Los Angeles County, one of the most densely populated and park-poor areas in California.

In fact, 47% of Californians—that's six percent of the total U.S. population—live within two hours of the proposed expansion area. Enlarging the Santa Monica Mountains National Recreation Area, at no cost to U.S. taxpayers, will provide these communities with increased access to public lands and boost the local economy.

This bill enjoys the support of more than 50 local municipalities, community groups, and elected officials. It is the product of significant public engagement in the legislative process.

I would like to thank my colleague, Representative ADAM SCHIFF, for re-introducing this legislation in the House.

I look forward to working with my colleagues to pass the ''Rim of the Valley Corridor Preservation Act'' as quickly as possible.

Thank you, Mr. President, I yield the floor.

By Mr. DURBIN (for himself, Mr. MARKEY, Ms. HIRONO, Mr. BLUMENTHAL, and Mrs. GILLIBRAND):

S. 783. A bill to amend the Children's Online Privacy Protection Act of 1998 to give Americans the option to delete personal information collected by internet operators as a result of the person's internet activity prior to age 13; to the Committee on Commerce, Science, and Transportation.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 783

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Clean Slate for Kids Online Act of 2019''.

SEC. 2. ENHANCING THE CHILDREN'S ONLINE PRIVACY PROTECTION ACT OF 1998.

(a) DEFINITIONS.—Section 1302 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6501) is amended by adding at the end the following:

''(13) DELETE.—The term 'delete' means to remove personal information such that the information is not maintained in retrievable form and cannot be retrieved in the normal course of business.''.

(b) REGULATION OF UNFAIR AND DECEPTIVE ACTS AND PRACTICES IN CONNECTION WITH THE COLLECTION AND USE OF PERSONAL INFORMATION FROM AND ABOUT CHILDREN ON THE INTERNET.—Section 1303 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6502) is amended—

(1) in subsection (a), by adding at the end the following:

''(3) FAILURE TO DELETE.—It is unlawful for an operator of a website or online service directed to children, or any operator that has actual knowledge that it is collecting personal information from a child, to fail to delete personal information collected from or about a child if a request for deletion is made pursuant to regulations prescribed under subsection (e).''; and

(2) by adding at the end the following:

''(e) RIGHT OF AN INDIVIDUAL TO DELETE PERSONAL INFORMATION COLLECTED WHEN THE PERSON WAS A CHILD.—

''(1) IN GENERAL.—Not later than 1 year after the date of enactment of this subsection, the Commission shall promulgate under section 553 of title 5, United States Code, regulations that require the operator of any website or online service directed to children, or any operator that has actual knowledge that it has collected personal information from a child or maintains such personal information—

''(A) to provide notice in a prominent place on the website of how an individual over the

age of 13, or a legal guardian of an individual over the age of 13 acting with the knowledge and consent of the individual, can request that the operator delete all personal information in the possession of the operator that was collected from or about the individual when the individual was a child notwithstanding any parental consent that may have been provided when the individual was a child;

''(B) to promptly delete all personal information in the possession of the operator that was collected from or about an individual when the individual was a child when such deletion is requested by an individual over the age of 13 or by the legal guardian of such individual acting with the knowledge and consent of the individual, notwithstanding any parental consent that may have been provided when the individual was a child;

''(C) to provide written confirmation of deletion, after the deletion has occurred, to an individual or legal guardian of such individual who has requested such deletion pursuant to this subsection; and

''(D) to except from deletion personal information collected from or about a child—

''(i) only to the extent that the personal information is necessary—

''(I) to respond to judicial process; or

''(II) to the extent permitted under any other provision of law, to provide information to law enforcement agencies or for an investigation on a matter related to public safety; and

''(ii) if the operator retain such excepted personal information for only as long as reasonably necessary to fulfill the purpose for which the information has been excepted and that the excepted information not be used, disseminated or maintained in a form retrievable to anyone except for the purposes specified in this subparagraph.''.

(c) SAFE HARBORS.—Section 1304 of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6503) is amended—

(1) in subsection (a), by striking ''section 1303(b)'' and inserting ''subsections (b) and (e) of section 1303''; and

(2) in subsection (b)(1), by striking ''subsection (b)'' and inserting ''subsections (b) and (e)''.

(d) ACTIONS BY STATES.—Section 1305(a)(1) of the Children's Online Privacy Protection Act of 1998 (15 U.S.C. 6504(a)(1)) is amended by striking ''1303(b)'' and inserting ''subsection (b) or (e) of section 1303''.

By Mr. DURBIN (for himself, Mr. TESTER, Mr. VAN HOLLEN, Mr. BENNET, Mr. BLUMENTHAL, Mr. MERKLEY, Mr. PETERS, Mr. JONES, Mr. BROWN, Ms. STABENOW, Ms. HARRIS, Ms. KLOBUCHAR, Mr. UDALL, Ms. DUCKWORTH, and Mr. WYDEN):

S. 791. A bill to amend title 38, United States Code, to provide for clarification regarding the children to whom entitlement to educational assistance may be transferred under the Post-9/11 Educational Assistance Program, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 791

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''GI Education Benefits Fairness Act of 2019''.

SEC. 2. CLARIFICATION REGARDING THE CHILDREN TO WHOM ENTITLEMENT TO EDUCATIONAL ASSISTANCE MAY BE TRANSFERRED UNDER THE POST 9/11 EDUCATIONAL ASSISTANCE PROGRAM.

(a) IN GENERAL.—Section 3319(c) of title 38, United States Code, is amended to read as follows:

''(c) ELIGIBLE DEPENDENTS.—

''(1) TRANSFER.—An individual approved to transfer an entitlement to educational assistance under this section may transfer the individual's entitlement as follows:

''(A) To the individual's spouse.

''(B) To one or more of the individual's children.

''(C) To a combination of the individuals referred to in subparagraphs (A) and (B).

''(2) DEFINITION OF CHILDREN.—For purposes of this subsection, the term 'children' includes dependents described in section 1072(2)(I) of title 10.''.

(b) APPLICABILITY.—The amendment made by subsection (a) shall apply with respect to educational assistance payable under chapter 33 of such title before, on, or after the date of the enactment of this Act.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 108—HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF REPRESENTATIVE WALTER BEAMON JONES, JR

Mr. BURR (for himself, Mr. TILLIS, and Mr. PAUL) submitted the following resolution; which was considered and agreed to:

S. RES. 108

Whereas the passing of Walter Beamon Jones, Jr. (in this preamble referred to as ''Walter B. Jones''), on February 10, 2019, was a monumental loss to his wife, JoeAnne, and their daughter, Ashley, as well as a deep loss for the Third Congressional District of North Carolina and the entire Congress;

Whereas Walter B. Jones was born on February 10, 1943, in Farmville, North Carolina, to Walter B. Jones, Sr., and Doris Long;

Whereas Walter B. Jones attended Hargrave Military Academy in Chatham, Virginia, and went on to Atlantic Christian College, where he received his degree in history in 1966;

Whereas, also in 1966, Walter B. Jones married his wife of more than 50 years, JoeAnne Whitehurst, and they later welcomed their only child, Ashley Elizabeth;

Whereas Walter B. Jones went on to serve for 4 years in the North Carolina National Guard, beginning his long career of serving the people of North Carolina;

Whereas, in 1982, following in his father's footsteps, Walter B. Jones was elected to serve the Ninth District in the House of Representatives of North Carolina, ultimately serving 5 consecutive terms;

Whereas, in 1994, Walter B. Jones was elected to represent the Third Congressional District of North Carolina in the House of Representatives of the United States, where he served for 12 full terms;

Whereas, although Walter B. Jones began his political career as a Democrat and later switched to the Republican Party, he always voted with his constituents of Eastern North Carolina in mind, regardless of party position;

Whereas Walter B. Jones worked tirelessly on the Committee on Armed Services of the House of Representatives to advocate for members of the Armed Forces and their families;

Whereas Walter B. Jones was a staunch advocate for peace and began a letter-writing campaign to the loved ones of the fallen soldiers in Iraq and Afghanistan, personally sending more than 11,200 letters;

Whereas Walter B. Jones worked for 14 years to finally restore honor to and clear the names of 2 deceased Marine pilots who had been wrongly blamed for a military accident that took the lives of 17 other Marines;

Whereas the heritage of Eastern North Carolina held an important place in the heart of Walter B. Jones, moving him to protect the Shackleford Banks Wild Horses and to work to extend protections to the Corolla Wild Horses that have freely roamed the beaches of North Carolina for centuries;

Whereas Walter B. Jones worked closely with Government agencies in his district, particularly the National Park Service, to ensure his constituents and guests in the district were able to enjoy the natural beauty of the coastline of North Carolina;

Whereas Walter B. Jones had an outstanding working relationship with the fishermen and beach communities in the Third Congressional District of North Carolina, always advocating on behalf of the marine industry and maintaining continuous engagement on coastal issues;

Whereas, in 2004, Walter B. Jones was voted by congressional staffers as the nicest Member of Congress, a testament to his ever-gracious and humble demeanor;

Whereas Walter B. Jones, always a man of the people, built an outstanding record in constituent services, ensuring every person in his district would have access to him and his office; and

Whereas Walter B. Jones is survived by his wife of 53 years, JoeAnne, and daughter, Ashley Elizabeth: Now, therefore, be it

Resolved, That the Senate—

(1) honors the life, accomplishments, and legacy of Congressman Walter B. Jones, Jr.; and

(2) extends its warmest sympathies to the family, friends, and loved ones of Congressman Walter B. Jones, Jr.

AMENDMENTS SUBMITTED AND PROPOSED

SA 193. Mr. LEE (for Mr. PAUL) proposed an amendment to the joint resolution S.J. Res. 7, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress.

SA 194. Mr. LEE (for Mr. INHOFE (for himself and Mr. CORNYN)) proposed an amendment to the joint resolution S.J. Res. 7, supra.

SA 195. Mr. LEE (for Mr. RUBIO (for himself and Mr. CORNYN)) proposed an amendment to the joint resolution S.J. Res. 7, supra.

SA 196. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, supra; which was ordered to lie on the table.

SA 197. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, supra; which was ordered to lie on the table.

SA 198. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, supra; which was ordered to lie on the table.

SA 199. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, supra; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 193. Mr. LEE (for Mr. PAUL) proposed an amendment to the joint resolution S.J. Res. 7, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; as follows:

At the end, add the following:

SEC. 6. RULE OF CONSTRUCTION REGARDING NO AUTHORIZATION FOR USE OF MILITARY FORCE.

Consistent with section 8(a)(1) of the War Powers Resolution (50 U.S.C. 1547(a)(1)), nothing in this joint resolution may be construed as authorizing the use of military force.

SA 194. Mr. LEE (for Mr. INHOFE (for himself and Mr. CORNYN)) proposed an amendment to the joint resolution S.J. Res. 7, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; as follows:

On page 5, line 7, insert after ''associated forces'' the following: ''or operations to support efforts to defend against ballistic missile, cruise missile, and unmanned aerial vehicle threats to civilian population centers in coalition countries, including locations where citizens and nationals of the United States reside''.

SA 195. Mr. LEE (for Mr. RUBIO (for himself and Mr. CORNYN)) proposed an amendment to the joint resolution S.J. Res. 7, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; as follows:

Insert after section 3 the following new section:

SEC. 4. RULE OF CONSTRUCTION REGARDING INTELLIGENCE SHARING.

Nothing in this joint resolution may be construed to influence or disrupt any intelligence, counterintelligence, or investigative activities relating to threats in or emanating from Yemen conducted by, or in conjunction with, the United States Government involving—

(1) the collection of intelligence;

(2) the analysis of intelligence; or

(3) the sharing of intelligence between the United States and any coalition partner if the President determines such sharing is appropriate and in the national security interests of the United States.

SA 196. Mr. MERKLEY submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

On page 5, line 5, insert after ''Yemen'' the following: '', including by blocking any arms sales to Saudi Arabia for any item designated as a Category III, IV, VII, or VIII item on the United States Munitions List (USML) pursuant to section 38(a)(1) of the Arms Export Control Act (22 U.S.C. 2778(a)(1)) as long as Saudi Arabia continues to use such weapons in the civil war in the Republic of Yemen''.

SA 197. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. REQUIREMENT FOR INTERNATIONAL ATOMIC ENERGY AGENCY ADDITIONAL PROTOCOL AS CONDITION OF ENTERING INTO CIVILIAN NUCLEAR COOPERATION AGREEMENT WITH THE UNITED STATES PURSUANT TO SECTION 123 OF THE ATOMIC ENERGY ACT OF 1954.

(a) FINDINGS.—Congress makes the following findings:

(1) In 1971, the International Atomic Energy Agency (IAEA) established the Comprehensive Safeguards Agreement (CSA), which non-nuclear weapons states party to the Treaty on the Non-Proliferation of Nuclear Weapons, signed at Washington July 1, 1968 (commonly known as the ''NPT''), are obligated to bring into force to verify compliance with their nonproliferation obligations under the treaty.

(2) In 1997, the International Atomic Energy Agency (IAEA) established the model Additional Protocol to CSAs, which grants the IAEA expanded rights of access to information and sites related to a state's peaceful nuclear program.

(3) The IAEA and international nonproliferation community established the Additional Protocol as a response to major shocks to the nonproliferation regime, most notably revelations that the IAEA's existing safeguards system had failed to detect the Government of Iraq's covert, undeclared nuclear program for non-peaceful purposes prior to the 1991 Persian Gulf War.

(4) The Additional Protocol strengthens the IAEA's ability not only to verify the non-diversion of declared nuclear material but also to provide assurances as to the absence of undeclared nuclear material activities in a state by—

(A) applying IAEA safeguards to a state's entire nuclear program, including uranium mining and milling sites, fuel fabrication, enrichment, and nuclear waste sites, as well as to any other location where nuclear is or may be present;

(B) expanding the amount and type of information a state is obligated to report to the IAEA regarding its nuclear program and related activities;

(C) expanding the IAEA's inspection access at declared—and undeclared—locations to verify the absence of undeclared material or to resolve questions or inconsistencies in the information a state has provided about its nuclear activities; and

(D) specifying the IAEA's right to use additional safeguards methods and equipment, including environmental sampling at both declared and undeclared sites.

(5) Universalizing the Additional Protocol and establishing it as the international standard for IAEA safeguards has been a bipartisan objective of United States nonproliferation policy since the Additional Protocol's adoption.

(6) During the 2000 NPT Review Conference at the United Nations, Secretary of State Madeleine K. Albright endorsed the ''IAEA's new strengthened safeguards to deter and detect cheating'' and urged ''all states to adopt them''.

(7) During the 2005 NPT Review Conference at the United Nations, Assistant Secretary of State for Arms Control Stephen G. Rademaker stated that President George W. Bush's nonproliferation policy included ''universalizing adherence to the Additional Protocol and making it a condition of nuclear supply''.

(8) During the 2015 NPT Review Conference, Secretary of State John Kerry emphasized that the ''United States is working to bring the Additional Protocol into force globally and to make it the global standard for safeguards compliance''.

(9) During the 2018 IAEA General Conference, Secretary of Energy Rick Perry delivered a letter on behalf of President Donald J. Trump, announcing that the United States ''will continue promoting high standards of safety, security, safeguards, and nonproliferation, including an Additional Protocol as the international standard, and call on other nations to do the same''.

(10) At the same conference, Assistant Secretary of State for International Security and Nonproliferation Christopher Ashley Ford stressed that the Additional Protocol ''should be universalized, and all supplier states should make adherence to the AP by recipient states a condition for nuclear supply''.

(11) As of December 2018, 134 states have brought in force the Additional Protocol with the IAEA while another 16 states have signed the Additional Protocol but have yet to bring it into force.

(12) The Kingdom of Saudi Arabia has not brought into force an Additional Protocol. It currently has a Small Quantities Protocol (SQP) with the IAEA, a safeguards agreement that suspends the application of many provisions of a CSA for countries with minimal nuclear material and activities on its territory or under its jurisdiction.

(13) The Kingdom of Saudi Arabia has expressed its intent to build an extensive civilian nuclear program, including two large-scale nuclear power reactors and multiple small modular reactors.

(14) The Kingdom of Saudi Arabia will no longer be eligible for a SQP and will be obligated to implement a CSA with the IAEA without exemptions if it either has nuclear material in quantities exceeding minimal limits or constructs nuclear facilities on its territory or under its jurisdiction, including a nuclear reactor.

(b) SENSE OF CONGRESS.—It is the sense of Congress that—

(1) the Additional Protocol represents the international safeguards standard;

(2) Saudi Arabia should, at a minimum, bring into force an Additional Protocol with the IAEA as a requirement under any nuclear cooperation agreement with the United States made pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153); and

(3) any future civilian nuclear cooperation agreement with other nations pursuant to section 123 of the Atomic Energy Act of 1954 (42 U.S.C. 2153) should require that the proposed recipient has in force an Additional Protocol to its safeguards agreement with the IAEA.

(c) REQUIREMENTS FOR CIVIL NUCLEAR COOPERATION AGREEMENTS WITH OTHER NATIONS.—Section 123a. of the Atomic Energy Act of 1954 (42 U.S.C. 2153(a)) is amended—

(1) in paragraph (8), by striking ''; and'' and inserting a semicolon;

(2) in paragraph (9), by striking the period at the end and inserting ''; and''; and

(3) by inserting after paragraph (9) the following new paragraph:

''(10) the cooperating party has in force an Additional Protocol to its safeguards agreement with the IAEA.''.

SA 198. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, to direct the removal of United

States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. VISA RESTRICTIONS FOR CERTAIN ALIENS.

(a) IN GENERAL.—The Secretary shall impose the visa restrictions described in subsection (c) on any alien who the Secretary determines is responsible for, or complicit in, ordering, controlling, or otherwise directing the unlawful detention of a United States citizen in Saudi Arabia.

(b) REMOVAL FROM VISA RESTRICTION LIST.—The Secretary may issue a visa to an alien described in subsection (a) if the Secretary—

(1) determines that such alien has afforded due process to the applicable United States citizen; and

(2) submits to the appropriate committees of Congress a report that contains a justification for such determination.

(c) VISA RESTRICTIONS DESCRIBED.—Subject to subsection (b)—

(1) an alien described in subsection (a)—

(A) is inadmissible to the United States; and

(B) is ineligible to receive a visa or other documentation authorizing entry into the United States; and

(2) in the case of an alien described in subsection (a) who is in possession of a valid visa or other documentation authorizing entry into the United States, the Secretary shall revoke such visa or other documentation under section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)).

(d) PUBLIC AVAILABILITY OF INFORMATION.—Notwithstanding section 222(f) of the Immigration and Nationality Act (8 U.S.C. 1202(f)), the Secretary shall publish in the Federal Register—

(1) the name of any alien to whom a visa restriction under subsection (a) applies; and

(2) any report submitted to the appropriate committees of Congress under subsection (b)(2).

(e) DEFINITIONS.—In this section:

(1) ALIEN.—The term ''alien'' has the meaning given the term in section 101(a) of the Immigration and Nationality Act (8 U.S.C. 1101(a)).

(2) APPROPRIATE COMMITTEES OF CONGRESS.—The term ''appropriate committees of Congress'' means—

(A) the Committee on Appropriations, the Committee on Banking, Housing, and Urban Affairs, the Committee on Foreign Relations, and the Committee on the Judiciary of the Senate; and

(B) the Committee on Appropriations, the Committee on Financial Services, the Committee on Foreign Affairs, and the Committee on the Judiciary of the House of Representatives.

(3) SECRETARY.—The term ''Secretary'' means the Secretary of State.

(4) UNLAWFUL DETENTION.—The term ''unlawful detention'' means arbitrary arrest or imprisonment without a public charge or trial.

SA 199. Mr. VAN HOLLEN submitted an amendment intended to be proposed by him to the joint resolution S.J. Res. 7, to direct the removal of United States Armed Forces from hostilities in the Republic of Yemen that have not been authorized by Congress; which was ordered to lie on the table; as follows:

At the end, add the following:

SEC. 6. IMPOSITION OF SANCTIONS WITH RESPECT TO PERSONS RESPONSIBLE FOR KILLING OF JAMAL KHASHOGGI.

(a) IN GENERAL.—On and after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to any foreign person the Director of the Central Intelligence Agency assesses, with high confidence, before, on, or after such date of enactment, is responsible for, or complicit in ordering, controlling, or otherwise directing, the extrajudicial killing of Jamal Khashoggi.

(b) SANCTIONS DESCRIBED.—The sanctions to be imposed under subsection (a) with respect to a foreign person are the following:

(1) BLOCKING OF PROPERTY.—

(A) IN GENERAL.—The blocking, in accordance with the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.), of all transactions in all property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) INAPPLICABILITY OF NATIONAL EMERGENCY REQUIREMENT.—The requirements of section 202 of the International Emergency Economic Powers Act (50 U.S.C. 1701) shall not apply for purposes of this subsection.

(2) INADMISSIBILITY TO UNITED STATES.—In the case of a foreign person who is an individual—

(A) ineligibility to receive a visa to enter the United States or to be admitted to the United States; or

(B) if the individual has been issued a visa or other documentation, revocation, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), of the visa or other documentation.

(c) EXCEPTIONS.—

(1) IMPORTATION OF GOODS.—The requirement to impose sanctions under subsection (b)(1) shall not include the authority to impose sanctions with respect to the importation of goods.

(2) COMPLIANCE WITH INTERNATIONAL OBLIGATIONS.—Subsection (b)(2) shall not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with United States obligations under the Agreement between the United Nations and the United States of America regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(d) IMPLEMENTATION; PENALTIES.—

(1) IMPLEMENTATION.—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) PENALTIES.—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (b)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms ''admitted'' and ''alien'' have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FOREIGN PERSON.—The term ''foreign person'' means a person that is not a United States person.

(3) UNITED STATES PERSON.—The term ''United States person'' means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

AUTHORITY FOR COMMITTEES TO MEET

Mr. BLUNT. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, March 13, 2019, at 10 a.m., to conduct a hearing on the nomination of Heath P. Tarbert, of Maryland, to be Chairman, and to be a Commissioner of the Commodity Futures Trading Commission.

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, March 13, 2019, at 10 a.m., to conduct a hearing entitled ''The New Space Race: Ensuring U.S. global leadership on the final frontier.''

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, March 13, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, March 13, 2019, at 10.15 a.m., to conduct a hearing entitled, ''A new approach for an era of United States-China competition.''

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, March 13, 2019, at 10 a.m., to conduct a hearing on the nomination of Daniel P. Collins, and Kenneth Kiyul Lee, both of California, both to be a United States Circuit Judge for the Ninth Circuit.

COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, March 13, 2019, at 2:30 p.m., to conduct a hearing entitled ''Cyber Crime: An existential threat to small business.''

COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, March 13, 2019, at a time to be determined, to conduct a hearing on John Lowry III, of Illinois, to be Assistant Secretary of Labor for Veterans' Employment and Training.

SUBCOMMITTEE ON SEAPOWER

The Subcommittee on Seapower of the Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, March 13, 2019, at 10:30 a.m., to conduct a hearing.

SUBCOMMITTEE ON COMMUNICATION, TECHNOLOGY, INNOVATION, AND THE INTERNET

The Subcommittee on Communication, Technology, Innovation, and The Internet of the Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, March 13, 2019, at 2:30 p.m., to conduct a hearing entitled ''Oversight of the United States Patent and Trademark office.''

PRIVILEGES OF THE FLOOR

Mr. SANDERS. Mr. President, I ask unanimous consent that Mike Lawliss from my office be granted floor privileges for the remainder of the day on S.J. Res. 7.

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

Mr. MENENDEZ. Mr. President, I ask unanimous consent that Brandon Jacobsen, a fellow from the U.S. Office of Personnel Management, be granted floor privileges while he serves on the Senate Committee on Foreign Relations through August 15, 2019.

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

HONORING THE LIFE, ACCOMPLISHMENTS, AND LEGACY OF REPRESENTATIVE WALTER BEAMON JONES, JR.

Mr. SULLIVAN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 108, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 108) honoring the life, accomplishments, and legacy of Representative Walter Beamon Jones, Jr.

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

Mr. SULLIVAN. 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. Without objection, it is so ordered.

The resolution (S. Res. 108) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under ''Submitted Resolutions.'')

MEASURES READ THE FIRST TIME EN BLOC—H.R. 1 and H.R. 1617

Mr. SULLIVAN. Mr. President, I understand that there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the titles of the bills for the first time.

The bill clerk read as follows:

A bill (H.R. 1) to expand Americans' access to the ballot box, reduce the influence of big money in politics, and strengthen ethics rules for public servants, and for other purposes.

A bill (H.R. 1617) to direct the Director of National Intelligence to submit intelligence assessments of the intentions of the political leadership of the Russian Federation, and for other purposes.

Mr. SULLIVAN. I now ask for their second reading, and in order to place the bills on the calendar, I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection has been heard.

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

ORDERS FOR THURSDAY, MARCH 14, 2019

Mr. SULLIVAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, March 14; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed; that the Armed Services Committee be discharged from further consideration of H.J. Res. 46, and the Senate proceed to its immediate consideration; further, that no amendments be in order to the joint resolution.

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

ADJOURNMENT UNTIL 10 A.M. TOMORROW

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

There being no objection, the Senate, at 7:07 p.m., adjourned until Thursday, March 14, 2019, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate March 13, 2019:

DEPARTMENT OF LABOR

WILLIAM BEACH, OF KANSAS, TO BE COMMISSIONER OF LABOR STATISTICS, DEPARTMENT OF LABOR, FOR A TERM OF FOUR YEARS.

THE JUDICIARY

NEOMI J. RAO, OF THE DISTRICT OF COLUMBIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE DISTRICT OF COLUMBIA CIRCUIT.