



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 116th CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, TUESDAY, APRIL 2, 2019

No. 57

Senate

The Senate met at 10 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:

Let us pray.

O God, who has been our help in ages past and our hope for years to come, keep our lawmakers under the canopy of Your care. We do not ask You to separate them from life's stresses and strains but to keep them by Your grace amid sunshine and shadow.

Lord, shelter them in their coming in, in their going out, and in their daily work, that they may be Your instruments to advance Your Kingdom. May they call You during turbulent times, claiming Your promise to deliver them. Encompass them with the everlasting arms of Your love and grace that never fail.

We pray in Your strong 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. HYDE-SMITH). Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

IMPROVING PROCEDURES FOR THE CONSIDERATION OF NOMINATIONS IN THE SENATE—MOTION TO PROCEED—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the motion to proceed to S. Res. 50, which the clerk will report.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 50) improving procedures for the consideration of nominations in the Senate.

The PRESIDING OFFICER. Under the previous order, the time until 12:30 p.m. will be equally divided between the two leaders or their designees.

The Senator from Iowa is recognized.

H.R. 268

Mr. GRASSLEY. Madam President, I would like to speak for 1 minute.

Senate Democrats yesterday blocked a bill that provides much needed funds for Puerto Rico's nutrition program, also, aid for the 2018 hurricanes and wildfires and, thirdly, assistance to Midwest States in the midst of a flood crisis. That includes, at least, Iowa, Nebraska, Missouri, and maybe other States.

Now, the people who voted against it say it was because they care about Puerto Rico. The bill they blocked takes care of the urgent funding shortfalls there in that Commonwealth. Playing politics with disaster aid does a disservice to the people of Puerto Rico and the people of States like Iowa who are suffering right now from these floods.

Why would these Senators want to come to campaign in Iowa when they don't show sympathy for Iowans suffering from the floods with the vote they cast last night?

I yield the floor.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

H.R. 268

Mr. McCONNELL. Madam President, last night the Senate had an opportunity to pass an important package of disaster relief funding for communities all across our country. Unfortunately, it didn't happen. Our Democratic colleagues voted down the efforts of Chairman SHELBY and Senator PERDUE to put together a comprehensive package, and it remains unfinished business.

As recently as 1 month ago, some congressional Democrats had expressed a clear commitment to immediate, bipartisan action on disaster relief, and the package considered yesterday represented a long list of priorities from actually both sides of the aisle—the only such list that had the President's explicit support.

It would have helped local schools, hospitals, and transportation infrastructure get back up and running, farmers and ranchers recoup losses, and our Nation's military restore readiness at bases and installations in harm's way. It would have been an immediate and significant step forward for the coastal communities of Florida and the Carolinas that are still picking up the pieces after a devastating hurricane season and for the western communities, as well, besieged by wildfires, for the families in Puerto Rico who rely on nutrition assistance that is dwindling, for those in the path of last month's tornadoes in Alabama and Georgia, and for large swathes of the heartland still grappling with floodwaters.

So I am disappointed that political games carried the day yesterday, but I assure the American people that our work on this subject is far from finished.

NOMINATIONS

Madam President, on another matter, 217 days—217 days—is how long has elapsed between President Trump's sending the Senate his nomination for a Federal Railroad Administrator and

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



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this body's confirming him. For 217 days, a 45-year veteran of the railroad sat with unquestioned expertise sat and sat on the Senate calendar. He wasn't controversial. He had been voice-voted out of committee. He was the kind of nominee on which even the prospect of having to file cloture should have been laughable, but my Democratic colleagues wouldn't let him get a vote.

Finally, after about 7 months and several high-profile railway accidents, our colleagues across the aisle finally relented and let this nominee go forward. After all those months of obstruction, not a single one of them ended up recording a vote against him. No one voted against him. So it was 217 days for an unquestionably qualified nominee for a seriously important job whom literally no one really opposed.

Call it a case study in the Senate's dysfunction when it comes to President Trump's nominees. If anything, the case study actually is not extreme enough because at least this person was eventually confirmed without a completely pointless cloture vote, followed by even more time supposedly debating a nominee on whom Senators do not actually disagree.

Perhaps more illustrative might be the cases of unobjectionable district court nominees whose nominations were slow-walked through months of idle time, only to receive unanimous support when it finally came for confirmation votes.

Last January, four such nominations came before the Senate. Each was non-controversial. Each was well-qualified. Each, nevertheless, required a cloture vote. Yet after weeks on the calendar, each passed without drawing a single "no" vote. No one opposed them, and yet it took a week.

These were four of the historic 128 cloture votes on nominations we had to hold on nominations in this administration's first 2 years—128. This is comprehensive, across-the-board heel-dragging like nobody in this body has ever seen before. It is more than five times—five times—as many cloture votes on nominations as in the comparative periods—listen to this—for Presidents Carter, Reagan, Bush, Clinton, Bush, and Obama combined—combined. In other words, it is systematic obstruction, not targeted, thoughtful opposition to a few marquee nominations or rare circumstances but a grinding, across-the-board effort to delay and obstruct the people this President puts up, even if they have unquestionable qualifications and even if the job is relatively low-profile.

As I said last week, I am sure every Presidential election this side of George Washington has left some Senators unhappy with the outcome, but never before, to my knowledge, has the unhappy group so comprehensively tried to stop a new President from assembling the very basics of an administration—hundreds and hundreds of days in Senate purgatory for uncontroversial nominees to mid-level

posts and months of delay for lower court nominees who go on to receive unanimous confirmation votes.

This behavior is novel. It is a break from Senate tradition, and it is something this body needs to address, not just for the sake of this President but for future Presidents of any party, because at this rate, the Senate is flirting with a dangerous new norm.

Today it may be Senate Democrats who are intent on endlessly relitigating the 2016 election and holding up all of these qualified people, but absent a change, these tactics seem guaranteed to become standard practice for Senate minorities on both sides. I don't think any of us want that future.

We need to stop things from deteriorating further. We need to fix this. We need to let the President assemble his team and let the American people have the government they actually voted for. We need to turn back toward the Senate's institutional tradition in this vital area for the sake of the Nation's future.

My Republican colleagues and I joined with Democrats back in 2013 and supported the same sort of modest changes to our nominations process through the same sort of standing order. Were we overjoyed that President Obama had just won reelection? No, but we still thought he deserved to stand up a government. So a big bipartisan majority—I voted for it—including the leaders of both parties agreed to trim the postcloture time on lower-level nominees. I was the minority leader. It was a Democratic President. I voted for it.

Supreme Court nominees weren't touched, nor circuit courts, nor top executive branch posts, but for district court judges and lower-level executive jobs, even as Republicans were in the minority, many of us agreed to test out an abbreviated process for President Obama's nominees.

The process that we agreed to then is very similar to the resolution the Senate will vote on later today. As I have discussed, Senators BLUNT and LANKFORD have proposed a similar set of changes to fix the current mess that would also become permanent going forward. Their resolution would make the Senate more functional and more consistent. The rules that were good enough for President Obama's second term would also apply under President Trump and every other President into the future.

I would submit to my colleagues that a modest reform like this is either a good idea or it isn't. The answer can't be flip-flop back and forth depending upon which party occupies the White House.

So I will conclude this way. I believe that every one of my colleagues knows that our present situation is unhealthy for this body and for any administration. I believe every Member of this body knows that the precedent that is being set is unsustainable.

So, look, I would urge all of our colleagues on both sides: Why don't we do

the right thing for the Senate? Let's show the country that partisanship is not poison to absolutely everything. Let's demonstrate that the U.S. Senate can still take a modest step to improve its own workings on a strong bipartisan vote and do it through regular order. We did it in 2013 when the roles were reversed. We should do it again this week.

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

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

IMMIGRATION AND CUSTOMS ENFORCEMENT

Mr. CORNYN. Madam President, we have spent a great deal of time in my time in the Senate talking about immigration and the situation along the southwestern border. My State has 1,200 miles of common border with Mexico, so obviously this is very personal to me and my constituents who live and work along the border.

We have been caught up in a lot of semantics and more than a little politics in Washington, DC, debating what is a wall versus a fence, what is a crisis versus an emergency—just some of the semantics we have been caught up in—but it doesn't take a rocket scientist or an expert to see there are a lot of problems occurring at the border today. I hope, if there is one thing we can all agree on, it is that there is in fact a problem that needs to be solved at the border, whether you want to call it a crisis like President Obama did or whether you want to call it an emergency like President Trump.

Last week, the Secretary of Homeland Security sent a letter to Congress detailing the record number of apprehensions along the southern border. Secretary Nielsen noted that Border Patrol was apprehending between 50,000 and 60,000 a month late last year. Last month, it was 76,000, the highest in a decade. At the time of her letter, she said we were on track to interdict nearly 100,000 during the month of March—so almost essentially double from late last year until this coming month. Unsurprisingly, Customs and Border Protection personnel are not equipped to handle these record numbers.

Forty percent of the Border Patrol's manpower is spent processing migrants and providing care and transportation. These are, by and large, asylum seekers from Central America. In fact, while the Border Patrol, our primary law enforcement agency providing border security, should be securing the border, many of them are processing unaccompanied children or family units, handing out diapers and juice boxes instead of doing the job they are trained to perform. They have been taken off the patrol line to do this kind of work, leaving areas of the border

vulnerable to exploitation by the drug cartels. One way the cartels use this huge volume of humanity coming across the border is to distract the law enforcement agencies from doing their job interdicting the drugs that are poisoning tens of thousands of Americans. We know 70,000 Americans died of drug overdoses last year—about half of those from opioids, including synthetic fentanyl and heroin—90 percent of which comes from Mexico.

The amount of people coming across now is so overwhelming that the El Paso Border Patrol Sector has temporarily shut down its highway checkpoints in the interior so agents can help process these individuals. Most of our Members may not realize, we not only have Border Patrol working at the border but also in the interior at checkpoints on major highways because frequently what will happen is people are smuggled through or drugs are smuggled through, and they have to go through checkpoints for a double check, at which time a lot of drugs and a lot of illegal immigrants are discovered.

Additionally, detention facilities are at or over capacity. These are relatively small because they are built to house single adults for a short period of time. The record surge of children and family units combined with the impact it has had on processing time has put a serious strain on their resources. As a result, the Department of Homeland Security has been forced to release families and adults from custody.

I was on a radio program last week in San Antonio, my hometown. It was said Border Patrol is so overwhelmed, they are essentially just putting people on buses and shipping them into the interior of the State and the country, not even processing them.

I have heard from officials at DHS and throughout the ranks of the Border Patrol that in order to keep up with this pace, they need our help. They need more personnel so law enforcement agencies can respond to the crisis, secure the border, and keep our country safe, as well as adequately and efficiently processing individuals who illegally cross the border. We also need additional facilities to house illegal immigrants in custody so we don't engage in the failed catch-and-release policy, which is just another pull factor to encourage more people to come. If they know they are not going to be detained and they are going to be released, that is an incentive for them to come and join this wave of humanity coming across the border. We should be able to enforce the law and properly care for migrants in custody, but inadequate resources are limiting DHS's ability to do both.

Ours is a compassionate country. We are a nation of immigrants. Everybody—almost everybody came from somewhere else at some point in their family history, but the only way we are going to be able to maintain that compassion and generosity, when it

comes to immigration, is by bringing some order out of chaos.

Many illegal immigrants know we are compassionate and generous, and they will take full advantage of the gaps in our border security and flaws in our immigration laws. The cartels—the criminal organizations that get rich moving people from Central America, across Mexico, into the United States—know for sure because they are exploiting those gaps and flaws in our immigration laws. It is not just the sheer numbers of people crossing the border that is concerning, it is the makeup of the people coming across.

We used to see primarily single adult males arriving from Mexico, and our current detention facilities reflect that, but now, because of the gaps and flaws in our immigration laws that are being exploited, people coming across are family units and unaccompanied children from Central American countries who almost uniformly claim asylum. That means they have to appear in front of an immigration judge at some point to have their claim assessed and adjudicated.

While there absolutely are legitimate families coming to our country for legitimate reasons, that is not the case for all the 36,000 family units apprehended last month alone.

Individuals crossing illegally know about the loopholes in our laws, as I said, and they know how to exploit them. For example, in 1997, the Flores settlement agreement determined that the Department of Homeland Security can only detain unaccompanied children for 20 days before releasing them to the Department of Health and Human Services, which in turn places them with sponsors—usually family members in the interior of the United States. Then they are given a notice to appear at an immigration hearing at some point in the future, but because of the backlog of cases, 98 percent of them don't show up. While this was unquestionably well-intentioned at the time, it has turned into a pull factor for illegal immigrants hoping to game the system, as well as the transnational criminal organizations that get rich engaging in this sort of trade.

In 2016, the Ninth Circuit Court of Appeals expanded the Flores agreement, effectively applying the settlement to family units and not just unaccompanied children. So now, rather than single adults arriving at the border alone, they are bringing children with them so they can pose as a family unit. They realize they can bring a child—any child—and pose as a family unit so they will be released within 20 days.

Sadly, Flores is not the only loophole being exploited. Another well-intentioned piece of legislation that is being abused is the Trafficking Victims Protection Reauthorization Act or TVPRA. This legislation limits our ability to return unaccompanied children from countries other than Mexico or Canada to their home country.

These loopholes are an attraction or pull factor and encourage parents to send their children on the dangerous journey to our southern border alone or sometimes with a single parent or sometimes with a smuggler or human trafficker posing as a parent.

This isn't a symbiotic relationship, where the smuggler gets an honest day's pay and the migrant gets a comfortable ride to the United States. These smugglers are called coyotes for a reason; they are predators.

Children are being kidnapped to serve as a free ticket into the United States. They are often abused or raped along the way, and many arrive at our border in terrible health. We simply cannot allow these practices to continue with no response by Congress. We need to close the loopholes that are being used to unlawfully enter and remain in the United States and provide much needed protection for these vulnerable children.

If a pipe burst and caused your kitchen to flood, you wouldn't start by cleaning up the mess; you would start by fixing the pipe first. If we want to have any sort of impact on the massive numbers of people crossing our border, which will only grow, we have to look not just at the problem but at the root cause.

I would urge all of our colleagues on the other side to stop viewing this through a purely political lens. This is not a question of Trump wins, you lose or Trump loses and you win. I am afraid that defines a lot of our politics in Washington today. That is a terrible mistake and a disservice to the people we represent, and it is an embarrassment to an institution which is supposed to be the world's greatest deliberative body.

We need to view this together as the humanitarian crisis it is—President Obama called it that—and view it as a problem that will only continue to grow without our intervention, which it has. We need to view it as an urgent issue that requires our cooperation and, yes, our compromise.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

BUDGET PROPOSAL

Mr. LEAHY. Madam President, I have a couple of matters I want to discuss.

Today, the Senate Appropriations Subcommittee on Commerce, Justice, and Science is holding its annual hearing on the President's budget request, with the Department of Commerce, with representatives from the Department.

The representative from the Department that is invited, in my experience, has always been the Secretary—in this case, Wilbur Ross. This year, for as long as I can remember, with no public explanation, Secretary Ross declined the Subcommittee's invitation.

The Department of Commerce has a budget request for over \$12.2 billion but couldn't send over its Secretary to defend it. It is extraordinary that the

Secretary provided no justification to the Republican chairman of the committee for his actions. It is extraordinary to me that this Secretary believes he should be treated differently from other Secretaries. He believes he may not be held accountable before the American people.

Secretary Ross's absence is especially concerning to me, given the last time he appeared before the subcommittee. He blatantly, objectively, irrefutably misled me about a critical issue facing the Commerce Department. Perhaps he knew he would be asked about what he said last time and would be asked to tell us what is the truth.

A year ago, I asked Secretary Ross why he had marketed the proposed addition of a controversial citizenship question to the census as being necessary to enforce the Voting Rights Act. To claim that question was needed to enforce the law when the administration had no interest in enforcing it was actually laughable at the time. So I asked Secretary Ross why he had such a sudden interest in adding the question when the Department of Justice had not brought a single suit under section 2 of the Voting Rights Act.

This was his response, and, remember, it is a crime to lie in your testimony before the Congress. He claimed the Justice Department is the one that made the request of the Commerce Department. He made similar claims before the House. He testified that Commerce was responding solely to the Department of Justice's request, and the Department of Justice made the request for the inclusion of the citizenship question.

Those are the claims Secretary Ross made, and all of those claims are false. This was proven as a result of emails obtained through a FOIA lawsuit. It was not something he was willing to bring forth, but they had to have a lawsuit to get the truth. We now know, Secretary Ross himself made the initial request to include the citizenship question. We know it was Secretary Ross who pressured the reluctant Justice Department to claim that such a question would be helpful to enforce the Voting Rights Act.

And now we know that the inclusion of this question, as many of us suspected from the beginning, was a nakedly political act, one that involves none other than Kris Kobach and Steve Bannon. The proof of all of this is in the emails. Just 1 year before I asked Secretary Ross about this issue, he wrote that he was "mystified why nothing had been done in response to my months old request that we include the citizenship question."

Well, I am mystified how Secretary Ross's testimony can be construed as anything other than blatantly misleading Congress. His testimony earned him four Pinocchios from the Washington Post.

Two courts have now declared that Secretary Ross's attempt to include

the citizenship question was illegal. One of them found that "in a startling number of ways, Secretary Ross's explanations for his decision were unsupported by, or even counter to, the evidence before the agency." That is a remarkable, but not surprising, declaration from the court.

So today I have a simple message for Secretary Ross: You are not an investment banker anymore. You serve the American people, and part of your job is being accountable to Congress and to the public. Trying to run from Congress will not solve your problems, and trying to hide from the truth will not either. The truth has a way of catching up with you. If you don't tell the truth, it eventually becomes obvious. Secretary Ross did not tell the truth.

S. RES. 50

Madam President, to say it is disappointing that the Senate is going to vote today in relation to the resolution to reduce postcloture debate on nominations is an understatement. This is actually a resolution in search of a problem. This is an erosion of the Senate's responsibility—in fact, our sworn constitutional duty—to advise and consent to the President's—any President's—nominations. It is a removal of one of the last guardrails for quality and bipartisanship in our nomination process. It is short sided. It is a partisan power grab, and it is motivated by the far right's desire to flood the Federal judiciary with young, ideological nominees, many of whom, as we have seen time and again in the Judiciary Committee, are simply unqualified to serve on our Nation's courts. We have seen nominees who have never been in a courtroom, and they are being nominated for lifetime judgeships.

Postcloture time is a critical tool for Senators, especially those who do not sit on the Judiciary Committee, to vet nominees for lifetime judgeships. In fact, last Congress, more than one nominee had to withdraw after scrutiny during this time led the Republicans withdrawing their support. We actually took the time to ask questions—an extra 20 minutes of questions, or an extra hour of questions. For somebody who is up for a lifetime appointment, I think that is what the American public pay us to do.

Unfortunately, for the Republican leadership the nominations process in the Senate is about quantity not quality. Let me give you an example. In the past 2 years, Republicans have disregarded the important role of the ABA. They denied them the time they needed to evaluate judicial nominees, or when they have evaluated them and they have come back saying they are unqualified, they have ignored that.

Republicans routinely stacked hearing panels with multiple circuit court nominees over Democrats' objections—something Democrats never did to Republicans. Republicans have even held several hearings over recess despite our objections. That is certainly something

I would never do when I was chairman if any Republican asked me not to.

Upon the White House's changing hands from a Democrat to a Republican, the Republicans abruptly changed the policy of the blue slips. There has been a long-held tradition of honoring blue slips from home State Senators on circuit court nominees. When I was chairman of the Judiciary Committee, I respected the input of all home State Senators, no matter whether we had a Democrat or Republican in the White House and no matter whether the Senator was a Republican or a Democrat. Republicans only seem to insist on honoring blue slips when a Democrat is in the White House.

When I was chairman with a Democratic President, every single Republican wrote a letter saying the blue slip was so sacred, and every single one of them wanted it to be upheld. It had to be upheld. Whoops, a Republican comes into the White House, and we don't need it any more. Look no further than the Judiciary Committee's markup this week, where they ignored the opposition of two home State Senators who are also members of the committee, including the Ranking Member, and will advance two circuit nominees for whom blue slips were not returned.

When Democrats were in charge, no Republican would condone that and no Democrat would make them have to face that. Yet they have turned it into a partisan rubberstamp. We are not being the conscience of the Nation.

Opponents to this resolution can say it is necessary to do this because of the slow pace with which President Trump's judicial nominations are being confirmed. Let's quickly review that. In his first 2 years, President Trump had more judicial nominations confirmed than President Obama did in his first 4 years. In just 2 years, we almost doubled the number of circuit court nominations confirmed compared to President Obama's first 4 years. In fact, President Trump had more circuit nominees confirmed in his first 2 years than President Obama, President George W. Bush, President Clinton, or President George H. W. Bush.

So I don't need lectures from Senators in this Chamber about the importance of judicial nominations or the methods by which Members could frustrate the confirmation process. I lived it. I have seen it. I have served here longer than any other Member of this body.

Regardless of whether it was a Republican President or a Democratic one, I respected the role of home State Senators, the role of the Senate as a whole, and our roles as individual Senators to evaluate the nomination before us.

In 2013, in a bipartisan vote, the Senate agreed to a resolution to reduce postcloture debate that was supposed to be good for the life of the 113th Congress, not the permanent rule change proposed by S. Res. 50. Let's remember

the facts, not just some of them. All the other guardrails of the nomination process were intact at the time. Nominations were thoroughly vetted by both the administration and the committees here in the Senate. Nominees were still subject to a 60-vote threshold for judicial nomination, including circuit nominees. Cloture was never filed on a day in which a nomination was reported on the floor. For judicial nominations, hearings were not continually stacked with multiple circuit court nominees, something both Republicans and Democrats agreed on. The prerogative of home State Senators and their in-State judicial selection committees—most of which are bipartisan—were respected both before and after the resolution.

I understand the Republican majority now wants to cry foul and accuse Democrats of needlessly holding up our confirmation process. I wish people had been here more than 2 years. I look back at the glacial pace with which Republicans allowed us to process judicial nominations for the first 6 years of the Obama administration.

From the very beginning, in 2009, Republicans inexplicably withheld their consent to consider President Obama's very first circuit nominee and one that was supported by his Republican home State Senator, the highly respected Richard Lugar.

I always look back at the shameful treatment of Merrick Garland to fill a critical vacancy on the Supreme Court. Never in the history of this country have we refused to allow a Supreme Court nominee to at least have a hearing and a vote until Merrick Garland. That was a political power grab that undermined the legitimacy of the Senate and the courts. This claim was made: We don't vote on Supreme Court nominees in an election year.

Well, of course we do. I remember almost all of us Republicans and Democrats voting on a nominee that President Ronald Reagan made in an election year when he was going to be leaving the Presidency. Looking back might provide a glimpse of history, but it will do little to restore the comity that was a hallmark of the Senate when I first came here—a hallmark which made the Senate seem like the conscience of the Nation, not a partisan political stamp.

Looking forward, this resolution will do little to restore the comity and will further polarize the Senate, which is supposed to be the world's greatest deliberative body. It will only further contribute to the politicization of our courts. The Federal courts are perceived throughout the world as above politics and are now being seen, more and more, as a political rubberstamp for President Trump.

When the Senate Rules Committee held a hearing to evaluate the proposal back in 2017, I remarked that the word "obstruction" had become a term thrown about in the Senate whenever unanimous consent was not provided.

"Duty," unfortunately, is a word we hear too little in this body.

Vermonters, time and again, give me their trust not only to represent Vermont values here in Washington but to protect the centuries-old institutions that have sustained our democracy and that made us the longest existing democracy currently in the world. The Senate is part of why that democracy still exists. The Senate should reject this resolution. We cannot abandon the traditions that made the Senate, at its very best, the conscience of the Nation in exchange for short-term political gain and going from the conscience of the Nation to a partisan rubberstamp. That is not the Senate that I admire. It is not the Senate that has been led by some of the best Republicans and Democrats I have known over my decades here. It is not the Senate we want to see in the history books.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

THE PRESIDING OFFICER (Mr. SCOTT of Florida). The Democratic leader is recognized.

H.R. 268

Mr. SCHUMER. Mr. President, the Senate failed to pass emergency relief funding yesterday to help the American families recovering from natural disasters. It failed for one reason—the Republicans removed critical aid for Puerto Rico and other territories from the House bill after President Trump told them to do it. Under this administration and with Leader MCCONNELL's blessing, even disaster relief has now become political.

I don't need to litigate why we are here. Over the last 2 years, the American people have endured staggering natural disasters that have devastated communities across the country. These Americans need help. They need help now. I would parenthetically add, if there were ever evidence of global warming or of climate change, this would be it despite the fact that just about every Republican has his head or her head in the sand and will not admit it.

Regardless of what you think the causes were, Americans have always stood together when American citizens have been hit by disaster. We band together and say we are going to help one another—all American citizens, all. Yet one part of America is not being treated like the others, and why not? It is because President Trump, for reasons that defy decency, harbors an apparent contempt for the people of Puerto Rico. He tweeted again last night and erroneously claimed that \$91 billion has been afforded the people of Puerto Rico. He ridiculed the leadership that has desperately tried to rebuild the island in the wake of these megastorms.

Let's get the facts straight.

The Republicans know the storms that hit Puerto Rico over a year ago were not ordinary storms; they know these were historic catastrophes. We

are talking about the deadliest disasters to hit American soil in over a century. We are talking about the worst power outage in American history. We are talking about 3,000 lives lost. Yet here we are, 18 months later, and the island hasn't recovered.

It is surreal that a disaster so awful has been met with a Presidential response that is so tepid and so heartless. It is surreal that our Republican colleagues go along with this and say we are not going to help Puerto Rico in the way that is needed. Billions in funding for recovery and mitigation efforts right now remain locked in the Treasury. Congress already appropriated \$20 billion that the administration has not allocated. All we want to do is make sure the money is allocated. That is one of the things we want to do.

Are our Republican colleagues opposed to that? That is what it sounds like. Some of them say it is political. What is political is President Trump's saying no aid for Puerto Rico and having the Republicans jump in line, even those with many Puerto Ricans in their States. Make no mistake, we have reached this impasse because the President has said himself he opposes help for Puerto Rico, and the Republicans follow along.

Some of my colleagues from the other side came up with another shibboleth; that we opposed the House bill because it didn't provide funding for the Midwest. First of all, the House bill was aimed at disasters in 2018, not in 2019. Second, Senator LEAHY offered an amendment that would have added funding for the Middle West and funding for Puerto Rico. What did the Republicans do? They blocked it anyway. So this undoes their fantasy that the Democrats are opposed to aid for the Middle West. Senator LEAHY and I will be offering an amendment that will give aid to the Midwest and to Puerto Rico. Let's see where our Republican colleagues stand. Will they block that too?

Yesterday's vote boiled down to a simple question: Do the Republicans believe the people of Puerto Rico deserve relief for their natural disasters as do all Americans? Do they believe the families of Puerto Rico—whatever you think of this elected official in Puerto Rico—deserve to be helped just like the families of the Midwest and California?

Do they believe the statement of the Governor of Puerto Rico, Rossello, that the House bill is much preferable to Puerto Rico than what the Senate has proposed or do they make their own judgment based on what President Trump said and then call it political?

What a shame.

Let me be clear as day: Without objection, the Democrats support funding for all regions of the United States that have been affected by natural disasters, which is any State or territory that needs to rebuild. That list should include the Middle West, and it should

include Puerto Rico because our fellow citizens on that island have yet to recover from the deadliest of storms in our recent history.

I will let this Chamber know that Senator LEAHY and I will be offering a new amendment to the disaster bill in order to provide billions of new additional dollars for the Midwest's 2019 disasters.

The Senate Republicans say they care about Iowa and Nebraska, but they didn't put an additional penny in for that aid. They said to let them compete with the 2018 disasters and the same amount of money. We are going a step further. We are going to say we need additional aid for the Middle West—for Iowa and Nebraska—as well as aid for Puerto Rico. It is not an either-or.

If we get into an either-or, the next time, it will be your State, my Republican colleagues, when people will not want to vote for aid or it will be for mine or another's. I experienced it, incidentally, with Sandy, when a lot of Republicans didn't want to vote for aid after Sandy because it was for New York. That was so wrong.

So I say to all who are suggesting that the Democrats aren't willing to help the people of Iowa and Nebraska and other States that we are calling their bluff.

Are you ready to actually appropriate new money—more money—for what the people in the Midwest who are struggling need? The Democrats are. Let's see where you stand.

HEALTHCARE

Mr. President, on healthcare, the Republicans have failed to advance any of their healthcare plans through Congress, so they are trying to repeal healthcare through the courts. This reeks of desperation, for they do not have a backup plan.

Last night, the President tweeted that the Republicans will come up with their plan in 2021. Translation: The Republicans have no healthcare plan. Translation: President Trump has no healthcare plan. It is the same old song the Republicans and the President have been singing. They are for repeal, but they have no replacement. President Trump confirmed he will hold Americans hostage through the 2020 election when it comes to healthcare. He promises with "re-elect me, and maybe you can take a peek at my backup plan after that," which he doesn't have. What a ruse. What a shame. What a disgrace.

People are suffering. When their children have cancer, people need protection so the insurance companies will not pull away the healthcare. Seniors need protection from the rising costs of prescription drugs. Women need protection so they will not be treated differently than men when they have healthcare needs that are particular to women. Young people need protection to be allowed to continue to stay on their parents' plans until they are 26 if they start new lives after high school

or college. All of these folks need protection.

President Trump and our Republican friends say: Rip all of those things away, and trust us. Maybe in 2021, we will have a plan.

With a stubbornness that would impress a mule, President Trump has waged a manic war on the American healthcare system that shows no sign of stopping. Now we are asked to believe that President Trump has a wonderful but secret healthcare plan but will, for some reason, not reveal it until the next election. What a transparent ruse.

Snake oil salesmen, take notes.

Here is why we can't believe the President's punt and promise.

In May 2017, after the Republicans voted to repeal the healthcare law, on national television, the President celebrated in the Rose Garden with House Republicans. He celebrated the passage of a bill that would result in 23 million fewer people having health insurance and would result in gutting the protections for Americans who have pre-existing conditions. He celebrated his own broken promise to never cut Medicaid and to always protect people with preexisting conditions, and he did it on national TV. So don't tell me this time will be different. Don't tell me there is a secret plan, when we know what the Republicans' healthcare plan will be—increased premiums, a loss of coverage, and the elimination of protection for preexisting conditions. The markets will be stabilized, but families will be tossed into an abyss of inferior care.

President Trump's lawsuit seeks to wholly undo the progress we have made, but he wants the American people to just wait for a magic plan to appear 2 years from now?

If successful, the President's lawsuit will mean skyrocketing costs for families. The President wants the American people to just wait and see.

President Trump's lawsuit will mean massive increases in prescription drug spending for seniors who are on Medicare. The President wants the American people to just wait and see.

President Trump's lawsuit will mean women will be charged more because they are women. The President wants the American people to just wait and see.

So, when President Trump insists he has a silver bullet plan that we will only be able to see if the American people reelect him, we know what a sham that is. For a President who has perpetrated lots of shams, this one takes the cake.

I am asking: Which one of our Republican colleagues will stand up for healthcare for the American people?

Senator SHAHEEN has a resolution that simply reads to the Justice Department: Withdraw your suit that would do all of these awful things.

How many of our Republican colleagues will go on that proposal? Let's see. Are they going to say it is politics too? With regard to the healthcare of

millions of Americans, any time the President does something horrible and the Democrats resist, are they going to say it is politics? Oh, no. That is what we are supposed to do whether it comes to Puerto Rico or whether it comes to healthcare.

CHINA

Mr. President, I have one final word on China.

The New York Times reported yesterday that a trade agreement with the United States and China is nearly 90 percent complete, with a deal being potentially finalized later this month. Yet it alarms me that the President, for all his bluster, will likely settle on a deal that will be devoid of any meaningful reform to China's economy and trade practices. Instead, he will settle for the purchases of American goods by the Chinese state. This move will only strengthen China's leverage while it will do little to help us long term.

We want to protect our farmers, but we don't want a soybean sellout where, in exchange for soybeans, we trade away America's family jewels—our intellectual property, our industrial know-how, our hard-working labor force being able to compete in a reciprocal way in China the way China can compete here. If it is just the purchases of product, the Chinese Government can always turn off the tap. So we are entering treacherous territory.

I have a simple message for President Trump and praise him for standing up to China more than President Bush or President Obama did on this issue. I say to him: We have made progress in making China see it has abusive practices. Stand firm. Don't back out. I cannot think of a worse end for us than to say "uncle" at the last minute. Skip the political photo op and make good on your promise to stand up for American business and workers when China takes advantage.

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. THUNE. I ask unanimous consent that the order for the quorum call be rescinded.

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

S. RES. 50

Mr. THUNE. Mr. President, sometimes attempting to block a Presidential nominee is justified. If a President nominates a candidate who clearly is unfit for the office for which he or she has been nominated, then, as Senators, we should try to stop the confirmation of that nominee. But that is the exception. The Senate's advice and consent power is not supposed to be used to slow-walk all of a President's nominees simply because one party doesn't like the President who is doing the nominating.

In the past, once Presidential nominees had been vetted and approved by the appropriate committee, their confirmation was pretty painless. Cloture

votes designed to end filibusters of candidates and allow their nominations to come to a vote were rare because Senators only tried to block nominees in extreme cases. But that is no longer the case. Since President Trump took office, Democrats in the Senate have engaged in a systematic campaign of obstruction, pointlessly delaying qualified nominees for no reason other than the fact that Democrats dislike this President.

But wait, you say. Not so fast. Maybe Democrats obstructed all of these nominees because they didn't believe any of them were qualified for the positions for which they had been nominated—except we all know that is not the case because again and again Democrats have delayed and obstructed nominees they have ultimately supported.

One egregious example occurred in January of 2018, when Democrats forced the Senate to spend more than an entire week considering four district court judges even though not one single Democrat voted against their confirmation. That is right—Democrats forced the Senate to spend more than a week of our floor time considering the nomination of four judges even though not one single Democrat opposed their confirmation. These judges could have been confirmed in a matter of minutes by voice vote, but Democrats forced the Senate to spend more than a week on their consideration—time that could have been spent on genuinely controversial nominees or on some of the many important issues facing our country.

Another ugly example occurred during my chairmanship of the Commerce Committee last Congress, when Democrats pointlessly delayed the confirmation of the Under Secretary of Transportation for Policy, Derek Kan. Mr. Kan, who had been confirmed by voice vote just 2 years earlier as a member of the Amtrak board of directors, was delayed for months in 2017, with Democrats ultimately requiring the filing of cloture—but not because Democrats had any problem with his qualifications. When the vote on his nomination finally came, he was confirmed by an overwhelming margin of 90 to 7. Once again, Democrats obstructed for obstruction's sake.

During President Obama's first 2 years in office, his nominees were subjected to a total of 12 cloture votes. Do you want to know how many cloture votes President Trump's nominees faced during the President's first 2 years in office? One hundred and twenty-eight—more than 10 times as many cloture votes as President Obama's nominees faced over the same period—128 to 12.

Democrats' slow-walking of nominees is obviously a problem for this President and his administration. Essential positions have stayed vacant for months longer than they should have, making it more challenging for the administration to carry out its respon-

sibilities. But Democrats' actions are not just a problem for this administration; they are setting a terrible precedent that could derail the work of the Senate and inhibit the President's ability to govern for many years into the future. Just imagine if Democrats' behavior over the past 2 years becomes the norm. Presidents could be waiting years to adequately staff their administrations, and the Senate would be perpetually tied up on unnecessary cloture votes, leaving less and less time to actually do the business of governing.

Democrats and Republicans need to curb this rampant obstruction before it becomes a permanent precedent here in the Senate. Later today, we will have a chance to do so when we vote on the Blunt-Lankford resolution.

Back at the beginning of President Obama's second term, Democrats and a number of Republicans, including me, passed a measure streamlining the confirmation process for lower level positions, such as district court judges and Assistant Secretaries. This was obviously something that benefited President Obama and only President Obama since the rules change expired at the end of that Congress, but Republicans signed on because we believe that Presidents should be able to staff their administrations in a timely fashion. So we worked with Democrats to streamline consideration of lower level administration nominees.

The Blunt-Lankford resolution is very similar to the rules change we passed in 2013. Like the 113th Congress rules change, the Blunt-Lankford resolution would streamline the process for consideration of lower level nominees, while preserving the current rules for high-level nominee positions, such as Cabinet officials and Justices.

Thirty-four currently serving Democratic Senators also served in the 113th Congress and voted for that rules change, and I am hearing that Democrats would be willing to support the Blunt-Lankford resolution as well. But there is one catch: Democrats apparently would only support the rules change if we delay the effective date of the resolution to 2021—in the hopes that they will have a Democrat in the White House by then.

That is an outrageous demand, this “We will take the rules change when it helps us, but we will do everything we can to make sure the other party doesn't get its share of the benefits, but that “The rules don't apply to us” attitude has unfortunately become pretty typical of the Democratic Party lately. Think about recent Democratic support for packing the Supreme Court. Why has that long-dead idea come back to haunt us? Because Democrats are angry that President Trump has gotten two individuals confirmed to the Supreme Court. Apparently, the only good Supreme Court Justices are the Justices nominated by Democrats. Take the Democratic proposal to abolish the electoral college. Democrats are still mad about their loss in the

2016 Presidential election. We get that. Their solution is not working harder to win in 2020 but changing the rules to favor their party.

Simple intellectual honesty would dictate that the 34 current Democratic Senators who voted for the rules change in the 113th Congress vote for the rules change today. I hope they will. Nothing less than the future of the Senate is at stake here.

Democrats have a choice to make: They can vote to restore the Senate's tradition of efficiently confirming non-controversial nominees so the work of the government can get done, or they can continue to pursue a damaging, virulent partisanship that will negatively affect the Senate's ability to function for decades to come.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Iowa.

MR. GRASSLEY. Mr. President, over the past 2 years, some in this body have decided that they will oppose any nominee suggested by President Trump. There isn't a Senator who serves their State's interest when qualified, noncontroversial nominees are prevented from being confirmed; however, some Members continue to do just that by slow-walking the President's nominees for partisan purposes.

This concern about the speed of confirming nominees is not anything new. For the benefit of those who were not here at the time, I would like to take this opportunity to review some of the history on this subject and how we got where we are today with all this stalling.

Since the rejection of the Robert Bork nomination for the Supreme Court in 1987, Republicans have felt like we are living under two sets of rules. Republican Supreme Court nominees could be rejected by Democrats on ideological grounds if they didn't pass their litmus test, but Republicans continued to vote to confirm otherwise qualified Democrat nominees who had what we might consider very radical views about interpreting the Constitution to mean things that the Constitution plainly does not say.

Then all of a sudden in 2003, to contrast with what the practice had been from 1789, Democrats entered the Senate as a minority party under a Republican President. Prior to 2003, there was simply no history of systematically opposing cloture to prevent judicial nominees from ever getting a final vote.

However, coaxed on by leftwing activists, Senate Democrats embarked in 2003 on an unprecedented campaign of obstruction by filibustering several of President Bush's judicial nominees to keep them from being confirmed.

When Senate Democrats began to use the cloture rule to block George W. Bush's circuit court nominees, we made it very clear that we Republicans were done living by two sets of rules. We warned Democrats that, if they continued down that path, we would

follow their precedent when the tables were turned, but the Democrat obstruction continued anyway.

Not long after—and as they often so do in this Chamber—the tables were turned. President Obama entered office with a Democrat majority in the Senate. True to Republican promises to not live by two sets of rules, we began to follow the precedent established by the Democrats and blocked a proportional number of President Obama's judicial nominees.

Despite the fact that Republicans were holding Democrats to the same standard that the Democrats established, Senate Democrats made a big show of being outraged at that time and being indignant about this equal treatment. Senate Democrats began threatening to invoke the nuclear option to ram through President Obama's nominees on a simple majority vote.

However, the minority and majority parties reached an agreement—yes, we actually reached an agreement—and this was at the beginning of the 113th Congress where Senate Republicans agreed to institute a temporary standing order to limit postcloture debate for sub-Cabinet and U.S. district court nominees. This agreement was made explicitly as a bipartisan compromise, and that bipartisan compromise was there to avert the use of what we call a nuclear option. Then-Majority Leader Harry Reid stated on January 24, 2013:

I know that there is a strong interest in rules changes among many of my caucus. In fact, I would support many of these changes through regular order. But I agree that the proper way to change Senate rules is through the procedures established in those rules, and I will oppose any effort in this Congress or the next to change the Senate rules other than through regular order.

That is the end of Senator Reid's, who was then majority leader, quote.

Despite this statement by Senator Reid and despite the bipartisan agreement, the Democrat leader decided to pursue the nuclear option just a few months later. At the same time, Senate Democrats thought that Secretary Clinton would be President and that forcing this rules change would benefit their agenda for the foreseeable future.

Our side saw this for what it really was, a power grab that sought to steamroll the minority party. At that time, the minority party was my party.

Before Senator Reid invoked the nuclear option, we actually urged the Democrats to take a longer view. We were trying to get them to think in terms of what can happen in the future if you do something now. So we again warned that we were not about to play by two sets of rules and that they, the Democrats, would regret their decision when the tables were turned.

I was on the Senate floor on the day that Majority Leader Reid broke the rules to change the rules—let me emphasize it—broke the Senate rules to change the rules and made the following comment. This is this Senator speaking in 2013:

If there is one thing that will always be true, it is this: Majorities are fickle. Majorities are fleeting. Here today; gone tomorrow. So the majority has chosen to take us down this path. The silver lining is that there will come a day when the roles are reversed.

When that happens, our side will likely nominate and confirm lower court judges and Supreme Court nominees with 51 votes, regardless of whether the Democrats actually buy into this fanciful notion that they can demolish the filibuster on lower court nominees and still preserve it for Supreme Court nominees.

That is the end of my quote from about 6 years ago when Senator Reid was doing the nuclear option.

It so happens that very day did come, and the American people elected President Trump with a Republican majority in the Senate and the House in November 2016. Senate Democrats have since engaged in an unprecedented campaign to prevent a whole range of government positions from being filled by President Trump. It used to be understood that it was in the American people's interest to have a functioning government, even if your candidate didn't win the Presidency.

The norm around here for hundreds of years used to be that a new President's Cabinet positions were filled as soon as possible. I know that the 2016 election aroused strong feelings and that many people were deeply disappointed when the candidate they expected to win did not win to the point of not being able to accept the outcome under our Constitution of who was elected and elected constitutionally.

A similar attitude arose when President Obama was elected with some people latching on to the birther conspiracy theory that President Obama was secretly born in Kenya and that this somehow made his Presidency illegitimate. However, this was always a fringe movement that Republicans in Congress did not take seriously and many refuted it.

The arms race of partisan grievance has now escalated where U.S. Senators pander to the "resistance" by preventing President Trump from filling out his administration more than halfway through the first term.

Senate Democrats insist on going through the lengthy motion to end debate even for nominees which there is little or no opposition. This means that, after being vetted by the White House, vetted by the Office of Government Ethics, answering a detailed questionnaire probing every aspect of the nominee's life, meeting with Senators in person, going through a nomination hearing, and being voted out of committee, nominees must wait and wait—sometimes for months and years—before there is time in the Senate schedule to file a cloture motion as the first step to getting to finish approving or disapproving that nominee.

The Senate must then allow for an intervening day to pass before it can vote to end the debate, which often passes overwhelmingly. Yes. You filibuster something. You have to file a motion,

and yet a lot of times, there is no disagreement that that nominee should be approved. After all that, the cloture rule allows for an additional 30 hours of postcloture debate.

I strongly support the Senate exercising its constitutional power, and that power is about advice and consent. If there are any concerns about any nominee's ability or willingness to do his job and whether that nominee is willing to follow the law, Members should come to the floor to hash through the merits of the nominee.

However, Members on the other side of the aisle have obstructed the confirmation of a large number of actually noncontroversial sub-Cabinet nominees and even lower court judges who were not controversial. In a great many cases, the demand for a cloture vote appears to be solely about delaying and about obstructing, not anything about the specific nominee or his qualifications.

As chairman of the Committee on Finance this session, I want to highlight the experience of some of the nominees considered by the Finance Committee. So far this Congress, the Finance Committee has reported seven nominees that were originally reported last Congress but were not confirmed last Congress because of the obstruction.

I want to make clear that the Finance Committee has a very thorough as well as bipartisan vetting process. Any nominee that has been reported by the Finance Committee can verify that we do not rubberstamp nominees.

However, with the exception of one of the seven nominees that were reported, all of them have been reported unanimously or with a maximum of two no votes. Only one of those seven, however, has been confirmed.

The U.S. Tax Court is a place where taxpayers are able to challenge an assessment of tax before actually paying the amount that they are challenging. It is important that we keep the full roster of 19 Tax Court judges as full as possible. I don't think any member of my committee or this Senate would disagree with what I just said. I also am not aware of any criticism of the nominee currently on the Executive Calendar for the Tax Court.

That nominee has been reported unanimously from the Finance Committee twice now, last Congress and this Congress; yet there is no certainty about when that nominee will be able to consider—or when the Senate will be able to consider that nomination.

This is very unfair to nominees who submit to an extensive vetting process and put their professional lives on hold so that they can serve. And it is also unfair to the American taxpayer who needs these people to be working.

It is also unfair to the American taxpayers who need these people to be working. After all, government is a service.

In 2013, the liberal Brennan Center for Justice issued dire warnings about

a judicial vacancy crisis. At that time, there were 65 unfilled seats on the U.S. district courts, and this was crippling the ability of those courts to dispense justice and to protect the rights of the American people. Senate Democrats picked up on these talking points and forcefully made their case.

There are now 129 vacancies on the district courts—129. The concern from Democrats has somehow disappeared. Last Congress, I was chairman of the Senate Judiciary Committee. By the end of last year, I had moved more than 30 highly qualified district court judges to the floor. Most of them had languished there for months. A few had been in the confirmation process since 2017. This is all because Democrats insist on 30 hours of debate for every nominee even though they often end up voting for them. Some of these who had been filibustered were passed almost unanimously by the Senate.

In the Judiciary Committee, when I was chairman, we had several more judges ready to be reported out of committee, but they were likely to face similar obstruction. I haven't been Judiciary chairman for 3 months. We are in a new Congress, and I assumed a different chairmanship. Do you know how many of those district court nominees have been confirmed in the new Congress, meaning the same ones we had voted out last Congress? Zero. The vacancy crisis, by the Brennan Center's definition, has nearly doubled because of this obstruction.

Clearly, it is a waste of this body's time to use all 30 hours of debate after the cloture vote for almost every nominee who comes before the Senate. The Senate was intended to be a deliberative body. If Senators want to engage in debate on a nominee, then by all means have that debate; however, don't make the Senate go through the motions if you have no intention of actually engaging in debate.

There is now before the Senate a proposal to limit postcloture debate on sub-Cabinet-level nominees. This proposal was very similar to one that passed the 113th Congress with overwhelming bipartisan support. A number of Senators from the other side of the aisle supported that measure at that time. If they can't support it this time around, what is their justification? Again, we cannot have a different set of rules depending on which party is in the majority. We need to agree on a common set of rules and a common set of norms that apply regardless of which party has the White House and/or the majority in the Senate.

I note that there are quite a number of Senators who see themselves in the White House in 2020. They are coming to Iowa every week. Do they really want to live under the precedent they are setting now? If a Senator who votes against virtually every Trump nominee gets into the White House, how should this Senator proceed? If one of the current Senate Democrats running for President gets elected in 2020, I, of

course, will be disappointed, and I surely won't agree with most of their policies. So then should I vote against all of their nominees?

I would ask each of these Presidential candidates: Do you expect this Senate to behave differently than you are right now if in the future the shoe is on the other foot?

I don't want to be part of a resistance against a future Democratic President. I don't want to live by two sets of rules. The solution is to end now this partisan total war where the other side must be stopped at all costs. We need to come to a bipartisan agreement to end this tit-for-tat, cut-off-our-nose-to-spite-the-face environment. That is the environment we find ourselves in today.

Senator LANKFORD's resolution builds on the bipartisan agreement from 2013, but it is not perfect. If Democrats have legitimate concerns, let's work together on something better.

I have heard that the only change the Democratic leadership has proposed is to delay the effective date of the standing order until the start of the next Presidential term. Presumably, that is due to the same hubris that led them to invoke the nuclear option without imagining that they would soon regret it, as now they do regret it. We had two Supreme Court nominees to prove that they regret it. We actually approved those two Supreme Court nominees. It is impossible to defend their position on principle.

Surely there are some Members on the other side of the aisle willing to work in good faith with Republicans to resolve this impasse in a way that takes into account the legitimate concerns of Senators on both sides of the aisle. I don't believe it is too late to bring the Senate back to the deliberative body the Framers of the Constitution intended the Senate to be. It is in all of our interests to have a more functional Senate. I hope my colleagues will join me in working toward that goal.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Hawaii is recognized.

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

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

Ms. HIRONO. Mr. President, most Americans don't wake up every day thinking about the arcane rules of the Senate. They might think the debate we are having today is just another example of a legislative body they see as out of touch on the issues they care about most, issues on which a large majority of Americans agree action should be taken.

For example, the Republican Senate hasn't done anything about the epi-

demic of gun violence. The Republican Senate hasn't taken action to expand access to affordable, quality, universal healthcare. Instead, Republicans have tried to take healthcare away from millions of people. The Republican Senate hasn't passed comprehensive immigration reform, let alone offered the blameless Dreamers a path to citizenship and a life in the only country they know. The Republican Senate hasn't taken decisive action to combat climate change. The Republican Senate hasn't taken steps to empower our middle class. Instead, it passed a huge tax cut for the wealthiest Americans and corporations.

We should be having a real debate about all the issues I just mentioned. Instead, Republican leadership is proposing a resolution to, among other things, change Senate rules to reduce the number of hours of postcloture debate time from 30 hours to 2 hours for district court nominees.

Let me just mention, by the way, that there is a world of difference in requiring 51 votes to put people on the district and circuit courts versus what the Senate majority leader did in changing the vote requirements for people on the U.S. Supreme Court, changing that to a bare majority—a huge difference in putting in a 9-member Supreme Court with a bare majority of votes versus some 800 circuit and district court judges. If we can't see that difference, I have no words for that. We should see that difference.

Getting back to what is before us today, the significant rule change will help Donald Trump and his Republican enablers in the Senate to more swiftly pack our district courts with ideologically driven judges—judges who will make biased rulings in line with their personal ideological beliefs and not based on the law or the Constitution.

Our district court judges, appointed by Democratic and Republican Presidents alike, have been at the frontline of resisting Donald Trump's abuses of power. They have, for example, ordered the government to reunite parents with the children ripped from their arms at the border. They have rejected attempts to deny Federal funds to cities refusing to be drawn into the Trump administration's war on immigrants. They stopped Executive orders aimed at kneecapping public sector unions. They blocked the implementation of an ugly ban on transgender Americans serving in our military. They stopped the Commerce Department from putting a citizenship question in the census. They ruled that public officials cannot block citizens from their Twitter feeds. They stopped the government from banning Muslims from entering the United States. They stopped a decision that would have allowed States to require Medicaid recipients to work in order to receive benefits.

These exercises of judicial independence by our district judges are precisely why Donald Trump and his congressional enablers want to make it

easier to pack our courts with nominees handpicked by the far-right Federalist Society and Heritage Foundation. These organizations have spent decades and millions of dollars opposing universal healthcare, strengthening corporate interests, and undermining voting. They have also spent decades and millions putting their kinds of judges on the courts, with their lifetime positions.

If we aren't able to take as much time to examine their records and publicize their lack of fitness, Trump's nominees will soon occupy more and more of the lifetime appointments on the bench. Once they do, they will not only be more inclined to side with his extreme view of Executive power, they will also start ruling in cases consistent with the ideologies they bring to their jobs—for example, that abortion should be illegal; that Americans don't have a right to healthcare; that voter suppression is OK; that families with same-sex parents should be discriminated against; that transgender teenagers should be forced to be someone they are not; that Presidents can ban people from our country based on their faith; that one person's religious beliefs can trample the civil rights of everyone else. Trump's nominees have extensive records of their positions on these kinds of issues.

It used to be that appointees to the Federal district courts generally did not generate a lot of controversy. They were typically experienced trial lawyers or prosecutors with solid reputations in their hometowns, but they weren't typically activists or ideologues. There was a time when they were mostly White and mostly male, but starting in the Carter administration and building steam through the Clinton and Obama administrations, district court nominees presented to the Senate were increasingly diverse, with an emphasis on qualifications, not ideology. But Donald Trump's judicial nominees are, once again, mostly White and mostly male. They are now much more ideological and agenda-driven. He has also nominated a disproportionate number of lawyers who do what is called impact litigation, where they pursue cases to make political points and undo legislative decisions.

Some examples of Trump's dangerous circuit court nominees include Patrick Wyrick, who was solicitor general of Oklahoma and who, together with his close ally, then-Oklahoma attorney general Scott Pruitt, tried to dismantle Obama-era protections of clean air, clean water, and public land.

He was counsel of record on an amicus brief in *Sebelius v. Hobby Lobby*, challenging the Affordable Care Act's contraceptive coverage requirement.

He also submitted a brief in *Humble v. Planned Parenthood of Arizona*, challenging medication-induced abortion procedures commonly used by Planned Parenthood.

As deputy general counsel for the First Liberty Institute, Matthew

Kacsmayk filed briefs opposing same-sex marriage, supported a Virginia school board's anti-transgender bathroom policy, and opposed the right of all women to have their healthcare coverage include contraceptives.

Michael Truncale, another example, was a former congressional candidate and an ideological activist against voting rights, abortion, and immigration, who gave public speeches using the widely debunked myth of in-person voter fraud to justify Texas's draconian voter ID laws.

Another example is Wendy Vitter, who promoted fraudulent claims about abortion, birth control, and women's health at an appearance she initially failed to disclose to the committee. These fraudulent claims included the position that there is a connection between using birth control and getting cancer. She has been a public advocate for extreme restrictions on reproductive rights.

As deputy solicitor general in the Office of the Texas Attorney General, J. Campbell Barker represented *Texas and Whole Women's Health v. Hellerstedt*, urging the Supreme Court to uphold Texas's restrictive anti-abortion statute. The Supreme Court declined to do that, thankfully. He also supported Donald Trump's Muslim ban, advocated for the invalidation of DACA and DAPA, supported restrictive voter ID laws, opposed the right of all women to have their healthcare coverage include contraceptives, and I could go on and on.

These nominees have deeply held personal, ideological views who want to be judges for life to make these views into law.

During their confirmation hearings, these nominees told us, to a person, he or she would "follow the law" and "follow precedent," but do they really expect us to believe they can set aside their careers of ideological activism? I don't think so. They were nominated precisely because they are advocates for an ideologically conservative agenda—just the kind of nominees who would get the stamp of approval from the Federalist Society and Heritage Foundation. That is why my Republican colleagues support them, and that is why they want to pass this resolution—to pack the courts with these types of judges even faster.

Many Americans are awakening to the fact that court-packing is a clear and present danger to a woman's right to choose, voting rights, healthcare access, environmental protections, civil rights, and individual rights. Not content with the court-packing damage they have already done, Republicans are using this resolution for court-packing to happen even faster.

I cannot support this resolution.

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.

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

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

Ms. KLOBUCHAR. Mr. President, today I rise to discuss the importance of upholding the Senate's constitutional obligation to provide advice and consent on nominations.

Many people refer to the Senate as the world's greatest deliberative body because the Senate is designed for the careful consideration and debate of proposed laws and nominations. That is why we have so many people sitting up in the Gallery today, because they are here to hear debate.

How we deliberate is governed, of course, by a set of Senate rules. I am sure some of them seem archaic when our visitors hear about quorum calls being vitiated, but it is very important to have rules because rules stay in place no matter who is in charge and no matter what matter is before us. Rules create a sense of decorum and fairness not only in this Chamber but for our country.

Only once in the history of the cloture process in the U.S. Senate has the Senate voted to permanently reduce the time we have to debate an issue. That happened in 1986, when we went from 100 hours of something that is called postcloture debate time to the current rule of 30 hours. That basically means there are 30 hours to debate something really important, such as the nomination of a Supreme Court Justice, an ambassador, or who is going to be a Cabinet member. That is the way the rules are now. While there have been contemporary changes to the rules, we have not seen a permanent rule change since 1986.

The resolution we are considering asks us to make a second permanent change. What is the backdrop? Last Congress, the Rules Committee considered a proposal from Senator LANKFORD to cut off debate on the Senate floor. The resolution before us is even more damaging because it would reduce debate time from 30 hours to 2 hours for about 80 percent of the nominees who come before the Senate—including Federal district court judges—giving only 2 hours on this floor to debate.

We have time to debate these judges on the Judiciary Committee, but only a small percentage of the Senators are on that committee, right? Over 75 percent of the Senators aren't on that committee. We also know we have had some judges come before us, and we don't find out things about them until the debate on the floor occurs or Senators haven't decided how they are going to vote until they actually come to the floor. We have had judges who were thrown out—who were rejected, basically—before they came up for a vote because of things that were discussed among Senators when they were on the floor.

Let's face it. Most Americans are understandably unfamiliar with the term "postcloture" debate. They don't exactly have the book on Senate procedures on their reading list, but the issue before us has a real impact on the daily lives of every person in this country, and we should be sounding the alarm bells about it.

Healthcare—think of what we just learned this last week when suddenly the Justice Department for this administration announced they were going all out to repeal the Affordable Care Act. What does that mean? Well, for every American—not just Americans who are on the exchanges under the Affordable Care Act—for every American, it would mean they would lose their protection for preexisting conditions. It would mean, if someone has diabetes, if someone has a child with Down syndrome, if someone in their family had a preexisting condition, their healthcare coverage would be subjected to the whims of the insurance companies.

Right now we have protections in place. What does this mean for the rule we are talking about? In the case that started in Texas, that was a Federal district court judge who made the decision on that case. The people who announced it out of the Justice Department at the higher levels actually went through confirmation on this Senate floor so people could debate whether they should be confirmed. The people implementing it at the Department of Health and Human Services, at the management levels, also go through this Senate for confirmation.

Guess what, America. Now not only is this administration trying to ram through the repeal of the Affordable Care Act, which would mean you would lose your insurance if you have a preexisting condition, but now they are trying to ram through the people who would make the decision—the people who would do the work.

Instead of having 30 hours to debate a Federal district court judge just like the one who made the decision in Texas or instead of having 30 hours to debate employees at the Justice Department—managers who would make decisions or higher supervisors who would make the decisions—we would get 2 hours. To me, what is this about? It is about ramming nominations through just like they tried to ram the Affordable Care Act repeal through the justice system in that announcement last week.

For every Congress, there are 1,200 to 1,400 positions in the executive branch requiring the Senate's advice and consent. Under this resolution, 277 of those would get the full 30 hours of debate, including the Supreme Court, circuit court, and the Cabinet-level positions, as well as some of the people who serve on the Securities and Exchange Commission and some of the Commissions we have. That accounts for 277, but that leaves many more—over 1,000—who would only get 2 hours of debate, 2 hours for what are lifetime appoint-

ments. Hundreds of these positions—hundreds of these positions—are lifetime appointments.

I believe in this place, once called the world's greatest deliberative body, it is our constitutional duty to fully vet the most senior people in our government—the people who help ensure our air and water are clean, the people who lead our military, and the people who oversee our justice system. It is our constitutional duty to fully vet our Federal judges, those men and women who receive lifetime appointments to uphold the rule of law in America.

On behalf of every American, it is our job to make sure the people nominated to the most senior positions in our government are competent and qualified. These roles are so important that the rules of the Senate are designed to ensure that Senators come to a bipartisan consensus. They don't always do that, but guess what. Sometimes we do. The purpose of these rules is to reject partisanship so we can get nominees who will put the good of the country before politics.

If we eliminate this crucial check on our democracy, allowing the majority party to ram through these appointments, we will undermine our democracy and our government.

Some of our friends on the other side of the aisle who are trying to push this through point to the fact that in 2013, the Senate voted 78 to 16 to temporarily change the postcloture rules on debate time, but it is very important to note that in 2013, the circumstances were very different from what they are today. Nominations required a 60-vote threshold. The blue-slip process for all judicial nominees was respected—unlike now, where it is no longer respected—for the highest courts in the land, such as the circuit courts. A thorough process—and this is important—to select qualified judicial nominees was in place but no longer. Have you seen the statistics that President Trump has had more unqualified nominees than past Presidents who have been rejected by this body?

Despite all of this, important Federal positions remained unfilled, even though qualified nominees were waiting to be confirmed. To address the issue, a bipartisan supermajority of the Senate supported a temporary change in the rules, but that is not what is happening today.

The idea that we are facing similar circumstances in this Congress is unsupported by the facts as well as statements made by some of my Republican colleagues. The truth is—as we have heard the majority leader of this body boast—nominees are getting confirmed, some at paces faster than we have seen in U.S. history.

In 2017, Leader MCCONNELL himself highlighted this fact. He said: "Senate Republicans are closing in on the record for the most circuit court appointments in a president's first year in office."

Last year, President Trump said:

We have the best judges. We put on a tremendous amount of great federal district court judges. . . . We are setting records.

He was right about setting records. In the first 2 years of his Presidency, President Trump had 85 judges confirmed. That is because they focused on getting them through, compared to just 62 for President Obama in the same time period.

President Trump has had 30 circuit court nominees confirmed during his first 2 years in office. This is more circuit court nominees confirmed than any President in history.

That is why they have talked about getting these nominees through like on a conveyor belt. So then the question becomes, why change the rules? Why change the rules? Why change the rules for lifetime appointments and give only 2 hours of debate?

This change is not just unnecessary, it would allow fundamentally unqualified candidates, from judges to administration officials and Ambassadors, to be confirmed.

The American Bar Association has rated six of the judicial nominees put forward by the administration as "not qualified," including three who received that rating unanimously, two of whom were confirmed. In 2 years, more than 30 executive branch nominees and 5 Federal judges have been withdrawn after initial vetting. Because nominees are being rushed through the committee process, postcloture time is critical to our job of evaluating nominees and fulfilling our duty to advise and consent.

For the 78 Senators who do not serve on the Judiciary Committee, this is a critical time to talk to colleagues and staff about a judicial nominee's record. Maybe we don't use the whole time debating them, but guess what happens when you are not marching through these 2 hour blocks of time. You have more time to talk about nominees to each other and evaluate their records.

Last year, two nominees were withdrawn from consideration after their cloture votes had been taken—Thomas Farr, for the Eastern District of North Carolina, and Ryan Bounds, for the Ninth Circuit, Oregon. The withdrawal of these nominees happened on a bipartisan basis. Senators SCOTT, Flake, and RUBIO voiced their disapproval. Bounds' nomination failed and was withdrawn partly because Senator RUBIO changed his mind during that postcloture debate time. These cases show how critical postcloture debate time is for considering nominations. He found out new information that he didn't know before.

Nominees like these clearly demonstrate the importance of carefully and thoroughly considering nominees for executive branch positions and lifetime appointments to the bench. The American people deserve qualified nominees, and it is our job to ensure that we take the time and care necessary to confirm people who will serve their country with distinction.

I appreciate Senator LANKFORD. We work together on many issues—most notably, on election security. But this legislation will remove important checks and balances on a permanent basis, not just on a temporary basis. It happens at a time when we have seen unprecedented numbers of judges confirmed on the circuit basis and a total number of judges much higher than we saw during the same first 2 years of the Obama administration. We also know that we are getting a slew of unqualified nominees.

Finally, we know that this administration just keeps trying to push things through that I consider—and the courts have considered—unconstitutional.

Right now, we have the President going around Congress and the \$1.3 billion of appropriated money that was given for security and saying: I am just going to take money away what this Congress has appropriated for other things and use it to build an \$8 billion wall.

Not only does that create legal and constitutional issues of eminent domain at the border, but it also creates constitutional issues about the separation of powers and the role of this Congress.

We are at a time when this administration has decided to wreak havoc on people's healthcare by pushing for the repeal of not just part but of the entire Affordable Care Act, which I noted includes those provisions that protect people from being kicked off their insurance for preexisting conditions. The people who make these decisions at the highest levels—at that sub-Cabinet level, which is right under the Cabinet level, the judges who are making these decisions on the district court level, and the workers who are at the higher sub-Cabinet levels at the Justice Department and at Health and Human Services, who would make decisions directly about people's healthcare—are the ones we are talking about with this resolution. These are real issues for real people. While this may all sound esoteric, this is not a time in history to be permanently changing the rules and ramming through a bunch of nominees.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I ask unanimous consent to be able to speak for up to 10 minutes.

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

Mr. LANKFORD. Mr. President, the Senate is in a bad spot. In the first 2 years of President Trump's Presidency, there were 128 times that the President sent over a nomination and the minority party has said: We want additional time to be able to debate those folks.

These are individuals who have already gone through vetting at the White House. They have already gone through FBI checks. They have already

come to the committee. They have done full vetting at the staff level, then had a full hearing at the Member level, and then had questions for the RECORD. They passed out of the committee, then had a lapse of time, and then a majority vote was set up to be able to move them. At that time, there was a request for additional time 128 times.

Just to do a quick comparison of how common that is—because folks say this is normal and this is the way the Senate functions all the time—for President Obama, in his first 2 years, that happened 12 times. For President Bush, that happened a total of 4 times. For President Clinton, that happened a total of 8 times. But for President Trump, it happened a total of 128 times.

This is a new way of operation for the Senate, and I really should say it is a new way of not operating for the Senate. It is an issue that has to change. It is not just about President Trump. It is about this body, who we are going to be, and how we are going to operate.

In the past, when there was a nomination from a President, there was the assumption that the President was elected and they could hire their staff. Now the resistance has stepped up and said: The President is elected, but we will not let you hire a staff, and we will not let you put your policies in place because we want to prevent you from getting any people into a spot.

Guess what. As soon as there is a Democratic President elected—and at some point in the future, there will be—Republicans will retaliate back to that and say: We will do the same thing. You can't hire your staff.

This is a new precedent that has been set. If we don't correct it, it is damaging to our Republic. A President should be able to hire their staff. All of the Agencies need Senate-confirmed individuals to be able to actually conduct their business. We need judges to be able to execute across the country. Those are basic things that need to occur.

I have heard folks say: Well, there has been no problem getting judges through. In fact, Republicans have bragged about the total number of judges coming through.

Let me give you a comparison. If we stay on the same pace right now with judges—just for the district court judges, which are the most common judges across our country—and President Trump is in office for 8 years, he will have put in 193 judges. President Obama put in 272 judges. It is factually not true that we are able to ram through all of these judges to be able to work through the process. We are not on an epic pace.

There has been a higher number for circuit court judges, which is correct, because this Senate has prioritized working on circuit court judges, but that is to the detriment of everything else because you can't do all of it because there is this constant request for additional time at the end of it.

Again, I have heard folks say that two hours is not enough time to be able to debate. That would be true only if 2 hours was the only thing that was allocated for debate. These individuals have already been through vetting at the White House and vetting in committee. They have gone through the process and have been approved. This is not 2 hours of time. It is actually 26 hours of time because people are conveniently leaving out the fact that there is an intervening day required. We are talking about nominees moving from 54 hours of floor debate time to 26 hours of floor debate time. It is just convenient to leave out that extra day that happens to be in there, if you want to make the argument.

Our simple conversation is this: How can we get the Senate back to work again? In 2013, Harry Reid led a movement, which 78 Senators approved of, to be able to say that for 2 years—2013 and 2014—we would fix the nominations process in the Senate. There was wide agreement to be able to do that. At the time, Harry Reid stood on the floor and said: Now, let me make this clear. We shouldn't have all of these nominees go through postcloture and all the debate on the floor anyway. Most of these passed through committee. They should be done by voice vote. In the rare exception that someone has to come to the floor, let's limit the floor time because it is not really used anyway. It is just a tactic to delay.

If you need evidence of that, there is all of the conversation that has recently been held on this floor about debate and about how we need to have all of this additional time for debate because these are lifetime appointees, these are essential people, and so they need to have a debate on the floor about them. Let me tell you what that really looks like in real life. That sounds very sanctimonious here on the floor.

In real life it looks like this. Here are the circuit court judges we have confirmed this session of Congress so far. These are for the circuit court. This is the appellate court. These are very important folks in the process. These folks currently have 30 hours, and for all of these folks, there was a demand to get 30 hours of extra debate time on the floor because they were so important.

Here is the actual problem. When that 30 hours of debate time was done and was blocked off, and that was respected, the first of the circuit court nominees actually got on the floor 1 hour and 16 minutes of actual debate, not 30 hours. People actually coming to the floor and debating that nominee was 1 hour and 16 minutes. The next nominee had 18 minutes and 57 seconds total of debate on this floor, although 30 hours of debate was blocked off, which meant most of the time the floor was empty, waiting for someone to actually debate. The next nominee was 1 hour 23 minutes.

Then, there is one my favorites. A circuit court judge had 4 minutes and

22 seconds of actual debate when 30 hours of debate was demanded for this lifetime appointment. The next circuit court judge was 23 minutes and 6 seconds.

The next one for the DC Circuit was actually very controversial. There was lots of noise about this nominee: 47 minutes and 28 seconds.

It is one thing for folks to say these are lifetime appointments so we need to make sure we block off a significant period of time on the floor. It is another thing to actually see the facts. These folks have gone through committee and we all know it. They have gone through background checks and we all know it. Every one of these individuals has been cleared and we know the outcome of all of these. We should respect each other and acknowledge that if this body is going to do legislation and personnel, no one can lock up the body and demand 30 hours of time on a nominee when we actually use 4 minutes and 22 seconds.

If we want to shift it off of judges and shift it onto executive nominees, recently we had a demand for 30 hours of additional debate time from our Democratic colleagues for the Bureau of Labor Statistics nominee. They demanded extra time because they were so controversial. On this floor, there was exactly zero minutes and zero seconds of debate on that nominee.

You see, this is not about actually debating whether people are qualified or not qualified. This is about preventing President Trump from getting nominees by locking up the floor and making sure he can't actually hire staff or can't actually put people on the court.

This will be reciprocated in the days ahead for every Democrat, and it will be done to every Republican President in the future if we don't fix this now. We had 2 years and 3 months of bad muscle memory on a process that should not be like this and has not been like this in the past. We can fix this.

When there was a Democratic President and a divided city, led by Democrats at the time, Republicans joined Democrats to be able to fix that nomination process for a Democrat President. The mistake we made was to do it only for a 2-year time period. We should learn from our mistake, and we should fix this from here on out. This is doable.

To give an example, in the last session of Congress, 386 nominees were never heard on this floor. They were sent back at the end of Congress and told: You have to start all over again. Those are folks who quit their job, went through FBI background checks, went through reviews, went through hearings, and confronted all the questions that were brought at them, and 386 of them were then stalled out and never heard. They were sent back to the White House.

That means that in the future we will have less opportunity to get more

people who are qualified to be able to apply for this. We want the best of the best to actually come and serve in our government. We will not get that if people have to quit their jobs to go through the nomination process, wait a year or 2 years, and then get sent back and told: You have to start all over again to go through the process.

Who will want to go through that process in the days ahead? We need to fix this both for the nominees who are going through the process and the Senate, which needs to have a better process of actually expediting nominees through. Quite frankly, we need to fix it for the country.

It is a simple process. It is not trying to gain partisan advantage. Regardless of who is in the White House, it is trying to fix it for the long term. Let's fix it this week. We have talked about this for 2 years. We have floated different proposals. Let's fix it this week and, from here on out, have a better process in the Senate.

Why in the world are we arguing about our rules of the Senate when we should be worrying about the issues the American people face? Of all places, of all people, we should have fair rules in the Senate to actually have a debate, have a vote, finish, and then move on to the next thing. There is more to be done.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. DURBIN. 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. DURBIN. Mr. President, I ask unanimous consent to speak on the floor for no more than 15 minutes.

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

Mr. DURBIN. Mr. President, there is an issue coming up before the Senate this week which really goes to the heart of this institution and why it exists. The Constitution spells out responsibilities for Congress and specific responsibilities when it comes to this Chamber. The 100 men and women who serve today, among other things, have a responsibility to advise and consent on nominations that have been sent by the President for our consideration. The Constitution assigns the Senate the role of questioning these nominees, of checking into their backgrounds, and then of deciding whether to approve or disapprove their nominations.

Over the past 2 years, we have seen many of the guardrails in this process disappear. For example, the Republican majority has stopped respecting blue slips on circuit court nominations. Blue slips, which are a Senate tradition, say that if a person is nominated to serve on the circuit court, which is the second highest court in the land, the Senators from the State within

which that person would serve would decide with a thumbs up or a thumbs down as to whether the nomination will go forward—the so-called blue slip. For a number of years now, that has been the U.S. Senate's standard practice, its tradition. The Republican majority has decided to stop the blue-slip process when it comes to circuit court nominations.

It also has stopped moving bipartisan board and commission nominations in pairs. We used to say: We have a more trusting relationship if you get your Republican nominee and if we get our Democratic nominee. Let's do it together. That used to ensure that both parties would be equally represented on important Agencies, such as the Securities and Exchange Commission, the National Labor Relations Board, and the Federal Deposit Insurance Corporation, to name a few.

Now we have a rules change before us that is being proposed by the Republican side of the aisle—again changing the rights of Senators by limiting the debate time on nominations. This would further tilt the balance of power away from the Senate, away from Congress, and back towards 1600 Pennsylvania Avenue, the Executive. It runs the risk, of course, of diminishing our constitutional responsibility.

When it comes to executive branch nominations, this administration has had a different approach than what we have seen before. We have a President who says he likes to have administration officials serve in an acting capacity.

In January, President Trump said:

I sort of like acting. It gives me more flexibility. Do you understand that? I like acting.

Given that approach, perhaps it is no surprise that we have seen long delays in filling leadership positions in important Agencies and ambassadorial posts. We have also seen the highest rate of turnover in modern time with these administration positions. People aren't placed in these positions, and if they are, they are looking for the exit way too soon.

We also have suffered from a lack of proper vetting and examination of a person's background before a nomination is approved, and we have seen a lack of bipartisan cooperation in moving board nominations when there is supposed to be an equal number of Democrats and Republicans. Despite that, we are trying to do the work we were assigned by the Constitution to advise and consent.

If the majority wants to move Executive nominations faster, it can do what all administrations have done in the past and start working with the minority to negotiate packages of nominees. As long as I have been here, that has been done by the leaders of both political parties—fair, bipartisan packages of Executive nominees who have been well vetted. None of us wants the embarrassment of putting a person in the position for which one is not qualified or when there is any question of one's ethical standards. That bipartisan

work can lead to less debate time on the floor if we agree at the outset to work together.

I am particularly opposed to the Republican proposal before us to shorten the time for debate on President Trump's nominees who will serve lifetime appointments in Federal district court. Imagine serving a lifetime appointment on a court—beyond this administration—and making day-to-day decisions, some fundamental to the criminal justice system and some to the civil justice system.

We understand what is really going on here. We understand when the other side says we are obstructing it from confirming judges. The facts don't tell the same story. In fact, my Republican colleagues have been bragging for months about what Senator MCCONNELL called the "record number" of judges the Senate has confirmed under this new President Trump.

In President Trump's first 2 years in office, the Senate confirmed 85 article III judges. During the first 2 years of President Obama's Presidency, it was 62. Eighty-five to sixty-two. The number of judges confirmed in the last Congress was nearly four times as many as the number confirmed under President Obama in the previous Congress.

The pace of judicial nominations and confirmations has been extremely fast. So why are the Republicans now pushing for a change to the Senate rules to make it even faster? It is not like the Senate has been busy with legislation here on the floor.

Senator MCCONNELL had a moment of candor last November after the election.

He said:

I think we'll have probably more time for nominations in the next Congress than we've had in this one. . . . I don't think we'll have any trouble finding time to do nominations.

Senator MCCONNELL, McClatchy News, November 7, 2018.

Of course, Senator MCCONNELL was frustrated that one Senator put a blanket hold on judicial nominees at the end of last year, and he expressed his frustration publicly. That Senator, incidentally, was not a Democrat; he was Republican Senator Flake of Arizona.

It seems the real reason the Republicans want to change the rules now on district court nominations is so, in the words of Senator MCCONNELL, they can "plow right through" with confirming nominees whose records and views are incomplete or extreme.

The reality is that all too often, these judicial nominees just don't stand up to scrutiny. Already, under President Trump, we have had six judicial nominations in which the American Bar Association's peer-review process found these nominees sent by President Trump to be "not qualified." I might add that there were no—zero, none—"not qualified" nominees under President Obama.

Last year, two nominees, Thomas Farr and Ryan Bounds, were withdrawn on the floor by the Republicans after

the Senate had voted to move forward on their nominations. Disclosures about their backgrounds led Members even on the Republican side of the aisle to say they wouldn't vote for them. They were withdrawn because information came to light that caused these Senators to change their minds about confirming them to lifetime appointments. That shows the importance of having some time—30 hours currently—to debate these nominations and to make sure that a lifetime appointment is not going to someone who is unqualified or who shouldn't be in that position.

So who are the district court nominees for whom Senator MCCONNELL wants to change the rules so as to move them through more quickly? Let me tell you about a few of them.

There is Texas district court nominee Michael Truncale, who called President Obama an "un-American impostor" and described the Shelby County case, when it came to voting rights, a "victory."

There is Nebraska nominee Brian Buescher, who ran for elected office in 2014 and said: "I will focus on fighting ObamaCare."

There is Texas district court nominee Matthew Kacsmayk, who has repeatedly written in his personal capacity about his opposition to LGBTQ rights and the Obergefell case.

There is Oklahoma district court nominee Patrick Wyrick, who is a protégé of disgraced former EPA Administrator Scott Pruitt's. He allowed an energy company to ghost-write a letter from Pruitt's office when he was Oklahoma's attorney general.

These are just a few. There are many other Trump judicial nominees whose views are far outside the legal mainstream, and Republicans are determined, with these rule changes, to speed up the process so we don't ask questions.

I have to say it is stunning to listen to Republicans complain about obstruction of judicial nominees after watching the unprecedented Republican obstruction of nominees under President Obama.

Under Senator MCCONNELL, Republicans would not even give an appointment for an interview, let alone a hearing, to a well-qualified Supreme Court nominee—Merrick Garland.

In 2013 Republicans pledged they would filibuster anyone who President Obama nominated to the DC Circuit Court of Appeals, the second highest court in the land. No matter how qualified the nominee, they pledged to block him or her because President Obama was making the choice.

Republicans filibustered President Obama's judicial nominees 82 times in the first 5 years. Under all Presidents before President Obama, there had been a total of 86 judicial filibusters combined with all Presidents. Under President Obama, in the first 5 years, there were 82, and throughout history leading up to that, 86.

Now that the Republicans control the White House and the Senate, they want to rip up the rules and change the traditions and guardrails on the judicial nomination process on a regular basis.

They are pushing through nominees who have not been found qualified by the American Bar Association. They are pushing through nominees over the objection of home State Senators. They are pushing these nominees without making sure that they have seen their complete records.

In the case of a North Carolina district court nominee, Thomas Farr, his nomination was pulled when critical documents were finally disclosed while his nomination was pending on the floor of the Senate.

It is no secret what is happening here. There is no emergency that justifies changing the Senate rules. Senator MCCONNELL himself admitted the Senate has plenty of time to consider nominees. This is all about avoiding close scrutiny for extreme ideological nominees that Republicans want to pack onto the Federal courts for lifetime appointments.

I oppose the rules change. Let's do our job when it comes to conducting due diligence and providing informed advice and consent for lifetime appointments to the Federal bench. It can be done.

I will tell you that in the first years of the Trump administration, we have been able, by and large, to work out bipartisan agreement on filling judicial vacancies in the State of Illinois, even at the circuit court level, to the point where Senator DUCKWORTH and I gave blue-slip approval to circuit court nominees based out of our own State, and to the point where we have reached a basic agreement when it comes to filling the district court vacancies to this point. It has been bipartisan all the way, and I believe we have found qualified people. It took some time and some bipartisan cooperation, but we did. It can be done. We didn't ask to have the rules changed in the Senate. We used the existing rules to do our job under the Constitution.

All the issues we care about are impacted by these nominees in my State and others. The Senate deserves to take the time to make sure we get this right. We should not be putting men and women into lifetime appointments without close scrutiny as required by our Constitution.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:48 p.m., recessed until 2:15 p.m., and was reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

IMPROVING PROCEDURES FOR THE CONSIDERATION OF NOMINATIONS IN THE SENATE—MOTION TO PROCEED—Continued

Udall Warner Whitehouse
Van Hollen Warren Wyden
NOT VOTING—1
Harris

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 senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 24, S. Res. 50, a resolution improving procedures for the consideration of nominations in the Senate.

Mitch McConnell, Roy Blunt, Mike Crapo, Richard C. Shelby, Johnny Isakson, Lamar Alexander, Pat Roberts, Ron Johnson, John Barrasso, Steve Daines, John Hoeven, John Thune, Mike Rounds, John Boozman, Shelley Moore Capito, Tom Cotton, David Perdue.

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 motion to proceed to S. Res. 50, a resolution improving procedures for the consideration of nominations in the Senate, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from California (Ms. HARRIS) is necessarily absent.

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

The yeas and nays resulted—yeas 51, nays 48, as follows:

[Rollcall Vote No. 57 Leg.]

YEAS—51

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	McSally	Tillis
Cruz	Moran	Toomey
Daines	Murkowski	Wicker
Enzi	Paul	Young

NAYS—48

Baldwin	Hassan	Murray
Bennet	Heinrich	Peters
Blumenthal	Hirono	Reed
Booker	Jones	Rosen
Brown	Kaine	Sanders
Cantwell	King	Schatz
Cardin	Klobuchar	Schumer
Carper	Leahy	Shaheen
Casey	Lee	Sinema
Coons	Manchin	Smith
Cortez Masto	Markey	Stabenow
Duckworth	McConnell	Tester
Durbin	Menendez	
Feinstein	Merkley	
Gillibrand	Murphy	

The PRESIDING OFFICER. On this vote, the yeas are 51 and the nays are 48.

Three-fifths of the Senators duly chosen and sworn not having voted in the affirmative, the motion is not agreed to.

The majority leader.

Mr. MCCONNELL. Madam President, I enter a motion to reconsider the vote.

The PRESIDING OFFICER. The motion is entered.

The Senator from Washington.

UNANIMOUS CONSENT REQUEST—H.R. 7

Mrs. MURRAY. Madam President, I come to the floor today not in celebration but in frustration to once again mark Equal Pay Day. It has now been 50 years since Congress passed the Equal Pay Act. It is a bipartisan law signed by President Kennedy and intended to ensure equal pay for equal work. While this was a strong step in the right direction, the sad reality is that today the gender wage gap still very much exists.

Today women, on average, make 80 cents for every dollar a White man makes, meaning the average woman has to work up until today to earn what her male colleagues made in 2018. For women of color, the pay gap is even worse. African-American women working full time only make 61 cents for every dollar a White man makes, meaning they have to work until August to earn what a White man made in 2018. American Indians make only 58 cents for every dollar, meaning they have to work until September to catch up with their White male colleagues. Latinas, on average, are paid 53 cents for every dollar their White male colleagues make. They will have to work until November—almost a full year—to earn what White men made last year.

The wage gap also hurts mothers who, on average, only make 71 cents to every dollar fathers earn. The gender pay gap starts when women are entering the workforce, and it widens throughout their careers. Pay inequity will cost the typical woman more than \$400,000 over the course of a 40-year career. Sadly, by the way, that number tops \$1 million for Latina women, meaning women have to work longer and still have less to save for retirement.

The gender wage gap doesn't just hurt women; it hurts families, communities, and the economy. Women are the primary or sole breadwinner in more than 40 percent of American families, meaning families have less money to pay for groceries, childcare, support businesses in their communities, and stay financially secure and independent.

That is why it is so important that we pass the Paycheck Fairness Act today—not tomorrow, not next year. We need to pass this now. Every year

the wage gap grows, and it is far past time we close the loopholes in the Equal Pay Act and give women the tools and the protections they need to be sure they are being paid fairly.

This should not be a partisan issue. The Equal Pay Act was passed with bipartisan support. The Paycheck Fairness Act passed the House last week with Republican support. Women across the country, regardless of their skin color, where they live, or whether they are Republican or Democratic, deserve to be paid the same as their male colleagues doing the same work.

I hope my colleagues across the aisle will join us today in supporting this critical legislation. Our economy can only succeed if women can succeed.

Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 7, which is at the desk; that the bill be read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. ALEXANDER. Madam President, the distinguished Senator from Washington and I often agree on issues, and for the most part we agree on this. We agree that equal pay for equal work is the right thing to do. What I would add is that equal pay for equal work is already the law.

Paycheck discrimination on the basis of gender is wrong. It is already illegal in the United States. Congress prohibited discrimination based on gender in the Equal Pay Act of 1963 and Title VII of the Civil Rights Act of 1964.

The Equal Pay Act is very clear: "No employer . . . shall discriminate . . . between employees on the basis of sex by paying wages to employees . . . less than . . . he pays . . . employees of the opposite sex . . . for equal work . . . which requires equal skill, effort, and responsibility, and which are performed under similar working conditions. . . ."

Equal pay for equal work. That already is the law; therefore, it is unnecessary to have yet another law saying basically the same thing. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Washington.

Mrs. MURRAY. Madam President, let me just respond by saying the Paycheck Fairness Act that we are asking to go today and have been denied the opportunity to do so makes very important updates to the Equal Pay Act.

It reaffirms that every worker in America has the right to receive equal pay for equal work. It protects women from retaliation for talking about salary information with coworkers. It allows women to join together in class action lawsuits, and, importantly, it prohibits employers from seeking salary history so the cycle of pay discrimination cannot continue.

This bill has the support of Republicans and Democrats and millions of

workers in this country, and I really hope this Senate can reconsider and bring this important piece of legislation up that has passed the House.

I thank my colleagues who are out here today supporting this effort.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Madam President, I want to associate myself with the comments of the Senator from Washington. She is exactly right.

We are rising today to speak about a very disturbing annual milestone that we are once again marking today. Today is known as Equal Pay Day, and here is what it means.

The average woman has to work 15 months just to get paid what the average man earns in 1 year alone. The reason today is Equal Pay Day is that it is today in the new year when the average woman finally gets paid what the average man earned the year before. If you are a woman of color, on average, you have to work even longer just to get paid what the average man earns in 1 year.

It is outrageous that we still don't actually have equal pay for equal work in this country, and it is the year 2019. It is shameful that women all across this country are being underpaid for the hard work they are doing every day. It is disgraceful that the gender wage gap is as wide as it is. This is happening in a moment in our Nation's history when women, more than ever before, are working outside the home, when many women are the actual primary breadwinner or the sole breadwinner for their family.

This is an alarming, glaring reminder of how badly our economy is failing so many workers and their families all over the country. Above all else, it is a reminder to all of us that as a country, we are still struggling to value women. We are still struggling to protect women from wage discrimination, pregnancy discrimination, workplace harassment, and unfair minimum wage; that we are still struggling to ensure that women and their families have access to paid leave, affordable daycare. All of these things add to the gender wage gap and make it even worse.

If a woman isn't getting paid a fair wage, the way she actually deserves, the wage she earned by putting in the hours of hard work, then that hurts her, her family, her children. It hurts our entire U.S. economy. It weakens the middle class. It is bad for our country.

There is no excuse for any of this. It is something all of us should be thinking about what we can do to correct, using our power to correct, because the fact that we still don't have equal pay for equal work in this country is an embarrassment.

We need equal pay for equal work, and we need it now. In this Chamber, we have a responsibility to make sure our workplace policies and our laws are actually protecting women, protecting

their families, and protecting our economy as a whole. One of the best ways we can actually solve this problem is by finally passing this law. It is common sense. It guarantees equal pay for equal work once and for all.

The good news is we already have a bill, and it is ready to go right now. It is even bipartisan. It is called the Paycheck Fairness Act. It has already passed the House, and the only thing stopping it right now is the Senate. This bill would ban retaliation against workers who discuss their wages. It would give the Department of Labor the tools needed to enforce equal pay around this country.

Although the Senator claims we already have laws, they are not working. So we need better enforcement. It would prohibit employers from relying on a salary history of prospective employees when they are deciding how much to pay them.

This bill would help end wage discrimination. It would actually make our families, our country, and our economy stronger. Don't you want that, Madam President?

So what are we waiting for? Congress needs to step up right now. We need equal pay for equal work.

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.

Ms. CORTEZ MASTO. Madam President, I ask unanimous consent that the order for the quorum call be rescinded.

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

UNANIMOUS CONSENT REQUEST—S. RES. 137

Ms. CORTEZ MASTO. Madam President, I rise today, along with my colleagues, to bring attention to an issue that I think is important for all of us women. Today, we are 4 months—92 days, to be exact—into the new year. Today is the day that American women catch up in earnings to what their male counterparts made last year. In 2019—almost 100 years after women won the right to vote and 56 years after the passage of the Equal Pay Act—it still takes women 15 months to earn what a man makes in 12. That is the significance of today, Equal Pay Day.

Women make up half of the U.S. workforce. We are small business owners, entrepreneurs, doctors, lawyers, and community leaders. Yet women in the United States still make an average of 80 cents for every dollar earned by a man. For women of color, women with disabilities, and transgender women, the gap is even more jarring. Black women earn an average of 61 cents on the dollar, Native American women earn 57 cents, and Latinas earn 53 cents for every dollar the average White man makes. This means that Latinas, who face the highest pay gap in the country, must keep working until November 20 this year in order to earn what their White male colleagues made in 2018. Women with disabilities

are paid an average of 83 cents for every dollar a man with a similar disability makes at a full-time job, and transgender women can expect their average yearly earnings to fall by almost one-third after their transitions. In 2019, this is still the reality for American women. These women are often the sole breadwinners for their families.

This type of systemic discrimination has no place in our country. It is having a negative economic impact on families. As long as the wage gap exists, women face unfair barriers to success and have to fight hard for economic security for themselves and their families.

Full-time working mothers trying to provide for their families are paid, on average, \$16,000 less per year than fathers. That threatens their ability to put food on the table or save for their children's education. Older women are likely to have to work longer—by an average of 10 years—than their male counterparts to make up their lifetime wage gaps and earn enough for a secure retirement. Young women just entering the workforce can expect to see their wage gap grow, not shrink, over the course of their careers.

All of these factors hurt Nevada women, Nevada families, and our country. It undercuts American women's ability to get ahead, provide for their families, and save for retirement. In Nevada alone, women who are employed full time lose a combined total of nearly \$5 billion each year due to the wage gap.

It is past time American women earn equal pay for equal work. Women in our country will no longer accept being held back. As a Nevada Latina, it is my responsibility to use my seat at the table to ensure that future generations of women are able to have the support they need to succeed so that their families can thrive. It is time women receive the same paycheck as a man for doing the same job.

I am fighting alongside a longtime leader for women in Congress, Senator MURRAY, as well as my Senate Democratic colleagues, to pass the Paycheck Fairness Act and provide women with the opportunities and resources they need to succeed. I look forward to the day when equal pay for equal work is a reality for every woman in Nevada and across this country.

America's women are leading the economy of the future. They are building the infrastructure that fuels commerce, developing the scientific breakthroughs that improve our way of life, and driving political change. America's women are heading America's companies, and we need more. That starts with ensuring equal pay for equal work. Until we pass the Paycheck Fairness Act, I will continue to fight for women and their families, to level the playing field for them, because nothing less than their future is at stake.

Thank you.

I yield the floor.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Utah.

FREE TRADE AGREEMENT

Mr. LEE. Madam President, as the deadline for Britain's withdrawal from the European Union fast approaches, there is an enormous opportunity before us—an opportunity for free trade with the United Kingdom. Such an agreement would provide tremendous economic and trade benefits to both nations and would strengthen and preserve our special relationship.

As this deadline approaches, the United States should stand ready and willing to negotiate a free-trade agreement with Britain, which is the purpose of the resolution before us today. This resolution simply declares that it is the sense of the Senate that, one, the United States has and should have a close and special relationship—one that is mutually beneficial as a trade partnership and otherwise—with the United Kingdom and that that relationship should continue without interruption; and two, that the President, with the support of Congress, should lay the groundwork for a future trade agreement with the UK.

Some of my colleagues have raised objections to it. Some have objected, for example, that this resolution didn't go through the Senate Finance Committee. First, it is important to point out here that the vast majority of resolutions expressing a sense of the Senate normally don't go through the committee process at all. Second, a straightforward assertion of friendship, of support, and of economic partnership with one of our oldest and closest allies is not by its nature and should never be controversial.

Others have claimed that the point of this measure is somehow to lambast the EU. This misses the point entirely, which is simply to preserve a unique and important alliance and promote America's economic interests.

Others have said that by encouraging a free-trade agreement with Britain, we would be "picking sides" or somehow affirming Brexit. Significantly, however, this resolution says precisely nothing about whether Brexit should or should not happen. That decision is up to the British people. But it is up to us to decide whether to stand with Britain—the nation that has been one of our greatest partners, not only in trade but also in the fight for freedom, peace, and prosperity throughout the world. We should stand with the UK and strengthen this special partnership by supporting this resolution today.

Madam President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 137, submitted earlier today. I further ask that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I would like to raise a few key points on this whole matter.

First, this is a question of international trade, which is a subject that has been handled by the Senate Finance Committee for literally decades. The full committee has not been consulted on this resolution. It is less than a week old, which, in my view, has not given Senators an adequate amount of time to consider it. Suffice it to say, the prospect of reshaping the American economy with sweeping trade deals is not something that ought to just rocket past the committee of jurisdiction.

Second, with respect to the substance of the request, I simply do not believe it is the role of the United States to give aid and comfort to the UK's nationalist right while it inflicts irreparable harm on the UK's own economy and citizens.

Third, thinking kind of objectively about the future, I don't believe anybody can pretend to know what the UK and its relationship with Europe is going to look like even in the near future. The Senate simply cannot make promises about trade talks months or years down the line when the May government doesn't even know what is coming down the pike in a matter of days.

Finally, there are serious issues that need consideration with respect to our trade relationship with the UK and Europe. That cannot happen if the debates play out in a slapdash process here on the floor of this Senate.

For example, European governments are in the process of implementing a new copyright regime that provides an easy way to chill free speech online with bogus copyright claims. A number of European governments, including the UK's, have proposed new digital services taxes. Let me repeat that. A number of these governments have proposed new digital services taxes. What they are attempting to do is loot American technology companies with discriminatory taxes—slapping what is essentially an extra tariff on American firms.

The UK would need to commit to abandoning these unfair policies, which, in my view, are serious barriers to trade, as a precondition of negotiations in the future. Otherwise, if the Senate were to, in effect, make promises on trade in the dark, we would risk surrendering our negotiating positions on these key issues which I have outlined without getting anything in return.

For the life of me, I just can't see the case for undermining our American businesses and American jobs for the benefit of the UK's nationalist right as they steer their own economy and international stature off a cliff.

For those reasons, Madam President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Utah.

Mr. LEE. Madam President, this isn't complicated. All we are trying to do here is to say that the United States has and probably should have without interruption an ongoing, special, vitally important trade relationship with the United Kingdom and that the President and the Congress of the United States should work toward an agreement to that end.

That isn't rocket science. It is not complicated. It is not even in itself a framework for a specific statute or for a specific trade bill. It is laying out a very broad principle—one that I would hope every one of us would accept and would embrace.

We have to remember that one of the reasons we are a country, one of the reasons we don't fly the Union Jack or sing "God Save the Queen," one of the reasons we declared independence nearly two and a half centuries ago has a lot to do with the fact that, as Americans, we understand that what we need access to is not so much proximity to government, proximity to the Crown, as proximity to other people. It is how human thriving occurs. It is how the human condition is able to be elevated. It is a free market system that has elevated more people out of poverty than any government program ever has, ever could, or ever will.

Yes, what we need is access to markets. That is part of what prompted the American Revolution, the fact that our merchants, our manufacturers, and our farmers were being excluded from markets and were being discriminated against by the Crown. We understood that would necessarily limit economic mobility within the country and was artificially holding us back. That is why we became our own country. That has a lot to do with why we declared independence.

Over time, we have benefited substantially from free markets, from free trade. We have seen the greatest economy—in fact, the greatest civilization the world has ever known—in the United States of America. That occurred not because of a government; it is not a result of who we are; it is a consequence of what we do, the decisions we have made. A lot of those decisions have been based on free markets.

With respect to my distinguished colleague, my friend, the Senator from Oregon—with respect to his suggestion that this is somehow weighing in on the merits of a political cause that he might not like in another country, that is really not our business, and this resolution is completely agnostic on that point. This resolution doesn't require us to hold hands with Great Britain. This resolution doesn't require us to say that the United Kingdom can do no wrong. This is not a bill calling for us to make America Great Britain again. No. This is here only to protect and promote free trade because free trade makes us free. Free trade makes us prosperous. We should not walk

away from one of the greatest trade partnerships we have on this planet.

Thank you.

UNANIMOUS CONSENT AGREEMENT

Mr. LEE. Madam President, I ask unanimous consent the Senate recess from 4:30 p.m. to 5:30 p.m. today.

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

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 5:30 p.m.

Thereupon, the Senate, at 4:30 p.m., recessed until 5:30 p.m. and reassembled when called to order by the Presiding Officer (Mr. ROUNDS).

The PRESIDING OFFICER. The Senator from New Hampshire.

PROTECT STUDENTS ACT

Ms. HASSAN. Mr. President, I rise today to join my colleague from Illinois, Senator DURBIN, to discuss the work we are doing to protect students and taxpayers from predatory higher education practices. I want to thank Senator DURBIN for his incredible and steadfast leadership on this issue.

All hard-working students deserve the opportunity to receive a quality education that will prepare them to compete in this 21st-century economy. Education is the cornerstone of expanding opportunity, and it is vital that we ensure that more students have access to quality, affordable higher education that will help them thrive.

Unfortunately, too often, hard-working students, including our veterans and servicemembers, are taken advantage of by predatory for-profit colleges. We have seen this issue time and again.

Years ago, we witnessed the collapse of Corinthian Colleges, Inc., and ITT Tech. Recently, we saw the collapses of Education Corporation of America, Vatterott College, and Dream Center Education Holdings. Students attended these institutions with the hope of furthering their education and building better lives for themselves and their families.

In reality, though, these companies were raking in billions of taxpayer funds that enriched their executives and investors, all while their students were receiving subpar degrees at high costs even though they were often recruited with the promise of a good-paying job after graduation. This has left tens of thousands of student borrowers with huge amounts of debt that they will never be able to repay, credits or degrees of little value, and few job prospects.

Unscrupulous actions by for-profit colleges have also widely impacted our country's veterans who bravely fought in defense of our freedoms and then, in turn, were taken advantage of by predatory, corrupt schools.

Our current system has done little to stop these bad actors. Students and taxpayers have been exploited in as-

ounding ways and to an outrageous degree. We need to do more to address and to stop these predatory practices. That is why I was pleased and honored to join with Senator DURBIN last week to introduce the Preventing Risky Operations from Threatening the Education and Career Trajectories of Students Act of 2019, otherwise known as the PROTECT Students Act.

This legislation would implement a number of commonsense protections to hold predatory institutions, including for-profit schools, accountable when they engage in unfair, deceptive, and other fraudulent practices.

To start, the PROTECT Students Act would safeguard our veterans and servicemembers from predatory practices. It would close a loophole in existing law that allows colleges to count GI benefits as non-Federal dollars toward a required 10 percent of their revenues that must be from a non-Federal source. This has led some predatory for-profit schools to deliberately and aggressively recruit veterans and even provide false information to them regarding their programs, including the expected level of student debt and what kinds of jobs would be available to the students once they graduate. By closing that loophole through the PROTECT Act, we can eliminate the incentive for these schools to prey on veterans and prevent veterans from going into significant debt for a credential or degree of little practical or economic value.

Next, this legislation would add a new review process for for-profit institutions that seek to convert to non-profit or public status—something they have been doing as a strategy to escape key accountability requirements.

Our bill would also take steps to ensure that career education programs actually prepare students for good-paying jobs because if students invest thousands of dollars in their education, they should be able to find a job that will help them pay back their loans.

The PROTECT Students Act would also codify the 2014 gainful employment regulation that helps prevent students from enrolling in low-quality programs that charge more than what a student can reasonably pay back after they graduate. This provision requires improvement by schools whose students are found to have too much debt compared to their earnings, and it cuts off Federal financial aid for those schools that don't improve. The measure also has the obvious benefit of preventing Federal taxpayer dollars from being wasted on worthless programs.

The PROTECT Students Act would help student borrowers who have been cheated or defrauded by predatory institutions, including for-profit colleges, by improving the process for borrowers to have their loans forgiven if the school they attend engages in fraud.

This legislation would increase consumer protections by banning the practice of mandatory arbitration, which

has limited students' ability to seek legal action if they have been defrauded.

These are just some of the vital steps the PROTECT Students Act would take. This bill would be a strong step forward for both students—including veterans and servicemembers—and taxpayers.

We are at a time when the Department of Education, led by Secretary Betsy DeVos, is doing everything in its power to undermine protections for students on these issues. Secretary DeVos has done a disservice to students by hiring into the Department officials who have close ties with companies that have defrauded students. They then, unsurprisingly, have supported her mission of rolling back student protections in favor of predatory companies. Secretary DeVos has worked to gut key consumer protections and weakened relief for students who were victims of fraud. This is unacceptable. By supporting the PROTECT Students Act, Members of the Senate can send a message to Secretary DeVos that we will not stand for these actions.

I want to take a moment to thank my friend and colleague, Senator DURBIN, for his consistent leadership on this issue. For years, Senator DURBIN has been sounding the alarm about the dangers of for-profit colleges, introducing legislation, and taking to the Senate floor and bringing much needed attention to this matter. It is time that more of our colleagues listen to his calls to stop these predatory institutions from taking advantage of students all across the country.

Senator DURBIN, thank you again for leading on this issue. I am thrilled that we have been able to work together to introduce the PROTECT Students Act, and I look forward to working with you to pass this legislation as part of the reauthorization of the Higher Education Act.

Thank you.

I yield the floor to my colleague from Illinois.

The PRESIDING OFFICER. The Senate Democratic whip.

Mr. DURBIN. Mr. President, let me thank my colleague from New Hampshire for being my ally in showing real leadership on this issue.

As a member of the HELP Committee, you will be sitting there in those key hearings when we discuss the reauthorization of higher education. That will be our opportunity to bring in some of these reforms that make a difference in terms of this industry of for-profit colleges and universities. I thank you for that, and I join you in this PROTECT Students Act, as I have come to the floor so many times to talk about this sector.

Most Americans don't know what we mean by for-profit colleges and universities. Who are they? Well, some of the familiar names are the University of Phoenix, DeVry University and others like it, which portray themselves as institutes of higher education, and in

some respects, they bear similarity. Yet when it comes to the actual performance of these schools, it is much different. Many families don't know the difference.

I find in the city of Chicago, IL, that students—particularly when they reach their junior and senior years—are inundated with all this advertising on social media about for-profit colleges and universities.

I would say to Senator HASSAN, there was a time in Washington before she arrived where you could find television ads that showed a young lady who appeared to be about 20 years old, in her pajamas, saying: I am here in my pajamas going to college at a for-profit college and university.

They tended to make it sound like it was a pretty easy formula. All you needed to do was log on, and the next thing you knew, you had a diploma, a certificate, and you were off for employment. That is not the real-world of for-profit colleges and universities. The real world is a much starker place.

I have often said that you can define this issue between for-profit colleges and universities and non-profit and public universities and colleges in America with two very simple numbers. This will be on the final. The numbers are 9 and 34. For-profit colleges enroll 9 percent of all postsecondary students. Nine percent go to for-profit schools. Thirty-four percent of all Federal student loan defaults are students from for-profit colleges and universities.

Nine percent of the students and 34 percent of the loan defaults. What is going on here? The answer is very obvious, and it really tells the story about for-profit colleges and universities.

They charge too much. All the surveys we looked at say their tuition is higher than you might run into at a local community college or a public university or a not-for-profit school. They charge too much tuition.

Secondly, too many students drop out before they finish. They are in so much debt, they can't continue.

Third, those who do finish and get a diploma find out it isn't worth much. They don't really end up in a job where they can pay off their student loans, so they stumble and fall despite their best efforts, deep in debt from these for-profit colleges and universities. Along the way, they learn something interesting: These credits they are supposedly earning at the for-profit colleges and universities often can't be transferred anywhere. No one recognizes them.

These students have been lured into something called a "college" or "university," lured into deep debt, and if they finish, they find they have something that isn't worth a job in the future. Senator HASSAN and I are trying to protect these families and these students from this type of exploitation.

We know and I think most Americans know that going to college can be an expensive experience, but it can be a

life-changing experience for the better. If you pick the right school and get yourself a college education, you will be in a better position, in most cases, when it comes to your future life. Right now, we are finding that when it comes to these schools, there is a much different outcome.

Throughout this higher education debate, you are going to hear a common refrain from this industry. They often say that different types of institutions of higher education shouldn't be treated differently under the law, that everybody should play by the same rules. They go on to say that any regulations or requirements that apply only to for-profit colleges discriminate on the basis of tax status.

Last week, Secretary of Education Betsy DeVos accused me of discriminating based on tax status, for-profit versus nonprofit. I couldn't care less, from my point of view, whether it is for-profit or nonprofit; the question is, What are they giving to these students? What are the students receiving for the money that is being paid?

In her final report to Congress, retired Department of Education Inspector General Kathleen Tighe wrote: "The [for-profit college] sector continues to be a high-risk area for the department." She went on to say that the industry's own practices and performances "provide a clear demonstration of the need for particular accountability."

Let's start with the basics. As I said, 9 percent of the students; 34 percent of the student loan defaults. Students at for-profit colleges graduate with an average debt of nearly \$40,000; students at nonprofit and public colleges and universities, \$28,000. In 2014, more than half of the top 25 schools whose students held the most cumulative student loan debt were for-profit colleges. Eight of the top 10 students with the most debt were for-profit colleges. The average cohort default rate over 5 years at these eight colleges was 33 percent. Over 5 years, a third of the students were going to default on their student loans.

The average, incidentally, for the two not-for-profit institutions in the top ten was 6 percent. So, at the end of 5 years, one-third of the students who graduated from for-profit schools in the top ten for cumulative student debt had defaulted. For the students from the nonprofit schools in the top ten for cumulative student debt, it was only 6 percent. These for-profit schools are notorious for luring these students and sometimes their families into debt, and then the students can't find the jobs to pay off the debt.

A basic reminder: Of all of the debt you can incur in the United States of America—think about it—that being for your home, your car, your boat, whatever it happens to be—there is one category of debt you can never discharge in bankruptcy: a student loan. You are going to carry student loan debt with you for the rest of your life.

We have a case in which a grandmother literally cosigned a note so her granddaughter could go to college, and the granddaughter defaulted on the student loan. Guess what happened to the grandmother's Social Security payment. The government came and took part of it in order to pay off that student loan.

It never, ever goes away. It is a loan—a debt—for life. That is why it is different. We can make a mistake on a home; we can lose a job or have an illness in the family and default on a mortgage and have the debt we owe discharged in bankruptcy, but it is not so when it comes to student loans.

In a 2017 letter to Secretary DeVos and congressional leadership, 19 State attorneys general, led by then-Illinois Attorney General Lisa Madigan, wrote: "Over the past 15 years, millions of students have been defrauded by unscrupulous for-profit postsecondary schools."

These chief State law enforcement officers noted the specific risks to students from the for-profit college sector.

The recent closures of so many of these schools have left these students stranded. Imagine if your son or daughter were going to one of these for-profit colleges or universities, and then it went out of business. Would that mean you would have to pay off your student loan? Technically, yes. In order to be relieved from your student loan, you would have to submit a borrower defense claim to the U.S. Department of Education.

How often do these schools fail? Let me read to you a list of some of these for-profit colleges and universities that have gone failed: Corinthian, ITT Tech, Education Corporation of America, Vatterott, and Dream Center.

How many students who attended these schools were left high and dry when the schools went out of business? There were 140,000 students. Of the more than 218,000 borrowers who have sought discharges from the Department of Education as a result of being defrauded by their institutions, the vast majority have been students from for-profit colleges.

The for-profit colleges promised them jobs that never materialized. The for-profit colleges said: If you take the following course, you can become a computer technician of some kind. It never happened. They were defrauded by these schools. They signed up for the loans, and then the schools went out of business. So here they are with the loans and no jobs.

We have this borrower defense process by which the students can go through the Federal Government to try to be relieved of their student debt. Yet I can't understand this. The U.S. Department of Education is not processing these students' borrower defense applications. When we said to Secretary DeVos, "Come on. Give these young kids a break. Their lives are on hold until they figure out what has happened to their student loan debt

from their for-profit schools," she hasn't gotten around to it, and we have been waiting patiently for that to happen. I thank Senator HASSAN for putting a finger on it.

The people who are running this Department of Education are former executives of these for-profit schools. So, it's no surprise.

So, no, Madam Secretary. Meeting our obligation as lawmakers to focus accountability and protections where there is the greatest risk to students and taxpayers is not discriminating based on tax status; it is acknowledging reality.

The bill we are talking about today doesn't target for-profit colleges, and it doesn't seek to put an end to for-profit education. It is not a witch hunt or a liberal conspiracy; it is a response to the objective risks to students and taxpayers that the for-profit college industry represents today.

The PROTECT Students Act would close the 90/10 loophole. Incidentally, can you imagine that these are so-called for-profit colleges and universities and that they are the most heavily federally subsidized businesses in America? We took a look around. We looked at defense contractors and everything we could think of. The highest level of Federal subsidy goes to this industry.

Imagine, a student signs up. The student may first qualify for a Pell grant of \$6,000. The for-profit college takes that Federal money in. Then the student still owes some debt. They say: Well, you need a government loan. So the student borrows from the government. At that point, all we have seen across the table are Federal dollars that are directly out of the Treasury. The student still carries the debt, but the money to this so-called private business is all straight out of the Federal Treasury—hardly a hearty example of capitalism at work.

The 90/10 rule was designed to prevent for-profit colleges from depending on more than 90 percent of their revenue coming straight from the Federal Treasury. It didn't work. Unfortunately, a loophole in the law only counts the Department of Education's title IV funds as Federal revenue while counting billions from the Department of Veterans Affairs' GI bill and the Department of Defense tuition assistance as non-Federal funds.

Here is what it means: If you are serving in our military and are entitled to GI bill education benefits that are going to help pay for your education, for-profit colleges have a financial incentive to aggressively target and recruit you. It turns out they can take virtually 100 percent of their revenue directly from the Treasury by enrolling large numbers of students eligible for Federal benefits that are not included in the 90/10 rule. We think that is wrong. We think the 90/10 rule should count these veterans' benefits and other Federal education benefits as Federal funds.

I see there are others on the floor, and I am not going to make this any longer. I will bring it to a close because Senator HASSAN has covered the elements of this bill that I think are very important.

To my friends who serve with me in the U.S. Senate, here is what it boils down to: Do we care about these students and their families? Are we worried about the fact that 9 percent of the postsecondary students end up at for-profit schools and account for over one-third of all student loan defaults? Are we willing to hold these schools accountable and every school accountable so they treat students fairly?

Are we willing to say, for example, the University of Illinois has a relationship with its students who enroll? The University of Illinois does not have a mandatory arbitration clause, but many for-profit schools do. What does it mean? If you feel you have been mistreated by the school, those at the school will sit down and decide your fate through an arbitration process, which students virtually always lose. Most schools don't do that to their students, but these schools look at them as cash-paying customers, and that is how they treat them when it comes to arbitration.

There are a lot of things we can do in this bill to protect the students who are currently being exploited. What is more important than making sure these students don't get off to a bad start in life but are treated fairly and honestly and not exploited at the expense of their families and the expense of American taxpayers?

I thank Senator HASSAN for being the lead sponsor of this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

ELECTORAL COLLEGE

Mr. COTTON. Mr. President, I want to comment briefly on the proposed constitutional amendment to eliminate the electoral college that my colleagues are introducing this week. It is just the latest radical proposal by the Democrats to upend our constitutional system of government.

Why all the sudden interest in these changes? It is very simple.

The Democrats and their media wing still can't get over that they lost the 2016 election, so they have spent the last 2 years looking for scapegoats. First, it was the collusion hoax, but the Mueller report has put an end to that. Now they blame the Constitution itself and want to eliminate the electoral college, which they claim robbed the so-called popular vote winner of her rightful office.

Let's be clear about something up front: We have never had a Presidential election with a popular vote winner or loser in the genuine meaning of those words. It is not how we contest the Presidency, and it never has been. Campaigns organize their entire strategies around the electoral college. Guess what. Hillary Clinton did too. She just

didn't do it very well. For the losers to complain afterward that they really won is like a football team that gets outscored but says it won the game because it made more first downs or like a basketball team that got outscored but says it won the game because it made more free throws.

Yet let's suppose that we do change the rules of the game. Let's suppose we get rid of the electoral college. What would we get?

Get ready for nationwide recounts and election contests. If you thought Bush v. Gore was a circus or that California's ballot harvesting operations were a fraud, wait until you see a nationwide recount. Getting rid of the electoral college would also encourage fringe third parties with all of the instability we see in European parliamentary elections. Neither candidate received 50 percent of the vote in 2016. Imagine an election in which a winner would not even get 40 percent of the vote. How would the Democrats respond to that?

Of course, getting rid of the electoral college could further reduce the role of the States in our elections. The Founders believed, rightfully, that the States were sovereign political communities that had real interests and real views that deserved to have a voice in the national government apart from simple, nationwide majority rule. The Founders didn't want our vast continental Nation to be ruled like colonies from a few coastal capitals. They wanted our one, true national officeholder to understand and account for the diverse ways in which we work and live and think.

Under the electoral college, which I hasten to add is just like in the Senate, the States can express their will as States. Hawaiians get to speak as Hawaiians about whom the President ought to be. The same goes for Vermonters and Arkansans. Doing away with the electoral college would be especially harmful to the small States while it would concentrate power in big States and in a few megacities. So it is not surprising to see Senators from California and New York and Illinois supporting this radical proposal. They have obvious reasons to weaken the smaller States.

I have to confess that I am a little surprised that my colleague from Hawaii is joining their effort because it would relegate his small island State to the status of a colony—ruled from afar by a few vast cities on the mainland. Hawaii, with its 1.4 million people, would have less say in our Presidential elections than would San Diego. It would barely outpace Dallas, TX.

Politicians who support abolishing the electoral college say it would break the supposed stranglehold that rural red States have on our elections, but this isn't really a red or blue issue. Hawaii, Rhode Island, Vermont, and the District of Columbia all have a greater say about who leads our country,

thanks to the electoral college, and the last I checked, none of those places are Republican strongholds nor does one party ever have a so-called stranglehold on the electoral college. It is far from it. In the 1980s, people spoke about the Republicans' electoral college lock. In more recent times, they have spoken about the Democratic Party's blue wall in the electoral college.

My State and New Mexico, for instance, were fiercely contested in the Bush era—not so much anymore. In 2008, Barack Obama won Pennsylvania's 20 electoral votes in a cakewalk. Eight years later, Donald Trump eked out a victory in the Keystone State. Next year, Ohio might not be a competitive Presidential election State, but Texas may be. Politics can change fast, and the electoral college changes with it, which forces candidates to consider our entire vast country. Without it, a candidate could actually ignore Wisconsin, yet still win.

I should also point out that my colleague's amendment this week is not the only proposal to scrap the electoral college. A number of States have also signed on to a so-called interstate compact that would require those States to ignore the express will of their voters and award their electoral votes to whoever wins the national popular vote.

It is called the National Popular Vote Interstate Compact. I would prefer to call it the "Small State Suicide Compact."

It is designed to circumvent the difficult process of amending our Constitution, which of course means it is unconstitutional. There is already a process for changing the Constitution. It is called the amendment process.

So I will give some praise to my colleagues this week for filing a constitutional amendment to change the electoral college legally, but I would point out that the Democratic Party's willingness to bypass our Constitution to eliminate the electoral college reveals that what is at stake here is not really democratic principle but one single thing—power, seizing it and holding on to it.

Me? I think I will stick with the Constitution. Alexander Hamilton said of the electoral college: If it be not perfect, it is at least excellent.

I am with Hamilton.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Executive Calendar No. 87.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Mark Anthony Calabria, of

Virginia, to be Director of the Federal Housing Finance Agency for a term of five years.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Mark Anthony Calabria, of Virginia, to be Director of the Federal Housing Finance Agency for a term of five years.

Mitch McConnell, Shelley Moore Capito, Mike Crapo, Johnny Isakson, John Cornyn, Mike Rounds, Marco Rubio, John Barrasso, Pat Roberts, John Thune, John Boozman, James E. Risch, Richard C. Shelby, Roger F. Wicker, Richard Burr, Thom Tillis, John Hoeven.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. 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.

ARMS SALES NOTIFICATION

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

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

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

DEFENSE SECURITY COOPERATION AGENCY, Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 19-15, concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of India for defense articles and serv-

ices estimated to cost \$2.6 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

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

TRANSMITTAL NO. 19-15

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

- (i) Prospective Purchaser: Government of India.
- (ii) Total Estimated Value: Major Defense Equipment* \$1.6 billion. Other \$1.0 billion. Total \$2.6 billion.
- (iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: Major Defense Equipment (MDE): Twenty-four (24) MH-60R Multi-Mission Helicopters, equipped with the following: Thirty (30) APS-153(V) Multi-Mode Radars (24 installed, 6 spares). Sixty (60) T700 GE-401C Engines (48 installed and 12 spares). Twenty-four (24) Airborne Low Frequency System (ALFS) (20 installed, 4 spares). Thirty (30) AN/AAS-44C(V) Multi-Spectral Targeting System (24 installed, 6 spares). Fifty-four (54) Embedded Global Positioning System/Inertial Navigation Systems (EGI) with Selective Availability/Anti-Spoofing Module (SAASM) (48 installed, 6 spares). One thousand (1,000) AN/SSQ-36/53/62 Sonobuoys. Ten (10) AGM-114 Hellfire Missiles. Five (5) AGM-114 M36-E9 Captive Air Training Missiles (CATM). Four (4) AGM-114Q Hellfire Training Missiles.

- Thirty-eight (38) Advanced Precision Kill Weapon System (APKWS) Rockets. Thirty (30) MK 54 Torpedoes. Twelve (12) M-240D Crew Served Guns. Twelve (12) GAU-21 Crew Served Guns. Two (2) Naval Strike Missile Emulators. Four (4) Naval Strike Missile Captive Inert Training Missiles. One (1) MH-60B/R Excess Defense Article (EDA) USN legacy Aircraft. Non-MDE: Also included are seventy (70) AN/AVS-9 Night Vision Devices; fifty-four (54) AN/ARC-210 RT-1990A(C) radios with COMSEC (48 installed, 6 spares); thirty (30) AN/ARC-220 High Frequency radios (24 installed, 6 spares); thirty (30) AN/APX-123 Identification Friend or Foe (IFF) transponders (24 installed, 6 spares); spare engine containers; facilities study, design, and construction; spare and repair parts; support and test equipment; communication equipment; ferry support; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support.

- (iv) Military Department: Navy (IN-P-SAY).
- (v) Prior Related Cases, if any: None.
- (vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.
- (vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.
- (viii) Date Report Delivered to Congress: April 2, 2019.

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

POLICY JUSTIFICATION

India—MH-60R Multi-Mission Helicopters The Government of India has requested to buy twenty-four (24) MH-60R Multi-Mission helicopters, equipped with the following:

thirty (30) APS-153(V) Multi-Mode radars (24 installed, 6 spares); sixty (60) T700-GE-401C engines (48 installed and 12 spares); twenty-four (24) Airborne Low Frequency System (ALFS) (20 installed, 4 spares); thirty (30) AN/AAS-44C(V) Multi-Spectral Targeting System (24 installed, 6 spares); fifty-four (54) Embedded Global Positioning System/Inertial Navigation Systems (EGI) with Selective Availability/Anti-Spoofing Module (SAASM) (48 installed, 6 spares); one thousand (1,000) AN/SSQ-36/53/62 sonobuoys; ten (10) AGM-114 Hellfire missiles; five (5) AGM-114 M36-E9 Captive Air Training Missiles (CATM); four (4) AGM-114Q Hellfire Training missiles; thirty-eight (38) Advanced Precision Kill Weapons System (APKWS) rockets; thirty (30) MK 54 torpedoes; twelve (12) M-240D Crew Served guns; twelve (12) GAU-21 Crew Served guns; two (2) Naval Strike Missile Emulators; four (4) Naval Strike Missile Captive Inert Training missiles; one (1) MH-60B/R Excess Defense Article (EDA) USN legacy aircraft. Also included are seventy (70) AN/AVS-9 Night Vision Devices; fifty-four (54) AN/ARC-210 RT-1990A(C) radios with COMSEC (48 installed, 6 spares); thirty (30) AN/ARC-220 High Frequency radios (24 installed, 6 spares); thirty (30) AN/APX-123 Identification Friend or Foe (IFF) transponders (24 installed, 6 spares); spare engine containers; facilities study, design, and construction; spare and repair parts; support and test equipment; communication equipment; ferry support; publications and technical documentation; personnel training and training equipment; U.S. Government and contractor engineering, technical and logistics support services; and other related elements of logistical and program support. The total estimated cost is \$2.6 billion.

This proposed sale will support the foreign policy and national security of the United States by helping to strengthen the U.S.-Indian strategic relationship and to improve the security of a major defensive partner which continues to be an important force for political stability, peace, and economic progress in the Indo-Pacific and South Asia region.

The proposed sale will provide India the capability to perform anti-surface and anti-submarine warfare missions along with the ability to perform secondary missions including vertical replenishment, search and rescue, and communications relay. India will use the enhanced capability as a deterrent to regional threats and to strengthen its homeland defense. India will have no difficulty absorbing these helicopters into its armed forces.

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

The principal contractor will be Lockheed Martin Rotary and Mission Systems, Owego, New York. The purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the purchaser and the contractor.

Implementation of this proposed sale will require the assignment of 20-30 U.S. Government and/or contractor representatives to India.

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

d. Communications security devices contain sensitive encryption algorithms and keying material. The purchasing country has previously been released and utilizes COMSEC devices in accordance with set procedures and without issue. COMSEC devices will be classified up to SECRET when keys are loaded.

e. Identification Friend or Foe (IFF) (KIV-78) contains embedded security devices containing sensitive encryption algorithms and

keying material. The purchasing country will utilize COMSEC devices in accordance with set procedures. The AN/APX-123 is classified up to SECRET.

f. GPS/PPS/SAASM—Global Positioning System (GPS) provides a space-based Global Navigation Satellite System (GNSS) that has reliable location and time information in all weather and at all times and anywhere on or near the earth when and where there is an unobstructed line of sight to four or more GPS satellites. Selective Availability/Anti-Spoofing Module (SAASM) (AN/PSN-11) is used by military GPS receivers to allow decryption of precision GPS coordinates. In addition, the GPS Antenna System (GAS-1) provides protection from enemy manipulation of the GPS system. The GPS hardware is UNCLASSIFIED. When electrical power is applied, the system is classified up to SECRET.

g. Acoustics algorithms are used to process dipping sonar and sonobuoy data for target tracking and for the Acoustics Mission Planner (AMP), which is a tactical aid employed to optimize the deployment of sonobuoys and the dipping sonar. Acoustics hardware is UNCLASSIFIED. The acoustics system is classified up to SECRET when environmental and threat databases are loaded and/or the system is processing acoustic data.

h. The AN/APS-153 multi-mode radar with an integrated IFF and Inverse Synthetic Aperture (ISAR) provides target surveillance/detection capability. The AN/APS-153 hardware is unclassified. When electrical power is applied and mission data loaded, the AN/APS-153 is classified up to SECRET.

i. The AN/ALQ-210 (ESM) system identifies the location of an emitter. The ability of the system to identify specific emitters depends on the data provided by Indian Navy. The AN/ALQ-210 hardware is UNCLASSIFIED. When electrical power is applied and mission data loaded, the AN/ALQ-210 system is classified up to SECRET.

j. The AN/AAS-44C(V) Multi-spectral Targeting System (MTS) operates in day/night and adverse weather conditions. Imagery is provided by a Forward Looking Infrared (FUR) sensor, a color/monochrome day television (DTV) camera, and a Low-Light TV (LLTV). The AN/AAS-44C(V) hardware is UNCLASSIFIED. When electrical power is applied, the AN/AAS-44C(V) is classified up to SECRET.

k. Ultra High Frequency/Very High Frequency (UHF/VHF) Radios (ARC-210) contain embedded sensitive encryption algorithms and keying material. The purchasing country will utilize COMSEC devices in accordance with set procedures. The

the Asiatic Pacific Service Medal, the Philippine Liberation Ribbon with one service star, the World War II Victory Medal, and the Good Conduct Medal during his time in the service to this Nation.

Every day, men and women in uniform like Private First Class Pantleo heroically serve on the frontlines of our Nation's defense. I stand with Coloradans today to honor his sacrifice and his memory.●

TRIBUTE TO DANIELLA BOYD

● Mr. RUBIO. Madam President, today I am pleased to recognize Daniella Boyd, the Palm Beach County Teacher of the Year from Royal Palm Beach High School in West Palm Beach, FL.

Daniella received this award in front of her students with a surprise visit from Palm Beach County Superintendent Donald Fennoy, her husband, parents, grandparents and her 7-week-old son. Her students credit her style of teaching that allows them to learn with ease.

Teaching has long been a part of Daniella's ambitions, originally focusing on social science in college. Her time with Teach for America allowed for her first assignment in a math class, leading to where she is today. In order to meet that challenge, Daniella had to relearn math and considered it a great opportunity to better understand how to teach her future students.

Daniella has been a mathematics teacher at Royal Palm Beach High School for 7 years and founded the school's math honor society and the Girls Who Code Club. She earned her master's degree from Harvard University. She is the eldest child of Ecuadorian immigrants.

I extend my sincere gratitude to Daniella for her tireless efforts to help her students succeed in math. I look forward to learning of her continued success in the years ahead.●

TRIBUTE TO MAKEDA BROME

● Mr. RUBIO. Madam President, today I honor Makeda Brome, the St. Lucie County Teacher of the Year from Fort Pierce Westwood High School in Fort Pierce, FL.

After receiving this important recognition, Makeda said everything she does is to serve others and see them experience success in all aspects of their lives. She takes to heart the fact that her students must learn mathematics and retain what she has taught in order to be successful in their next courses, in college, and beyond.

Makeda models the best practices she has seen into her classroom to provide students with the best opportunity to succeed. Her colleagues note her expertise in a wide array of mathematics practices and keen ability to share this knowledge with others makes her an energetic educator and a leader among her school.

Makeda is an instructional mathematics coach and leads collaborative

ADDITIONAL STATEMENTS

REMEMBERING FRANK K. PANTLEO

● Mr. BENNET. Madam President, I wish to pay tribute to the bravery and service of PFC Frank K. Pantleo, a recently passed World War II veteran from Pueblo, CO, who served with honor in the Pacific Theater.

Private First Class Pantleo served in the U.S. Army in World War II from 1943 to 1945 with the 132nd Engineer Combat Battalion. He fearlessly aided in the Bismarck Archipelago Campaign, the Eastern Mandates Campaign, the Southern Philippines Campaign, and the Ryukus Campaign.

Private First Class Pantleo was awarded the American Service Medal,

planning sessions, tutors students, and participates in her school's algebra 1 and geometry boot camps before and after school.

I extend my sincere thanks and gratitude to Makeda for her dedication to helping her students succeed in mathematics. I look forward to learning of her continued success in the years to come.●

TRIBUTE TO HOLLIE CUNNINGHAM

● Mr. RUBIO. Madam President, today I recognize Hollie Cunningham, the Marion County Teacher of the Year from West Port High School in Ocala, FL.

After Hollie received the teacher of the year award at the Circle Square Cultural Center, she credited God with leading her on this journey. When she first started college, she was an education major and contemplated earning degrees in teaching or nursing. One of her professors, Dr. Osteen, gave her advice she considered an impactful pearl of wisdom: Dr. Osteen advised her to become a nurse as she would always have the chance to teach. She earned her bachelor of science in nursing from Florida State University in 2002 and her master of science in family practice from the University of South Alabama, College of Medicine in 2011.

Hollie said she left the nursing profession because God put it on her heart to become a high school teacher as her students are worth the effort and sacrifice. Hollie teaches certified nursing assistant, electrocardiograph technician tech honors, health science foundations II honor, and medical skills classes and is the department chair for the vocational department.

She has the opportunity to instruct young students interested in nursing. She believes great teachers are always on call, like doctors and nurses, and that teaching is a gift, not a degree.

I extend my sincere thanks and gratitude to Hollie for her medical work and dedication to teaching her students. I look forward to hearing of her continued success in the years to come.●

TRIBUTE TO SARAH HALL

● Mr. RUBIO. Madam President, today I am pleased to honor Sarah Hall, the Seminole County Teacher of the Year from Longwood Elementary School in Longwood, FL.

In receiving this award, Sarah's colleagues described her as an energetic and inspiring teacher who radiates positivity to her students each day. She believes every student should have the opportunity to learn, and she devotes time to assisting her colleagues.

Sarah has been a teacher for 15 years and has made it her mission to build relationships with her students and their families by creating a literacy program, Roaring Readers: How to Train Your Cub. The program invites parents of kindergarten and first graders to the school each month for dis-

cussions on how they can better support their young readers at home.

I extend my sincere thanks and gratitude to Sarah for her dedication. I look forward to learning of her continued success in the coming years.●

TRIBUTE TO SHANNON KRAELING

● Mr. RUBIO. Madam President, today I honor Shannon Kraeling, the Brevard County Teacher of the Year from Eau Gallie High School in Melbourne, FL.

Shannon enjoys showing her students how to use their imagination to create art and guides them through the learning experience. She loves teaching the concept that success comes from perseverance, reevaluation, revision, refinement, and failure. Her greatest appreciation is seeing her students' pride when they master a skill with which they initially struggled.

Shannon is responsible for developing and implementing a curriculum for her classes and organizes lessons, units, and daily activities as a model for teachers throughout the district. She also provides training to integrate fine arts into the curriculum and co-teaches a biology unit.

Shannon has spent her 13-year teaching career at Eau Gallie High School. She is the ceramics teacher and department chair for the fine arts program. Shannon also mentors new teachers on classroom management and is a faculty member for the University of Phoenix, supervising local interns and teaching arts integration classes for its College of Education.

I extend my deepest gratitude to Shannon for her work to help her students succeed in school. I look forward to hearing of her continued work in the coming years.●

TRIBUTE TO JOSEPH MALFARA

● Mr. RUBIO. Madam President, today I am pleased to recognize Joseph Malfara, the Osceola County Teacher of the Year from Poinciana High School in Kissimmee, FL.

Joseph challenges his students each day toward success. His influence on the school's campus is seen with all students; from those considered at-risk to the highest achieving, they all note how tirelessly Joseph works to help them learn.

Joseph is credited with implementing several teaching strategies that led to significant gains in his students' performance in class and on the SAT. In his classroom, 78 percent of students met their reading and writing graduation requirements, compared to 57 percent for other classes. According to the school district, the average student scores increased from 442 to 476 in his content area for the SAT. They also saw an increase in the percentage of students meeting their concordance score after junior year, rising from 47 to 73 percent in one year.

Joseph is an English III, Honors, Advanced Placement English language

and composition teacher. He also leads a mentorship group called Suit Up Society that is dedicated to mentoring young men who have grown up without a positive male influence and to help improve their lives academically, behaviorally, and socially.

I would like to thank Joseph for the good work he has done for his students over the years. I extend my best wishes to him and look forward to hearing of his continued success.●

TRIBUTE TO NICOLE MOSBLECH

● Mr. RUBIO. Madam President, today I recognize Nicole Mosblech, the Indian River County Teacher of the Year from Vero Beach High School in Vero Beach, FL.

When named teacher of the year, Nicole noted the amount of support, enthusiasm, encouragement, and love she received from her students and colleagues.

Nicole has been an AP and Honors-level environmental science and honors chemistry teacher at Vero Beach High School since 2012. She educates students to better serve the planet and is also the sponsor for the Green Team and the Q+ Acceptance Club. Earlier in her career, Nicole took a 5-year hiatus from teaching to earn a doctor of philosophy degree from the Florida Institute of Technology.

I express my sincere thanks and best wishes to Nicole for her work to educate her students in science. I look forward to learning of her continued success in the years ahead.●

TRIBUTE TO KRISTIN MURPHY

● Mr. RUBIO. Madam President, today I recognize Kristin Murphy, the Broward County Teacher of the Year from Nova Middle School in Davie, FL.

In Kristin's classroom, being respectful and never lying are the only two rules. She considered it a high honor to have been among her peers that were also nominated for this award. She was taken aback after learning of their backstories and the great strides they are achieving for their schools.

Kristin has been at Nova Middle School for 3 years and teaches world history and pre-law. She has been an educator for more than 20 years. She credits the school with providing several programs that present opportunities for students to improve their learning potential. In the law program, students work with the Public Safety Institute at Broward College to help future police officers prepare to testify in their careers.

I am thankful to Kristin for her dedication to teaching her students and look forward to hearing of her continued success in the years to come.●

TRIBUTE TO SARAH PASION

● Mr. RUBIO. Madam President, today I am pleased to recognize Sarah

Pasion, the Duval County Teacher of the Year from Sadie Tillis Elementary School in Jacksonville, FL.

Sarah considered this recognition an unexpected blessing from God. She believes teaching is more than a profession; its role is to serve as an inspiration for students to learn and become productive members of society. To Sarah, education is the key to a better life.

Sarah likes to engage her students in conversations to help them understand mathematical concepts, which results in the students discussing the concepts amongst one another. When she sees them agree or disagree with their ideas, she knows this is a more effective and efficient strategy to teaching and helps them to fully grasp the concepts.

Sarah is a 4th grade teacher at Sadie Tillis Elementary School and is a 15-year veteran educator in Jacksonville. Her teaching philosophy has been credited with improving her school's grade from an F to a C through personalized instruction for each student and by developing strong professional relationships with her colleagues. Both students and teachers take notes from her instructions and lessons.

I express my sincere thanks and appreciation to Sarah for her dedication to her students and colleagues. I look forward to hearing of her continued success in the years ahead.●

TRIBUTE TO SHELLI RHODEN

● Mr. RUBIO. Madam President, today I recognize Shelli Rhoden, the Baker County Teacher of the Year from Baker High School in Glen St. Mary, FL.

Shelli was shocked and humbled to be named teacher of the year and considers it to be a great honor. Originally a civil engineer, Shelli became a teacher because she wanted to have more interaction with the local youth and influence their growth. She enjoys the opportunity to build relationships with her students and says that while it can be challenging, seeing their success makes it worthwhile.

Each of her students come to class with different academic and emotional needs. Shelli tries to meet with them individually, but knows they can be distracted with life outside of the classroom. Though she finds this frustrating, humbling, and heartbreaking, she also finds the relationship and their questions fulfilling and always worth the effort.

Shelli is a math and science teacher and she teaches pre-calculus, algebra 2, and physics. Aside from teaching, Shelli cochairs the Positive Behavioral Intervention and Supports, PBIS, team and cosponsors the Mu Alpha Theta math honor society.

I convey my sincere thanks and gratitude to Shelli for her work with her students over the years and look forward to hearing of her continued success.●

TRIBUTE TO KATHARINE WILLIAMS

● Mr. RUBIO. Madam President, today I recognize Katharine Williams, the Okeechobee County Teacher of the Year from the Okeechobee School Board in Okeechobee, FLA.

Katharine believes God has led her to the position she is in today, where she is able to help students with serious emotional or mental distresses. She teaches them they are lovable, can love others, and can learn how to have successful emotional regulation.

Helping students has inspired her every day, and it represents PRIDE—perseverance, respect, integrity, dependability, ethics—to her. This teaches students to be active listeners, how to have emotional regulation, and also serves as the foundation of the school district's work for its students.

Katharine has a master's degree in counseling psychology and is a licensed mental health counselor. She has worked with the Okeechobee County School District for 16 years and as a crisis counselor for 13 years. She is involved in the development and management of district protocol for both threat assessment and safety planning for students. Katharine is also one of six instructors for youth mental health first aid.

I extend my sincere thanks and gratitude to Katharine for her dedication in helping her students succeed in life. I look forward to learning of her continued success in the coming years.●

TRIBUTE TO BRAYDEN HILTON

● Mr. THUNE. Madam President, today I recognize Brayden Hilton, an intern in my Aberdeen, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Brayden is a graduate of Roncalli High School in Aberdeen, SD. Currently, he is attending Northern State University in Aberdeen, where he is majoring in criminal justice. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Brayden for all of the fine work he has done and wish him continued success in the years to come.●

TRIBUTE TO JACOB TARRELL

● Mr. THUNE. Madam President, today I recognize Jacob Tarrell, an intern in my Aberdeen, SD, office, for all of the hard work he has done for me, my staff, and the State of South Dakota over the past several months.

Jacob is a graduate of Hot Springs High School in Hot Springs, SD. Currently, he is attending Presentation College in Aberdeen, where he is majoring in sports and event management. He is a hard worker who has been dedicated to getting the most out of his internship experience.

I extend my sincere thanks and appreciation to Jacob for all of the fine work he has done and wish him continued success in the years to come.●

MESSAGE FROM THE HOUSE

At 12:13 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1433. An act to amend the Homeland Security Act of 2002 to improve morale within the Department of Homeland Security workforce by conferring new responsibilities to the Chief Human Capital Officer, establishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award program, and for other purposes.

H.R. 1589. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes.

H.R. 1590. An act to require an exercise related to terrorist and foreign fighter travel, and for other purposes.

H.R. 1593. An act to amend the Homeland Security Act of 2002 to establish a school security coordinating council, 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. 1433. An act to amend the Homeland Security Act of 2002 to improve morale within the Department of Homeland Security workforce by conferring new responsibilities to the Chief Human Capital Officer, establishing an employee engagement steering committee, requiring action plans, and authorizing an annual employee award program, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1589. An act to amend the Homeland Security Act of 2002 to establish chemical, biological, radiological, and nuclear intelligence and information sharing functions of the Office of Intelligence and Analysis of the Department of Homeland Security and to require dissemination of information analyzed by the Department to entities with responsibilities relating to homeland security, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1590. An act to require an exercise related to terrorist and foreign fighter travel, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 1593. An act to amend the Homeland Security Act of 2002 to establish a school security coordinating council, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 7. An act to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

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-818. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Sulfometuron-methyl; Pesticide Tolerances" (FRL No. 9989-65-OCSPP) received in the Office of the President of the Senate on March 27, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-819. A communication from the Assistant Secretary of the Navy (Research, Development and Acquisition), transmitting, pursuant to law, a report relative to the increase in the Average Procurement Unit Cost (APUC) for the Offensive Anti-Surface Warfare Increment 1 (Long Range Anti-Ship Missile) (OASuW Inc. 1 (LRASM)) program; to the Committee on Armed Services.

EC-820. A communication from the Acting Principal Deputy Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Modification of DFARS Clause 'Utilization of Indian Organizations, Indian-Owned Economic Enterprises, and Native Hawaiian Small Business Concerns'" (RIN0750-AK06) (DFARS Case 2018-D051) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2019; to the Committee on Armed Services.

EC-821. A communication from the Acting Principal Deputy Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Repeal of Certain Defense Acquisition Laws" (RIN0750-AK20) (DFARS Case 2018-D059) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2019; to the Committee on Armed Services.

EC-822. A communication from the Acting Principal Deputy Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Consent to Subcontract" (RIN0750-AK24) (DFARS Case 2018-D065) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2019; to the Committee on Armed Services.

EC-823. A communication from the Acting Principal Deputy Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Repeal of DFARS Clause 'Oral Attestation of Security Responsibilities'" (RIN0750-AK41) (DFARS Case 2019-D006) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2019; to the Committee on Armed Services.

EC-824. A communication from the Acting Principal Deputy Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Defense Federal Acquisition Regulation Supplement: Repeal of Congressional Notification for Certain Task - and

Delivery - Order Contracts" (RIN0750-AK45) (DFARS Case 2018-D076) received during adjournment of the Senate in the Office of the President of the Senate on March 29, 2019; to the Committee on Armed Services.

EC-825. A communication from the Regulatory Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Margin and Capital Requirements for Covered Swap Entities" (RIN1557-AE29) received in the Office of the President of the Senate on March 28, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-826. A communication from the Chairman, Federal Financial Institutions Examination Council, transmitting, pursuant to law, the Council's 2018 Annual Report to Congress; to the Committee on Banking, Housing, and Urban Affairs.

EC-827. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; Alabama: Adamsville, City of, Jefferson County, et al." ((44 CFR Part 64) (Docket No. FEMA-2019-0003)) received in the Office of the President of the Senate on April 1, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-828. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Connecticut; Motor Vehicle Inspection and Maintenance Program Certification" (FRL No. 9991-34-Region 1) received in the Office of the President of the Senate on March 27, 2019; to the Committee on Environment and Public Works.

EC-829. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; District of Columbia, Maryland, and Virginia; Maryland and Virginia Redesignation Requests and District of Columbia, Maryland, and Virginia Maintenance Plan for the Washington, DC-MD-VA 2008 Ozone Standard Nonattainment Area" (FRL No. 9991-44-Region 3) received in the Office of the President of the Senate on March 27, 2019; to the Committee on Environment and Public Works.

EC-830. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Massachusetts; Regional Haze Five-Year Progress Report State Implementation Plan" (FRL No. 9991-35-Region 1) received in the Office of the President of the Senate on March 27, 2019; to the Committee on Environment and Public Works.

EC-831. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; North Dakota; Revisions to Air Pollution Control Rules" (FRL No. 9991-25-Region 8) received in the Office of the President of the Senate on March 27, 2019; to the Committee on Environment and Public Works.

EC-832. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Implementation Plans; New York Ozone Section 185" (FRL No. 9991-50-Region 2) received in the Office of the President of the Senate on March 27, 2019; to the Committee on Environment and Public Works.

EC-833. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to the United Kingdom and Spain to support the production of the United States Army's Guided Multiple Launch Rocket System (GMLRS) weapon systems for use by the United States Army in the amount of \$100,000,000 or more (Transmittal No. DDTC 18-081); to the Committee on Foreign Relations.

EC-834. A communication from the Associate General Counsel for General Law, Department of Homeland Security, transmitting, pursuant to law, a report relative to a vacancy in the position of Chief Financial Officer, Department of Homeland Security, received in the Office of the President of the Senate on March 28, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-835. A communication from the Chairman of the United States International Trade Commission, transmitting, pursuant to law, the Commission's fiscal year 2018 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-836. A communication from the General Counsel, Government Accountability Office, transmitting, pursuant to law, the Office's fiscal year 2018 annual report relative to the Notification and Federal Employee Antidiscrimination and Retaliation Act of 2002 (No FEAR Act); to the Committee on Homeland Security and Governmental Affairs.

EC-837. A communication from the General Counsel and Acting Chief Executive and Administrative Officer, Merit Systems Protection Board, transmitting, pursuant to law, a report entitled "U.S. Merit Systems Protection Board Annual Performance Report for FY 2018 and Annual Performance Plan for FY 2019 (Revised) and FY 2020 (Proposed)"; to the Committee on Homeland Security and Governmental Affairs.

EC-838. A communication from the Report to the Nation Delegation Director, Boy Scouts of America, transmitting, pursuant to law, the organization's 2018 annual report; to the Committee on the Judiciary.

EC-839. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Seafarers' Access to Maritime Facilities" (RIN1625-AC15) (Docket No. USCG-2013-1087) received in the Office of the President of the Senate on March 28, 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-23. A concurrent memorial adopted by the Legislature of the State of Arizona urging the United States Congress to provide full long-term funding for the Payment in Lieu of Taxes program; to the Committee on Energy and Natural Resources.

SENATE CONCURRENT MEMORIAL 1002

Whereas, the authority of state and local governments to promote the highest value and use of land is critical to funding education and other essential government services; and

Whereas, under the Federal Land Policy and Management Act of 1976, federal land

policy changed from one of disposal, in which land would enter the state tax rolls, to permanent federal retention as untaxable public land; and

Whereas, the State of Arizona is composed of 113,417 square miles of land, of which 42% is federally owned, nontribal land that is unavailable for economic development and not part of the property tax base. Less than 17% of the land in Arizona is private land; and

Whereas, recognizing the substantial burden this policy change imposed on the ability of state and local governments to fund education and other essential government services, Congress established the Payment in Lieu of Taxes (PILT) program in 1976 to compensate for the tax revenue that these governments otherwise would have generated from the land; and

Whereas, the national average PILT payment in fiscal year 2018 was \$0.91 per acre, which is far below the amount that federal lands would return through both value-based taxation and economic development; and

Whereas, for more than a decade, Congress has been erratic in the amount and timeliness of PILT payments to Arizona counties; and

Whereas, funding for fiscal year 2018 PILT was included in the Consolidated Appropriations Act, 2018, totaling \$553 million, but the fate of fiscal year 2019 and future years is still unknown; and

Whereas, a lack of PILT funding places the large, unsustainable burden of providing services squarely on the backs of Arizona taxpayers and critically impacts the local budget process and structural solvency of counties and public school systems; and

Whereas, without regard to the longstanding debate whether the federal government should relinquish control of Arizona lands, Congress should pay the full amount in lieu of tax revenue that is denied this state's taxing entities as long as the federal government does withhold state lands from being subject to tax; and

Whereas, an estimated \$9.4 billion provided by state, county and local monies, including 43% of the state general fund budget, funds K-12 education in Arizona. The state and local governments struggle to provide this and other essential government services, and proper payment of PILT will help this imbalance; and

Whereas, the federal government has the duty to reimburse local jurisdictions for the presence of federally managed public lands in a reliable and consistent manner.

Wherefore your memorialist, the Senate of the State of Arizona, the House of Representatives concurring, prays:

1. That the United States Congress establish, in coordination with this state, an objective standard for calculating the value of PILT payments that are equivalent to the tax revenue this state, political subdivisions and school districts would otherwise be able to generate but for federal control of Arizona lands.

2. That the United States Congress provide full, timely and sustainable long-term funding for the PILT program to help create financial stability within Arizona's counties and public school system.

3. That the Secretary of State of the State of Arizona transmit a copy of this Memorial to the President of the United States Senate, the Speaker of the United States House of Representatives and each Member of Congress from the State of Arizona.

POM-24. A concurrent resolution adopted by the Legislature of the State of Iowa urging the United States Congress to enact legislation to implement a multilateral trade agreement between the United States, Canada, and Mexico; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 10

Whereas, Iowa is a world leader in agricultural production and industrial manufacturing, and depends on international trade to market its products; and

Whereas, Iowa prospers from multilateral trade with Canada and Mexico, its two largest international export markets, which purchase nearly half of the value of Iowa's total exports; and

Whereas, a multilateral trade agreement between the United States, Canada, and Mexico will support high-paying jobs for Iowans and build the entire North American economy; and

Whereas, a multilateral trade agreement between the United States, Canada, and Mexico should provide safeguards for United States products to create a more level playing field for America's workers, modernize agriculture trade in North America to benefit America's farmers, and establish new protections with respect to United States intellectual property, digital trade, anticorruption, and good regulatory practices; and

Whereas, multilateral trade agreements negotiated with bipartisan efforts enjoy overwhelming support from the United States business community and farm groups; and

Whereas, a multilateral trade agreement between the United States, Canada, and Mexico will reinforce the close relationship we uphold with our neighbors to the north and south; and

Whereas, a multilateral trade agreement between the United States, Canada, and Mexico must be ratified by all three governments before it can come into effect, including a congressional vote on legislation to implement the multilateral trade agreement: Now therefore, be it

Resolved by the House of Representatives, the Senate concurring, That the Iowa General Assembly recognizes that a multilateral trade agreement between the United States, Canada, and Mexico will strengthen Iowa's economy and benefit Iowa's farmers and workers, and urges Congress to enact legislation to implement such a multilateral trade agreement; and be it further

Resolved, That a copy of this Concurrent Resolution be distributed to the President of the United States Senate, the Speaker of the United States House of Representatives, and each member of Iowa's congressional delegation.

POM-25. A concurrent resolution adopted by the Legislature of the State of North Dakota relative to abortion; to the Committee on Health, Education, Labor, and Pensions.

HOUSE CONCURRENT RESOLUTION NO. 3029

Whereas, a bill prohibiting abortions from being performed 20 weeks postfertilization passed in the United States House of Representatives in 2013, 2015, and 2017; and

Whereas, in 2017, the bill prohibiting abortions from being performed 20 weeks postfertilization failed to pass in the United States Senate by only nine votes, and

Whereas, over twenty states, including North Dakota, have implemented laws, with varying exceptions, prohibiting abortions from being performed 20 weeks postfertilization: Now, therefore, be it

Resolved by the House of Representatives of North Dakota, the Senate concurring therein: That the Sixty-sixth Legislative Assembly urges the Congress of the United States to pass a federal prohibition on abortions performed 20 weeks postfertilization; and be it further

Resolved, that the Secretary of State forward copies of this resolution to the Speaker of the United States House of Representa-

tives, the President pro tempore of the United States Senate, and each member of the North Dakota Congressional Delegation.

POM-26. A resolution adopted by the Senate of the State of Ohio urging the United States Congress to enact a Born-Alive Abortion Survivors Protection Act as expeditiously as possible; to the Committee on the Judiciary.

SENATE RESOLUTION NO. 41

Whereas, If an abortion results in the live birth of an infant, the infant is a legal person and must be entitled to all the protections of United States law available to a legal person; and

Whereas, Any infant born alive after an abortion or within a hospital, clinic, or other facility should have the same claim to the protections of the law that would arise for any newborn or any person who comes to a hospital, clinic, or other facility for screening and treatment or otherwise becomes a patient within its care; and

Whereas, Without special protection for infants born alive after an abortion provided in law, these infants are exposed to serious injury or harm and possible death; and

Whereas, A Born-Alive Abortion Survivors Protection Act would provide the protections needed so that an infant born alive after an abortion is treated as a legal person under, and is protected by, United States law: Now therefore be it

Resolved, That we, the members of the Senate of the 133rd General Assembly of the State of Ohio, hereby urge the Congress of the United States to enact a Born-Alive Abortion Survivors Protection Act as expeditiously as possible; and be it further

Resolved, That the Clerk of the Senate transmit duly authenticated copies of this Resolution to the members of the Ohio Congressional delegation, to the Speaker and Clerk of the United States House of Representatives, to the President Pro Tempore and Secretary of the United States Senate, and to the news media of Ohio.

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. PORTMAN (for himself, Mr. CARDIN, Mr. BLUNT, Mr. BROWN, Mr. CASSIDY, and Mr. MENENDEZ):

S. 978. A bill to amend the Internal Revenue Code of 1986 to permanently extend the work opportunity credit; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. JOHN-SON, Mr. PETERS, and Mr. TILLIS):

S. 979. A bill to amend the Post-Katrina Emergency Management Reform Act of 2006 to incorporate the recommendations made by the Government Accountability Office relating to advance contracts, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BURR (for himself, Mr. MANCHIN, Mr. CORNYN, and Ms. HIRONO):

S. 980. A bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BENNET (for himself, Mr. KAINE, Mr. CARDIN, Ms. KLOBUCHAR, Mr. LEAHY, Ms. SMITH, Ms. STABENOW, Ms. HARRIS, Mr. BOOKER, Mr. PETERS, Mr. DURBIN, and Mrs. SHAHEEN):

S. 981. A bill to establish a public health plan; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself, Ms. MURKOWSKI, and Mr. TESTER):

S. 982. A bill to increase intergovernmental coordination to identify and combat violent crime within Indian lands and of Indians; to the Committee on Indian Affairs.

By Mr. COONS (for himself, Ms. COLLINS, Mr. REED, and Mrs. SHAHEEN):

S. 983. A bill to amend the Energy Conservation and Production Act to reauthorize the weatherization assistance program, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CASEY (for himself and Ms. HASSAN):

S. 984. A bill to address the needs of individuals with disabilities within the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. LEE (for himself, Mr. PAUL, and Mr. BRAUN):

S. 985. A bill to require annual reports on allied contributions to the common defense, and for other purposes; to the Committee on Foreign Relations.

By Mr. BOOZMAN (for himself and Mr. COTTON):

S. 986. A bill to release to the State of Arkansas a reversionary interest in Camp Joseph T. Robinson; to the Committee on Armed Services.

By Mr. COONS (for himself, Mr. ROMNEY, and Mr. KAINE):

S. 987. A bill to implement the recommendations of the U.S.-China Economic and Security Review Commission, and for other purposes; to the Committee on Foreign Relations.

By Mrs. CAPITO (for herself and Mr. TESTER):

S. 988. A bill to amend title XVIII of the Social Security Act to prohibit prescription drug plan sponsors and MA-PD organizations under the Medicare program from retroactively reducing payment on clean claims submitted by pharmacies; to the Committee on Finance.

By Mr. CASSIDY (for himself and Ms. HASSAN):

S. 989. A bill to amend the Controlled Substances Act to require a person that possesses or intends to possess a tableting machine or encapsulating machine to obtain registration from the Attorney General, and for other purposes; to the Committee on the Judiciary.

By Mr. BARRASSO (for himself, Mr. GARDNER, Mrs. FISCHER, Mr. BENNET, and Mr. ENZI):

S. 990. A bill to authorize the Secretary of the Interior to participate in the implementation of the Platte River Recovery Implementation Program First Increment Extension for threatened and endangered species in the Central and Lower Platte River Basin, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. CORNYN (for himself and Ms. STABENOW):

S. 991. A bill to amend title II of the Social Security Act to provide for the reissuance of Social Security account numbers to young children in cases where confidentiality has been compromised; to the Committee on Finance.

By Mr. BOOKER (for himself, Ms. WARREN, Mr. DURBIN, and Ms. HARRIS):

S. 992. A bill to improve the treatment of Federal prisoners who are primary caretaker parents, and for other purposes; to the Committee on the Judiciary.

By Mr. MERKLEY (for himself, Mr. HEINRICH, Mr. WHITEHOUSE, Ms. SMITH, Ms. HARRIS, Mr. BOOKER, Mrs.

FEINSTEIN, Mr. SANDERS, and Ms. CORTEZ MASTO):

S. 993. A bill to amend the Internal Revenue Code of 1986 to extend certain tax credits related to electric cars, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself, Mr. COONS, Ms. DUCKWORTH, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Ms. BALDWIN, Mr. BROWN, and Mr. BLUMENTHAL):

S. 994. A bill to establish a National and Community Service Administration to carry out the national and volunteer service programs, to expand participation in such programs, and for other purposes; to the Committee on Finance.

By Ms. COLLINS:

S. 995. A bill to amend title XXIX of the Public Health Service Act to reauthorize the program under such title relating to lifespan respite care; to the Committee on Health, Education, Labor, and Pensions.

By Ms. DUCKWORTH:

S. 996. A bill to modify the microloan program of the Small Business Administration, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mrs. FEINSTEIN, and Mrs. GILLIBRAND):

S.J. Res. 17. A joint resolution proposing an amendment to the Constitution of the United States to abolish the electoral college and to provide for the direct election of the President and Vice President of the United States; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mrs. SHAHEEN (for herself, Mr. SCHUMER, Mr. WYDEN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. JONES, Mr. BROWN, Mr. CARPER, Ms. ROSEN, Mr. DURBIN, Mr. MURPHY, Mr. BOOKER, Mr. REED, Mr. TESTER, Ms. HIRONO, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. SANDERS, Mr. LEAHY, Mr. VAN HOLLEN, Mr. WARNER, Mr. PETERS, Mr. WHITEHOUSE, Ms. HASSAN, Ms. STABENOW, Mr. UDALL, Mr. MERKLEY, Mr. MANCHIN, Mr. BLUMENTHAL, Mr. MENENDEZ, Ms. CORTEZ MASTO, Mr. CARDIN, Ms. SINEMA, Ms. DUCKWORTH, Mr. MARKEY, Mrs. GILLIBRAND, Mr. COONS, Ms. WARREN, Mr. HEINRICH, Mr. CASEY, Ms. CANTWELL, Mr. KAINE, Mr. SCHATZ, Ms. SMITH, Mr. BENNET, Mr. KING, and Ms. HARRIS):

S. Res. 134. A resolution expressing the sense of the Senate that the Department of Justice should reverse its position in *Texas v. United States*, No. 4:18-cv-00167-O (N.D. Tex.); to the Committee on the Judiciary.

By Mr. BOOZMAN (for himself and Mr. COONS):

S. Res. 135. A resolution expressing the gratitude and appreciation of the Senate for the acts of heroism and valor by the members of the United States Armed Forces who participated in the June 6, 1944, amphibious landing at Normandy, France, and commending those individuals for leadership and bravery in an operation that helped bring an end to World War II; to the Committee on Foreign Relations.

By Mr. WICKER (for himself, Ms. CANTWELL, Mrs. FISCHER, and Ms. DUCKWORTH):

S. Res. 136. A resolution supporting the goals and ideals of National Safe Digging Month; to the Committee on Commerce, Science, and Transportation.

By Mr. LEE:

S. Res. 137. A resolution expressing the sense of the Senate that the President should work with the Government of the United Kingdom to prepare for a future free trade agreement between the United States and the United Kingdom; to the Committee on Finance.

By Mr. ISAKSON (for himself and Mr. PERDUE):

S. Res. 138. A resolution recognizing the 50th anniversary of The Dental College of Georgia at Augusta University; considered and agreed to.

By Mr. MCCONNELL (for himself and Mr. SCHUMER):

S. Res. 139. A resolution to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs; considered and agreed to.

ADDITIONAL COSPONSORS

S. 151

At the request of Mr. THUNE, the names of the Senator from New Mexico (Mr. UDALL) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 151, a bill to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes.

S. 178

At the request of Mr. RUBIO, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

S. 208

At the request of Mr. TESTER, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 208, a bill to amend title 10, United States Code, to permit certain retired members of the uniformed services who have a service-connected disability to receive both disability compensation from the Department of Veterans Affairs for their disability and either retired pay by reason of their years of military service or Combat-Related Special Compensation, and for other purposes.

S. 283

At the request of Mr. CARDIN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 283, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement.

S. 343

At the request of Mr. BARRASSO, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 343, a bill to amend the Internal Revenue Code of 1986 to terminate the credit for new qualified plug-in electric drive motor vehicles and to provide for a Federal highway user fee on alternative fuel vehicles.

S. 386

At the request of Mr. LEE, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 386, a bill to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes.

S. 497

At the request of Mr. CARDIN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 497, a bill to improve diversity and inclusion in the workforce of national security agencies, and for other purposes.

S. 521

At the request of Mr. BROWN, the name of the Senator from Montana (Mr. TESTER) 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. 599

At the request of Mr. COTTON, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 599, a bill to amend the Immigration and Nationality Act with respect to aliens associated with criminal gangs, and for other purposes.

S. 651

At the request of Mr. CASEY, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 651, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 668

At the request of Mr. BROWN, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 668, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 738

At the request of Mr. UDALL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 738, a bill to require the Federal Communications Commission to make the provision of Wi-Fi access on school buses eligible for E-rate support.

S. 866

At the request of Mr. VAN HOLLEN, the names of the Senator from Alabama (Mr. JONES), the Senator from California (Ms. HARRIS), the Senator from New Hampshire (Ms. HASSAN), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Hawaii (Ms. HIRONO), the Senator from Pennsylvania (Mr. CASEY) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 866, a bill to amend part B of the Individuals with Disabilities Education Act to provide full Federal funding of such part.

S. 867

At the request of Ms. HASSAN, the names of the Senator from California (Ms. HARRIS) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 867, a bill to protect students of institutions of higher education and the taxpayer investment in institutions of higher education by improving oversight and accountability of institutions of higher education, particularly for-profit colleges, improving protections for students and borrowers, and ensuring the integrity of postsecondary education programs, and for other purposes.

S. 879

At the request of Mr. VAN HOLLEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 879, a bill to provide a process for granting lawful permanent resident status to aliens from certain countries who meet specified eligibility requirements, and for other purposes.

S. 931

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 931, a bill to amend the Internal Revenue Code of 1986 to enhance the Child and Dependent Care Tax Credit and make the credit fully refundable.

S. 971

At the request of Ms. SMITH, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Ohio (Mr. BROWN), the Senator from Virginia (Mr. KAINE) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 971, a bill to amend title 5, United States Code, to clarify that during a lapse in appropriations certain services relating to the Federal Employees Health Benefits Program are excepted services under the Anti-Deficiency Act, and for other purposes.

S. 973

At the request of Ms. SMITH, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Ohio (Mr. BROWN), the Senator from Virginia (Mr. KAINE) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 973, a bill to amend title 5, United States Code, to continue supplemental dental and vision benefits and long-term care insurance coverage for Federal employees affected by a Government shutdown, and for other purposes.

S. CON. RES. 9

At the request of Mr. ROBERTS, the names of the Senator from Oregon (Mr. MERKLEY) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. Con. Res. 9, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 85

At the request of Mr. PORTMAN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. Res. 85, a resolution recognizing the 100th anniversary of the founding of Easterseals, a leading advocate and service provider for children and adults with disabilities, including veterans and older adults, and their caregivers and families.

S. RES. 98

At the request of Mrs. BLACKBURN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. Res. 98, a resolution establishing the Congressional Gold Star Family Fellowship Program for the placement in offices of Senators of children, spouses, and siblings of members of the Armed Forces who are hostile casualties or who have died from a training-related injury.

S. RES. 120

At the request of Mr. CARDIN, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. Res. 120, a resolution opposing efforts to delegitimize the State of Israel and the Global Boycott, Divestment, and Sanctions Movement targeting Israel.

S. RES. 123

At the request of Mr. RISCH, the names of the Senator from Georgia (Mr. ISAKSON), the Senator from Colorado (Mr. GARDNER), the Senator from South Carolina (Mr. GRAHAM), the Senator from Massachusetts (Mr. MARKEY), the Senator from Virginia (Mr. KAINE) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. Res. 123, a resolution supporting the North Atlantic Treaty Organization and recognizing its 70 years of accomplishments.

AMENDMENT NO. 234

At the request of Mr. LEAHY, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of amendment No. 234 intended to be proposed to H.R. 268, a bill making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Mr. COONS, Ms. DUCKWORTH, Mrs. GILLIBRAND, Ms. KLOBUCHAR, Ms. BALDWIN, Mr. BROWN, and Mr. BLUMENTHAL):

S. 994. A bill to establish a National and Community Service Administration to carry out the national and volunteer service programs, to expand participation in such programs, and for other purposes; to the Committee on Finance.

Mr. REED. Mr. President, today is National Service Recognition Day, when we take a moment to honor AmeriCorps and Senior Corps members for the many contributions they make

in communities across the nation. As Americans, we take inspiration from those who have answered the call to serve, whether in defense of our Nation abroad or to strengthen our communities at home. The willingness to serve a purpose greater than ourselves is a hallmark of our Nation and those who commit themselves to the betterment of our country deserve and have earned our support. That is why this year, on National Service Recognition Day, I am joining Senators COONS and DUCKWORTH and Congressman LARSON and other colleagues in introducing the America's Call to Improving Opportunities Now (ACTION) for National Service Act of 2019. Our legislation calls for a great expansion of the number of service opportunities and an increased investment in those who serve.

Since 1994, over one million individuals have served through the AmeriCorps program. Annually, roughly 220,000 seniors over the age of 55 volunteer through the Senior Corps programs. These individuals have addressed critical community needs in education, economic development, health, and many other areas. They are among the teams of first responders when disaster strikes. Unfortunately, we have not created the capacity to support all Americans who want to serve.

The question of service is vital to our Nation. I was proud to have joined my friend and colleague, the late Senator John McCain, in laying out a vision and plan to support and encourage service—military, national and public—by establishing the National Commission on Military, National, and Public Service. After meeting with communities across the country, the Commission submitted its interim report, which highlighted that Americans value service and are interested in pursuing transformative efforts to involve many more Americans in service. Yet, the Commission also reported that there are many barriers to service, particularly financial ones. Furthermore, there is a lack of awareness about existing programs and opportunities.

The ACTION for National Service Act will honor our national value of service, while addressing the barriers that limit citizens' opportunities to serve. Our legislation will set us on a path to one million national service positions within ten years. It will increase the educational award so that an individual completing two full years of service will earn the equivalent of four years of the average in-state tuition at a public institution. Those who are willing to serve should not have to carry a heavy burden of student loan debt to achieve their educational goals. The ACTION for National Service Act will also ease other financial barriers to service, increasing the living allowance and eliminating the tax liability for the education awards and living stipends. The bill calls for a robust outreach campaign, requiring that all eligible individuals be notified of their

options to serve. Finally, the ACTION for National Service Act calls for elevating the Corporation for National and Community Service to a cabinet-level agency and establishes a National Service Foundation to leverage private sector resources to support national service activities.

Mr. President, it is time we reinvigorate the social contract between America and its citizenry. Americans have a deep tradition of national service, starting with the dedicated men and women of our armed forces and including all those who have served in AmeriCorps, Senior Corps, and the Peace Corps. However, as more Americans wish to serve, it is important that they be given the opportunity to do so. Just as critical is investing in the education and professional development of those who have sacrificed and given so much to our Nation. Developing the talents of our most committed citizens pays life-long dividends. Our investment in the GI Bill not only honors our service members, but also enriches our Nation. Similarly, the education awards for those who have served through our national programs have economic impacts beyond the individuals who earn them. That is the new deal that the ACTION for National Service Act offers.

All AmeriCorps members take a pledge to get things done for Americans, to make communities safer, smarter and healthier, and to bring us together. I'd like to thank Senators COONS, DUCKWORTH, GILLIBRAND, KLOBUCHAR, BLUMENTHAL, BROWN, BALDWIN, and BLUMENTHAL for signing on as original cosponsors and urge our colleagues to join us in pledging to ensure that all who want to answer the call to serve can do so by cosponsoring the ACTION for National Service Act and working for its passage.

By Ms. COLLINS:

S. 995. A bill to amend title XXIX of the Public Health Service Act to reauthorize the program under such title relating to lifespan respite care; to the Committee on Health, Education, Labor, and Pensions.

Ms. COLLINS. Mr. President, I rise today to introduce legislation with my colleague from Wisconsin, Senator BALDWIN, to reauthorize the Lifespan Respite Care Program. Respite care provides full-time caregivers with the much-needed opportunity to take a temporary break from their responsibilities caring for aging or disabled loved ones.

Every day, an estimated 43 million family caregivers attend to loved ones who are experiencing chronic, disabling health conditions. While many of these individuals care for an older adult, almost one-third of caregivers attend to persons under the age of 50. Caregivers help their loved ones remain at home, often delaying the need for nursing home or foster care placements. The value of their efforts is tremendous, amounting to more than \$470 billion in uncompensated care.

This compassionate task, however, can take a toll. Caregivers experience higher mortality rates and are more likely to acquire acute and chronic health conditions. Respite care, which provides temporary relief to caregivers from their ongoing responsibilities, helps to reduce mental stress and physical health issues they may experience, keeping caregivers healthy and families intact. Yet, almost 80 percent of America's caregivers have never received any respite services.

As a senator representing the State with the oldest median age in our Nation and as Chairman of the Senate Aging Committee, the well-being of our seniors and their caregivers is among my top priorities. Since the Lifespan Respite Care Act was enacted in 2006, 37 States and the District of Columbia have received grants to increase the availability and quality of respite services. Still, the need for respite care continues to increase and outpace available resources.

When I ask family caregivers about their greatest needs, the number one that I hear is respite. The Maine Department of Health and Human Services recognized this urgent need in a report released in December 2018 on children's behavioral health services. The report recommended expanding access to respite care services for families. One Maine mother shared, "Respite has helped our family because we have been able to take other children to doctors appointments without everyone having to go. My husband and I have been able to have a little time away. I have been able to attend to my own mental health needs." From families caring for children with disabilities to those caring for older adults, the need for respite care today continues to grow.

Our legislation will help to close the resource gap experienced by our nation's caregivers. Specifically, the Lifespan Respite Care Act will authorize robust funding for this program over the five years, through 2024, to assist states in establishing or enhancing statewide Lifespan Respite systems. It would authorize \$20 million for fiscal year 2020, with funding increasing by \$10 million annually, in order to reach \$60 million for fiscal year 2024. This bill is widely supported by leading caregiver and respite organizations, including the ARCH National Respite Network and Resource Center, the American Psychological Association, the Arc, and the Elizabeth Dole Foundation. Mr. President, I ask to include letters from these supporting organizations in the RECORD.

Mr. President, there is a large gap between caregivers who need respite services and those who receive it. Our legislation would provide the necessary resources to state respite agencies to ensure that more caregivers have access to the respite services they need. I urge all of my colleagues to join in support of this important bipartisan legislation, the Lifespan Respite Care Reauthorization Act of 2019.

APRIL 1, 2019.

Hon. SUSAN COLLINS,
U.S. Senate, Washington, DC.
Hon. TAMMY BALDWIN,
U.S. Senate, Washington, DC.
Hon. JIM LANGEVIN,
House of Representatives, Washington, DC.
Hon. CATHY MCMORRIS RODGERS,
House of Representatives, Washington, DC.

DEAR SENATOR COLLINS, SENATOR BALDWIN, REPRESENTATIVE LANGEVIN AND REPRESENTATIVE MCMORRIS RODGERS: We, the undersigned national organizations representing all ages and disabilities, are writing to offer our fervent support for and endorsement of the Lifespan Respite Care Reauthorization Act to reauthorize the Lifespan Respite Care Program at \$200 million over five years. We also want to thank you for your leadership in supporting the nation's family caregivers.

Every day, millions of American families are faced with unexpected illness, disease, or disability. A soldier is injured in war, a spouse develops multiple sclerosis or Alzheimer's disease, or a child is diagnosed with a developmental or physical disability or chronic illness. These are but a few examples of events that can forever change an individual's and family's trajectory.

While each situation is unique, the one thing that they often have in common is the incredible value of family caregivers. Forty-three million family caregivers provide a vast majority of our nation's long-term care, permitting individuals of all ages to remain in their communities and avoid or delay nursing home or foster care placements. AARP has estimated that in 2013, family caregivers provided \$470 billion in uncompensated care to adults, a staggering statistic that exceeds federal and state spending on Medicaid health services and long-term services and supports that same year.

While the benefits of family caregiving are plentiful, caregiving can take its toll—with older spousal family caregivers experiencing higher mortality rates, rates of acute and chronic conditions, and depression than non-caregivers. Respite—short-term care that offers individuals or family members temporary relief from the daily routine and stress of providing care—is a critical component to bolstering family stability and maintaining family caregiver health and well-being. Respite is a frequently requested support service among family caregivers, but 85% of family caregivers of adults receive no respite and the percentage is similar for parents caring for their children with special needs. Not surprisingly, high burden family caregivers (defined as those who assist their loved one with personal care such as getting dressed or bathing) cite lack of respite as one of their top three concerns.

To help provide family caregivers the support they need, the Lifespan Respite Care Program was enacted in 2006 with strong bipartisan support. The program provides competitive grants to states to establish or enhance statewide Lifespan Respite systems that maximize existing resources and help ensure that quality respite is available and accessible to all family caregivers. With more than half of care recipients under age 75 and more than one-third under age 50, Lifespan Respite rightly recognizes caregiving as a lifespan issue and serves families regardless of age or disability.

Though the program has been drastically underfunded since its inception, thirty-seven states and the District of Columbia have received grants and are engaged in impressive work such as identifying and coordinating respite services available through various state agencies, including veterans caregiver services; helping unserved families pay for respite through participant-directed voucher programs or mini-grants to community and

faith-based agencies; building respite capacity by recruiting and training respite workers and volunteers; and raising awareness about respite through public education campaigns. Originally authorized through Fiscal Year 2011, enactment of the Lifespan Respite Care Reauthorization Act is necessary to continue this excellent momentum, better coordinate and supply respite care to our nation's 43 million family caregivers through statewide Lifespan Respite programs and ensure that states are able to sustain the great work they have begun and still allow new states to receive a grant.

We thank you for your commitment to individuals living with disabilities, older individuals in need of assistance and support, and the loved ones who care for them and we look forward to continuing to work with you as the bill moves forward. If you would like more information, please contact Jill Kagan.

Sincerely,

AARP; Alzheimer's Association; Alzheimer's Foundation of America; Alzheimer's Impact Movement; American Association of Caregiving Youth; American Association on Intellectual and Developmental Disabilities (AAIDD); American Dance Therapy Association; American Music Therapy Association; The Arc of the United States; Association of University Centers on Disabilities (AUCCD); Autism Society of America; Brain Injury Association of America; Caregiver Action Network; Caring Across Generations; Christopher & Dana Reeve Foundation; Easterseals.

Elizabeth Dole Foundation; Epilepsy Foundation; Family Caregiver Alliance, National Center on Caregiving; Family Voices; Generations United; The Jewish Federations of North America; Justice in Aging; LeadingAge; Lupus Foundation of America; The Michael J. Fox Foundation for Parkinson's Research; National Alliance for Caregiving; National Alliance of Children's Trusts and Prevention Funds; National Association for Home Care and Hospice; National Association of Area Agencies on Aging (n4a); National Association of Councils on Developmental Disabilities; National Association of Social Workers (NASW).

National Association of State Directors of Developmental Disabilities Services; National Association of State Head Injury Administrators; National Association of States United for Aging and Disabilities; National Down Syndrome Congress; National Down Syndrome Society; National Hospice and Palliative Care Organization; National Military Family Association; National Multiple Sclerosis Society; National Respite Coalition; Paralyzed Veterans of America; Program to Improve Eldercare, Altarum; Rosalynn Carter Institute for Caregiving; Sibling Leadership Network; TASH; United Spinal Association; Well Spouse Association.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 134—EX-PRESSING THE SENSE OF THE SENATE THAT THE DEPARTMENT OF JUSTICE SHOULD REVERSE ITS POSITION IN TEXAS V. UNITED STATES, NO. 4:18-CV-00167-O (N.D. TEX.)

Mrs. SHAHEEN (for herself, Mr. SCHUMER, Mr. WYDEN, Mrs. MURRAY, Mrs. FEINSTEIN, Mr. JONES, Mr. BROWN, Mr. CARPER, Ms. ROSEN, Mr. DURBIN, Mr. MURPHY, Mr. BOOKER, Mr. REED, Mr. TESTER, Ms. HIRONO, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. SANDERS, Mr.

LEAHY, Mr. VAN HOLLEN, Mr. WARNER, Mr. PETERS, Mr. WHITEHOUSE, Ms. HASSAN, Ms. STABENOW, Mr. UDALL, Mr. MERKLEY, Mr. MANCHIN, Mr. BLUMENTHAL, Mr. MENENDEZ, Ms. CORTEZ MASTO, Mr. CARDIN, Ms. SINEMA, Ms. DUCKWORTH, Mr. MARKEY, Mrs. GILLIBRAND, Mr. COONS, Ms. WARREN, Mr. HEINRICH, Mr. CASEY, Ms. CANTWELL, Mr. KAINE, Mr. SCHATZ, Ms. SMITH, Mr. BENNET, Mr. KING, and Ms. HARRIS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 134

Whereas, on February 26, 2018, 18 State attorneys general and 2 Governors filed a lawsuit in the United States District Court for the Northern District of Texas, *Texas v. United States*, No. 4:18-cv-00167-O (N.D. Tex.) (in this preamble referred to as "*Texas v. United States*"), arguing that the requirement of the Patient Protection and Affordable Care Act (Public Law 111-148; 124 Stat. 119) (in this preamble referred to as the "ACA") to maintain minimum essential coverage is unconstitutional and, as a result, the court should invalidate the entire law;

Whereas, in a June 7, 2018, letter to Congress, then Attorney General Jefferson Sessions announced that the Department of Justice—

(1) would not defend the constitutionality of the minimum essential coverage provision; and

(2) would argue that provisions protecting individuals with pre-existing medical conditions (specifically the provisions commonly known as "community rating" and "guaranteed issue") are inseparable from the minimum essential coverage provision and should be invalidated;

Whereas, in the June 7, 2018, letter to Congress, Attorney General Sessions also advised Congress that "the Department will continue to argue that Section 5000A(a) is severable from the remaining provisions of the ACA", indicating a difference from the plaintiffs' position in *Texas v. United States*;

Whereas, on December 14, 2018, the United States District Court for the Northern District of Texas issued an order that declared the requirement to maintain minimum essential coverage unconstitutional and struck down the ACA in its entirety, including protections for individuals with pre-existing medical conditions;

Whereas the decision of the United States District Court for the Northern District of Texas was stayed and is pending appeal before the United States Court of Appeals for the Fifth Circuit;

Whereas, on March 25, 2019, the Department of Justice, in a letter to the United States Court of Appeals for the Fifth Circuit, changed its position and announced that the entire ruling of the United States District Court for the Northern District of Texas should be upheld and the entire ACA should be declared unconstitutional;

Whereas, prior to 2014, individuals with pre-existing medical conditions were routinely denied health insurance coverage, subject to coverage exclusions, charged unaffordable premium rates, exposed to unaffordable out-of-pocket costs, and subject to lifetime and annual limits on health insurance coverage;

Whereas as many as 133,000,000 nonelderly people in the United States—

(1) have a pre-existing condition and could have been denied coverage or only offered coverage at an exorbitant price had they needed individual market health insurance prior to 2014; and

(2) will lose protections for pre-existing conditions if the ruling of the United States District Court for the Northern District of Texas is upheld in *Texas v. United States*;

Whereas, as of March 2019, employers cannot place lifetime or annual limits on health coverage for their employees, and if the ruling of the United States District Court for the Northern District of Texas is upheld, more than 100,000,000 people in the United States who receive health insurance through their employer could once again face lifetime or annual coverage limits;

Whereas, prior to 2010, Medicare enrollees faced massive out-of-pocket prescription drug costs once they reached a certain threshold known as the Medicare “donut hole”, and since the donut hole began closing in 2010, millions of Medicare beneficiaries have saved billions of dollars on prescription drugs;

Whereas, at a time when 3 in 10 adults report not taking prescribed medicines because of the cost, if the ruling of the United States District Court for the Northern District of Texas is upheld, seniors enrolled in Medicare would face billions of dollars in new prescription drug costs;

Whereas, as of March 2019, 37 States and the District of Columbia have expanded or voted to expand Medicaid to individuals with incomes below 138 percent of the Federal poverty level, providing health coverage to more than 12,000,000 newly eligible people;

Whereas, if the ruling of the United States District Court for the Northern District of Texas is upheld, the millions of individuals and families who receive coverage from Medicaid could lose eligibility and no longer have access to health care;

Whereas, as of March 2019, many people who buy individual health insurance are provided tax credits to reduce the cost of premiums and assistance to reduce out-of-pocket costs such as copays and deductibles, which has made individual health insurance coverage affordable for millions of people in the United States for the first time;

Whereas, if the ruling of the United States District Court for the Northern District of Texas is upheld, the health insurance individual exchanges would be eliminated and millions of people in the United States who buy health insurance on the individual marketplaces could lose coverage and would see premium expenses for individual health insurance increase exorbitantly; and

Whereas, if the ruling of the United States District Court for the Northern District of Texas is upheld, people in the United States would lose numerous consumer protections, including the requirements that—

(1) plans offer preventive care without cost-sharing;

(2) young adults can remain on their parents’ insurance plan until age 26; and

(3) many health insurance plans offer a comprehensive set of essential health benefits such as maternity care, addiction treatment, and prescription drug coverage: Now, therefore, be it

Resolved, That it is the sense of the Senate that the Department of Justice should—

(1) protect individuals with pre-existing conditions, seniors struggling with high prescription drug costs, and the millions of people in the United States who newly gained health insurance coverage since 2014; and

(2) reverse its position in *Texas v. United States*, No. 4:18-cv-00167-O (N.D. Tex.).

SENATE RESOLUTION 135—EXPRESSING THE GRATITUDE AND APPRECIATION OF THE SENATE FOR THE ACTS OF HEROISM AND VALOR BY THE MEMBERS OF THE UNITED STATES ARMED FORCES WHO PARTICIPATED IN THE JUNE 6, 1944, AMPHIBIOUS LANDING AT NORMANDY, FRANCE, AND COMMENDING THOSE INDIVIDUALS FOR LEADERSHIP AND BRAVERY IN AN OPERATION THAT HELPED BRING AN END TO WORLD WAR II

Mr. BOOZMAN (for himself and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 135

Whereas June 6, 2019, marks the 75th anniversary of the Allied assault at Normandy, France, by troops of the United States, the United Kingdom, Canada, and Free France, known as “Operation Overlord”;

Whereas, before Operation Overlord, the German Army still occupied France and the Nazi government still had access to the raw materials and industrial capacity of Western Europe;

Whereas the naval phase of the Allied assault at Normandy was codenamed “Neptune”, and the date of June 6, 1944, is referred to as “D-Day” to denote the day on which the combat attack was initiated;

Whereas the D-Day landing was the largest single amphibious assault in history, consisting of—

(1) approximately 57,000 members of the United States Armed Forces;

(2) approximately 153,000 members of the Allied Expeditionary Force;

(3) approximately 5,000 naval vessels; and

(4) more than 11,000 sorties by Allied aircraft;

Whereas soldiers of 6 divisions (3 from the United States, 2 from the United Kingdom, which included troops of Free France, and 1 from Canada) stormed ashore in 5 main landing areas on beaches in Normandy, which were code-named “Utah”, “Omaha”, “Gold”, “Juno”, and “Sword”;

Whereas, of the approximately 10,000 Allied casualties incurred on the first day of the landing, more than 6,000 were members of the United States Armed Forces;

Whereas the Allied assault and following operations were supported by ships, aircraft, and troops from Australia, Belgium, Czechoslovakia, Free Norway, Greece, the Netherlands, New Zealand, and the Polish Armed Forces in the West;

Whereas the advanced age of the last remaining veterans of, and the gradual disappearance of any living memory of, World War II and the Normandy landings make it necessary to increase activities intended to pass on the history of those events, particularly to younger generations;

Whereas the young people of Normandy and the United States have displayed unprecedented commitment to, and involvement in, celebrating—

(1) the veterans of the Normandy landings; and

(2) the freedom brought by those veterans in 1944;

Whereas the significant material remains of the Normandy landings found on the Normandy beaches and at the bottom of the sea in the territorial waters of France, such as shipwrecks and various items of military equipment, bear witness to the remarkable and unique nature of the material resources

used by the Allied forces to execute the Normandy landings;

Whereas 5 Normandy beaches and a number of sites on the Normandy coast, including Pointe du Hoc, were the scene of the D-Day landings and constitute, and will for all time constitute—

(1) a unique piece of world heritage; and
(2) a symbol of peace and freedom, the unspoiled nature, integrity, and authenticity of which must be protected at all costs; and

Whereas the world owes a debt of gratitude to the members of the “Greatest Generation” who assumed the task of freeing the world from Nazi and Fascist regimes and restoring liberty to Europe: Now, therefore, be it

Resolved, That the Senate—

(1) recognizes the 75th anniversary of the amphibious landing of the Allies on D-Day, June 6, 1944, at Normandy, France, during World War II;

(2) expresses gratitude and appreciation to the members of the United States Armed Forces who participated in the D-Day operations;

(3) thanks the young people of Normandy and the United States for their involvement in events celebrating the 75th anniversary of the Normandy landings with the aim of making future generations aware of the acts of heroism and sacrifice performed by the Allied forces;

(4) recognizes the efforts of France and the people of Normandy to preserve for future generations the unique world heritage represented by the Normandy beaches and the sunken material remains of the Normandy landings by inscribing those beaches and remains on the United Nations Educational, Scientific and Cultural Organization (commonly referred to as “UNESCO”) World Heritage List; and

(5) requests that the President issue a proclamation calling on the people of the United States to observe the 75th anniversary of the Normandy landings with appropriate ceremonies and programs to honor the sacrifices made by their fellow countrymen to liberate Europe.

SENATE RESOLUTION 136—SUPPORTING THE GOALS AND IDEALS OF NATIONAL SAFE DIGGING MONTH

Mr. WICKER (for himself, Ms. CANTWELL, Mrs. FISCHER, and Ms. DUCKWORTH) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 136

Whereas each year, the underground utility infrastructure of the United States, including pipelines, electric, gas, telecommunications, water, sewer, and cable television lines, is jeopardized by unintentional damage caused by those who fail to have underground lines located prior to digging;

Whereas some utility lines are buried only a few inches underground, making the lines easy to strike, even during shallow digging projects;

Whereas digging prior to locating underground utility lines often results in unintended consequences, such as service interruption, environmental damage, personal injury, and even death;

Whereas the month of April marks the beginning of the peak period during which excavation projects are carried out around the United States;

Whereas in 2002, Congress required the Department of Transportation and the Federal

Communications Commission to establish a 3-digit, nationwide, toll-free number to be used by State "One Call" systems to provide information on underground utility lines;

Whereas in 2005, the Federal Communications Commission designated "811" as the nationwide "One Call" number for homeowners and excavators to use to obtain information on underground utility lines before conducting excavation activities;

Whereas the 1,700 members of the Common Ground Alliance, who are dedicated to ensuring public safety, environmental protection, and the integrity of services, promote the national "Call Before You Dig" campaign to increase public awareness about the importance of homeowners and excavators calling 811 to find out the exact location of underground lines;

Whereas the Pipeline Safety, Regulatory Certainty, and Job Creation Act of 2011 (Public Law 112-90; 125 Stat. 1904) affirmed and expanded the "One Call" program by eliminating exemptions given to local and State government agencies and their contractors regarding notifying "One Call" centers before digging; and

Whereas the Common Ground Alliance has designated April as "National Safe Digging Month" to increase awareness of safe digging practices across the United States and to celebrate the anniversary of 811, the national "Call Before You Dig" number: Now, therefore, be it

Resolved, That the Senate—

(1) supports the goals and ideals of National Safe Digging Month; and

(2) encourages all homeowners and excavators throughout the United States to call 811 before digging.

SENATE RESOLUTION 137—EX-PRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT SHOULD WORK WITH THE GOVERNMENT OF THE UNITED KINGDOM TO PREPARE FOR A FUTURE FREE TRADE AGREEMENT BETWEEN THE UNITED STATES AND THE UNITED KINGDOM

Mr. LEE submitted the following resolution; which was referred to the Committee on Finance:

S. RES. 137

Whereas, on March 5, 1946, Sir Winston Churchill delivered the Iron Curtain speech in Fulton, Missouri, solidifying the "Special Relationship" between the United States and the United Kingdom;

Whereas, since the end of World War II, the United States and the United Kingdom have been beacons of freedom to the world, standing together in the fight against tyranny;

Whereas the Special Relationship between the United States and the United Kingdom has enabled economic prosperity and security cooperation for both countries for more than 70 years;

Whereas, on June 23, 2016, the people of the United Kingdom voted in support of a referendum to leave the European Union;

Whereas the United Kingdom is an important trading partner with the United States, with \$232,000,000,000 in goods traded between the two countries in 2017;

Whereas, on October 16, 2018, the United States Trade Representative expressed the intention of the President to negotiate a free trade agreement between the two countries after the United Kingdom leaves the European Union; and

Whereas the constitutional power of making treaties with foreign nations includes

both the legislative and executive branches: Now, therefore, be it

Resolved, That it is the sense of the Senate that—

(1) the United States should have a close and mutually beneficial trading and economic partnership with the United Kingdom without interruption; and

(2) the President, with the support of Congress, should lay the groundwork for a future trade agreement between the United States and the United Kingdom.

SENATE RESOLUTION 138—RECOGNIZING THE 50TH ANNIVERSARY OF THE DENTAL COLLEGE OF GEORGIA AT AUGUSTA UNIVERSITY

Mr. ISAKSON (for himself and Mr. PERDUE) submitted the following resolution; which was considered and agreed to:

S. RES. 138

Whereas The Dental College of Georgia (in this preamble referred to as the "DCG") welcomed its first class of students in 1969 as a result of the efforts of many individuals led by Dr. Judson C. Hickey, Dr. Louis Boucher, and Dr. Thomas Zwemer;

Whereas the goal of the DCG is to prepare students to provide innovative oral health care for the citizens of the State of Georgia and beyond by emphasizing education, patient care, research, and service;

Whereas, 50 years after the DCG welcomed its first class of students, the goal of the DCG remains the same;

Whereas the State of Georgia, including the General Assembly of the State of Georgia, and many benefactors provided funding for a new state-of-the-art facility for the DCG, which opened in 2011;

Whereas, as the sole dental college in the State of Georgia, nearly 400 students and 60 residents are enrolled annually in the DCG;

Whereas, as of February 2019, the DCG has 8 residency programs, including advanced education in general dentistry, endodontics, general practice, oral and maxillofacial surgery, orthodontics, pediatric dentistry, periodontics, and prosthodontics;

Whereas the DCG also has a fellowship program in esthetic and implant dentistry;

Whereas all of the programs of the DCG provide advanced education in specialized areas of dentistry; and

Whereas, since 2006, the DCG has been responsible for community outreach and has received funding from the Health Resources and Services Administration that has allowed senior dental students to provide oral health services at more than 25 different clinical sites in underserved areas of the State of Georgia, including clinics in Albany, the greater Atlanta area, Augusta, Columbus, Dalton, Gainesville, Greensboro, Jonesboro, Rochelle, Savannah, and Waynesboro: Now, therefore, be it

Resolved, That the Senate recognizes—

(1) the 50th anniversary of The Dental College of Georgia and its distinguished alumni; and

(2) the contributions of The Dental College of Georgia to educating the dentists of the State of Georgia.

SENATE RESOLUTION 139—TO AUTHORIZE THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MCCONNELL (for himself and Mr. SCHUMER) submitted the following resolution; which was considered and agreed to:

S. RES. 139

Whereas, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs conducted an investigation into the Equifax data breach;

Whereas, the Subcommittee has received a request from the Federal Trade Commission for access to records of the Subcommittee's investigation;

Whereas, by the privileges of the Senate of the United States and Rule XI of the Standing Rules of the Senate, no evidence under the control or in the possession of the Senate can, by administrative or judicial process, be taken from such control or possession but by permission of the Senate;

Whereas, when it appears that evidence under the control or in the possession of the Senate is needed for the promotion of justice, the Senate will take such action as will promote the ends of justice consistent with the privileges of the Senate: Now, therefore, be it

Resolved, That the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs, acting jointly, are authorized to provide to the Federal Trade Commission and other law enforcement officials, regulatory agencies, and entities or individuals duly authorized by Federal or State governments, records of the Subcommittee's investigation into the Equifax data breach.

Mr. MCCONNELL. Mr. President, on behalf of myself and the distinguished Democratic leader, Mr. SCHUMER, I send to the desk a resolution on documentary production by the Permanent Subcommittee on Investigations, and ask for its immediate consideration.

Mr. President, the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs recently conducted an investigation into the Equifax data breach. The Subcommittee has now received a request from the Federal Trade Commission seeking access to records that the Subcommittee obtained during the investigation.

In keeping with the Senate's practice under its rules, this resolution would authorize the Chairman and Ranking Minority Member of the Permanent Subcommittee on Investigations, acting jointly, to provide records, obtained by the Subcommittee in the course of its investigation, in response to this request and requests from other Federal or State government entities and officials with a legitimate need for the records.

AMENDMENTS SUBMITTED AND
PROPOSED

SA 246. Mr. LEAHY (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table.

TEXT OF AMENDMENTS

SA 246. Mr. LEAHY (for himself and Mr. SCHUMER) submitted an amendment intended to be proposed by him to the bill H.R. 268, making supplemental appropriations for the fiscal year ending September 30, 2019, and for other purposes; which was ordered to lie on the table; as follows:

Strike all after the enacting clause and insert the following:

That the following sums in this Act are appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019, and for other purposes, namely:

TITLE I

DEPARTMENT OF AGRICULTURE
AGRICULTURAL PROGRAMSPROCESSING, RESEARCH AND MARKETING
OFFICE OF THE SECRETARY

For an additional amount for the “Office of the Secretary”, \$3,005,442,000, which shall remain available until December 31, 2020, for necessary expenses related to losses of crops (including milk and harvested adulterated wine grapes), trees, bushes, and vines, as a consequence of Hurricanes Michael and Florence, other hurricanes, floods, tornadoes, typhoons, volcanic activity, snowstorms, and wildfires occurring in calendar years 2018 and 2019 under such terms and conditions as determined by the Secretary: *Provided*, That the Secretary may provide assistance for such losses in the form of block grants to eligible states and territories and such assistance may include compensation to producers, as determined by the Secretary, for forest restoration and poultry and livestock losses: *Provided further*, That of the amounts provided under this heading, tree assistance payments may be made under section 1501(e) of the Agricultural Act of 2014 (7 U.S.C. 9081(e)) to eligible orchardists or nursery tree growers (as defined in such section) of pecan trees with a tree mortality rate that exceeds 7.5 percent (adjusted for normal mortality) and is less than 15 percent (adjusted for normal mortality), to be available until expended, for losses incurred during the period beginning January 1, 2018, and ending December 31, 2018: *Provided further*, That in the case of producers impacted by volcanic activity that resulted in the loss of crop land, or access to crop land, the Secretary shall consider all measures available, as appropriate, to bring replacement land into production: *Provided further*, That the total amount of payments received under this heading and applicable policies of crop insurance under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) or the Noninsured Crop Disaster Assistance Program (NAP) under section 196 of the Federal Agriculture Improvement and Reform Act of 1996 (7 U.S.C.

7333) shall not exceed 90 percent of the loss as determined by the Secretary: *Provided further*, That the total amount of payments received under this heading for producers who did not obtain a policy or plan of insurance for an insurable commodity for the applicable crop year under the Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for the crop incurring the losses or did not file the required paperwork and pay the service fee by the applicable State filing deadline for a noninsurable commodity for the applicable crop year under NAP for the crop incurring the losses shall not exceed 70 percent of the loss as determined by the Secretary: *Provided further*, That producers receiving payments under this heading, as determined by the Secretary, shall be required to purchase crop insurance where crop insurance is available for the next two available crop years, excluding tree insurance policies, and producers receiving payments under this heading shall be required to purchase coverage under NAP where crop insurance is not available in the next two available crop years, as determined by the Secretary: *Provided further*, That, not later than 120 days after the end of fiscal year 2019, the Secretary shall submit a report to the Congress specifying the type, amount, and method of such assistance by state and territory: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FARM SERVICE AGENCY

EMERGENCY FOREST RESTORATION PROGRAM

For an additional amount for the “Emergency Forest Restoration Program”, for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, \$480,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATURAL RESOURCES CONSERVATION SERVICE
WATERSHED AND FLOOD PREVENTION
OPERATIONS

For an additional amount for “Watershed and Flood Prevention Operations”, for necessary expenses for the Emergency Watershed Protection Program related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, \$125,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RURAL DEVELOPMENT

RURAL COMMUNITY FACILITIES PROGRAM
ACCOUNT

For an additional amount for the cost of grants for rural community facilities programs as authorized by section 306 and described in section 381E(d)(1) of the Consolidated Farm and Rural Development Act, for necessary expenses related to the consequences of Hurricanes Michael and Florence and wildfires occurring in calendar year 2018, and other natural disasters, \$150,000,000, to remain available until expended: *Provided*,

That sections 381E-H and 381N of the Consolidated Farm and Rural Development Act are not applicable to the funds made available under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 101. In addition to amounts otherwise made available, out of the funds made available under section 18 of Food and Nutrition Act of 2008, \$25,200,000 shall be available for the Secretary to provide a grant to the Commonwealth of the Northern Mariana Islands for disaster nutrition assistance in response to the Presidentially declared major disasters and emergencies: *Provided*, That funds made available to the Commonwealth of the Northern Mariana Islands under this section shall remain available for obligation by the Commonwealth until September 30, 2020: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 102. For purposes of administering title I of subdivision 1 of division B of the Bipartisan Budget Act of 2018 (Public Law 115-123), losses to agricultural producers resulting from hurricanes shall also include losses incurred from Tropical Storm Cindy and losses of peach and blueberry crops in calendar year 2017 due to extreme cold: *Provided*, That the amounts provided by this section are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 103. (a)(1) Except as provided in paragraph (2), a person or legal entity is not eligible to receive a payment under the Market Facilitation Program established pursuant to the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.) if the average adjusted gross income of such person or legal entity is greater than \$900,000.

(2) Paragraph (1) shall not apply to a person or legal entity if at least 75 percent of the adjusted gross income of such person or legal entity is derived from farming, ranching, or forestry related activities.

(b) A person or legal entity may not receive a payment under the Market Facilitation Program described in subsection (a)(1), directly or indirectly, of more than \$125,000.

(c) In this section, the term “average adjusted gross income” has the meaning given the term defined in section 760.1502 of title 7 Code of Federal Regulations (as in effect July 18, 2018).

(d) The amount provided by this section is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 104. In addition to other amounts made available by section 309 of division A of

the Additional Supplemental Appropriations for Disaster Relief Requirements Act, 2017 (Public Law 115-72; 131 Stat. 1229), there is appropriated to the Secretary, out of any moneys in the Treasury not otherwise appropriated, for the fiscal year ending September 30, 2019, \$600,000,000 to provide a grant to the Commonwealth of Puerto Rico for disaster nutrition assistance in response to a major disaster or emergency designated by the President under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That the funds made available to the Commonwealth of Puerto Rico under this section shall remain available for obligation by the Commonwealth until September 30, 2020, and shall be in addition to funds otherwise made available: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 901(b)(2)(A)(i)).

SEC. 105. There is hereby appropriated \$5,000,000, to remain available until September 30, 2020, for the Secretary of Agriculture to conduct an independent study, including a survey of participants, to compare the impact of the additional benefits provided by section 309 of Public Law 115-72 to the food insecurity, health status, and well-being of low-income residents in Puerto Rico without such additional benefits: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 106. In addition to amounts otherwise made available, out of the funds made available under section 18 of Food and Nutrition Act of 2008, \$5,000,000 shall be available for the Secretary to provide a grant to American Samoa for disaster nutrition assistance in response to the presidentially declared major disasters and emergencies: *Provided*, That funds made available to the territory under this section shall remain available for obligation by the territory until September 30, 2020: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE II

DEPARTMENT OF COMMERCE

ECONOMIC DEVELOPMENT ADMINISTRATION ECONOMIC DEVELOPMENT ASSISTANCE PROGRAMS

(INCLUDING TRANSFERS OF FUNDS)

Pursuant to section 703 of the Public Works and Economic Development Act (42 U.S.C. 3233), for an additional amount for "Economic Development Assistance Programs" for necessary expenses related to flood mitigation, disaster relief, long-term recovery, and restoration of infrastructure in areas that received a major disaster designation as a result of Hurricanes Florence, Michael, and Lane, Typhoons Yutu and Mangkhut, and of wildfires, volcanic eruptions, earthquakes, and other natural disasters occurring in calendar year 2018, and tornadoes and floods occurring in calendar year 2019 under the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.), \$600,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That within the amount appropriated, up to 2 percent of funds may be transferred to the "Salaries

and Expenses" account for administration and oversight activities: *Provided further*, That within the amount appropriated, \$1,000,000 shall be transferred to the "Office of Inspector General" account for carrying out investigations and audits related to the funding provided under this heading.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

OPERATIONS, RESEARCH, AND FACILITIES

For an additional amount for "Operations, Research, and Facilities" for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoon Yutu, and of wildfires, \$120,570,000, to remain available until September 30, 2020, as follows:

(1) \$3,000,000 for repair and replacement of observing assets, real property, and equipment;

(2) \$11,000,000 for marine debris assessment and removal;

(3) \$31,570,000 for mapping, charting, and geodesy services;

(4) \$25,000,000 to improve: (a) hurricane intensity forecasting, including through deployment of unmanned ocean observing platforms and enhanced data assimilation; (b) flood prediction, forecasting, and mitigation capabilities; and (c) wildfire prediction, detection, and forecasting; and

(5) \$50,000,000 for Title IX Fund grants as authorized under section 906(c) of division O of Public Law 114-113:

Provided, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate for funding provided under subsection (4) of this heading within 45 days after the date of enactment of this Act.

PROCUREMENT, ACQUISITION AND CONSTRUCTION

For an additional amount for "Procurement, Acquisition and Construction", \$25,000,000, to remain available until September 30, 2021, for improvements to operational and research weather supercomputing infrastructure and satellite ground services used for hurricane intensity and track prediction; flood prediction, forecasting, and mitigation; and wildfire prediction, detection, and forecasting: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the National Oceanic and Atmospheric Administration shall submit a spending plan to the Committees on Appropriations of the House of Representatives and the Senate within 45 days after the date of enactment of this Act.

FISHERY DISASTER ASSISTANCE

For an additional amount for "Fishery Disaster Assistance" for necessary expenses associated with the mitigation of fishery disasters, \$150,000,000, to remain available until expended: *Provided*, That funds shall be used for mitigating the effects of commercial fishery failures and fishery resource disasters declared by the Secretary of Commerce, including those declared by the Secretary to be a direct result of Hurricanes Florence and Michael and Typhoons Yutu and Mangkhut: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF JUSTICE

UNITED STATES MARSHALS SERVICE

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoon Yutu, \$1,336,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL PRISON SYSTEM

BUILDINGS AND FACILITIES

For an additional amount for "Buildings and Facilities" for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoon Yutu, \$28,400,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

LEGAL SERVICES CORPORATION

PAYMENT TO THE LEGAL SERVICES CORPORATION

For an additional amount for "Payment to the Legal Services Corporation" to carry out the purposes of the Legal Services Corporation Act by providing for necessary expenses related to the consequences of Hurricanes Florence, Michael, and Lane, Typhoons Yutu and Mangkhut, calendar year 2018 wildfires, volcanic eruptions, and earthquakes, and calendar year 2019 tornadoes and floods, \$15,000,000: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That none of the funds appropriated in this Act to the Legal Services Corporation shall be expended for any purpose prohibited or limited by, or contrary to any of the provisions of, sections 501, 502, 503, 504, 505, and 506 of Public Law 105-119, and all funds appropriated in this Act to the Legal Services Corporation shall be subject to the same terms and conditions set forth in such sections, except that all references in sections 502 and 503 to 1997 and 1998 shall be deemed to refer instead to 2018 and 2019, respectively, and except that sections 501 and 503 of Public Law 104-134 (referenced by Public Law 105-119) shall not apply to the amount made available under this heading: *Provided further*, That, for the purposes of this Act, the Legal Services Corporation shall be considered an agency of the United States Government.

TITLE III

DEPARTMENT OF DEFENSE

OPERATION AND MAINTENANCE, MARINE CORPS

For an additional amount for "Operation and Maintenance, Marine Corps", \$200,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OPERATION AND MAINTENANCE, AIR FORCE

For an additional amount for "Operation and Maintenance, Air Force", \$400,000,000, for necessary expenses related to the consequences of Hurricanes Michael and Florence: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IV
CORPS OF ENGINEERS—CIVIL
DEPARTMENT OF THE ARMY
INVESTIGATIONS

For an additional amount for “Investigations” for necessary expenses related to the completion, or initiation and completion, of flood and storm damage reduction, including shore protection, studies which are currently authorized or which are authorized after the date of enactment of this Act, to reduce risk from future floods and hurricanes, at full Federal expense, \$35,000,000, to remain available until expended, for high priority studies of projects in States and insular areas that were impacted by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and Tropical Storm Gita: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House and the Senate detailing the allocation and obligation of these funds, including new studies selected to be initiated using funds provided under this heading, beginning not later than 60 days after the date of enactment of this Act.

CONSTRUCTION

For an additional amount for “Construction” for necessary expenses, \$740,000,000, to remain available until expended, to construct flood and storm damage reduction, including shore protection, projects which are currently authorized or which are authorized after the date of enactment of this Act, and flood and storm damage reduction, including shore protection, projects which have signed Chief’s Reports as of the date of enactment of this Act or which are studied using funds provided under the heading “Investigations” if the Secretary determines such projects to be technically feasible, economically justified, and environmentally acceptable, in States and insular areas that were impacted by Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, and Tropical Storm Gita: *Provided*, That projects receiving funds provided under the first proviso in “Title IV—Corps of Engineers—Civil—Department of the Army—Construction” in Public Law 115–123 shall not be eligible for funding provided under this heading: *Provided further*, That for projects receiving funds provided under this heading, the provisions of Section 902 of the Water Resources Development Act of 1986 shall not apply to these funds: *Provided further*, That the completion of ongoing construction projects receiving funds provided under this heading shall be at full Federal expense with respect to such funds: *Provided further*, That using funds provided under this heading, the non-Federal cash contribution for projects other than ongoing construction projects shall be financed in accordance with the provisions of section 103(k) of Public Law 99–662 over a period of 30 years from the date of completion of the project or separable element: *Provided further*, That up to \$25,000,000 of the funds made available under this heading shall be used for continuing authorities projects to reduce the risk of flooding and storm damage: *Provided further*, That any projects using funds appropriated under this heading shall be initiated only after non-Federal interests have entered into binding agreements with the Secretary requiring, where applicable, the non-Federal interests to pay 100 percent of the operation, maintenance, repair, replacement, and rehabilitation costs of the project and to hold and save the United

States free from damages due to the construction or operation and maintenance of the project, except for damages due to the fault or negligence of the United States or its contractors: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this Act.

MISSISSIPPI RIVER AND TRIBUTARIES

For an additional amount for “Mississippi River and Tributaries” for necessary expenses to address emergency situations at Corps of Engineers projects and rehabilitate and repair damages to Corps of Engineers projects, caused by natural disasters, including disasters in 2019, \$575,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this Act.

OPERATION AND MAINTENANCE

For an additional amount for “Operation and Maintenance” for necessary expenses to dredge Federal navigation projects in response to, and repair damages to Corps of Engineers Federal projects caused by, natural disasters, including disasters in 2019, \$908,000,000, to remain available until expended, of which such sums as are necessary to cover the Federal share of eligible operation and maintenance costs for coastal harbors and channels, and for inland harbors shall be derived from the Harbor Maintenance Trust Fund: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report directly to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the date of enactment of this Act.

FLOOD CONTROL AND COASTAL EMERGENCIES

For an additional amount for “Flood Control and Coastal Emergencies”, as authorized by section 5 of the Act of August 18, 1941 (33 U.S.C. 701n), for necessary expenses to prepare for flood, hurricane and other natural disasters and support emergency operations, repairs, and other activities in response to such disasters, including disasters in 2019, as authorized by law, \$510,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That the Assistant Secretary of the Army for Civil Works shall provide a monthly report to the Committees on Appropriations of the House of Representatives and the Senate detailing the allocation and obligation of these funds, beginning not later than 60 days after the enactment of this Act.

DEPARTMENT OF THE INTERIOR

CENTRAL UTAH PROJECT

CENTRAL UTAH PROJECT COMPLETION ACCOUNT

For an additional amount for “Central Utah Project Completion Account”, \$350,000, to be deposited into the Utah Reclamation Mitigation and Conservation Account for use by the Utah Reclamation Mitigation and Conservation Commission, to remain available until expended, for expenses necessary in carrying out fire remediation activities related to wildfires in 2018: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

BUREAU OF RECLAMATION

WATER AND RELATED RESOURCES

For an additional amount for “Water and Related Resources”, \$15,500,000, to remain available until expended, for fire remediation and suppression emergency assistance related to wildfires in 2017 and 2018: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE V

DEPARTMENT OF HOMELAND SECURITY
SECURITY, ENFORCEMENT, AND
INVESTIGATIONS

COAST GUARD

OPERATIONS AND SUPPORT

For an additional amount for “Operations and Support” for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, \$46,977,000, to remain available until September 30, 2020: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

PROCUREMENT, CONSTRUCTION, AND
IMPROVEMENTS

For an additional amount for “Procurement, Construction, and Improvements” for necessary expenses related to the consequences of Hurricanes Michael, Florence, and Lane, Tropical Storm Gordon, and Typhoon Mangkhut, \$476,755,000, to remain available until September 30, 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL COMPLIANCE AND
RESTORATION

For an additional amount for “Environmental Compliance and Restoration” for necessary expenses related to the consequences of Hurricanes Michael and Florence, \$2,000,000, to remain available until September 30, 2023: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VI

DEPARTMENT OF THE INTERIOR

UNITED STATES FISH AND WILDLIFE SERVICE
CONSTRUCTION

For an additional amount for “Construction” for necessary expenses related to the consequences of Hurricanes Florence, Lane, and Michael, and flooding associated with major declared disaster DR-4365, and calendar year 2018 earthquakes, \$82,400,000, to

remain available until expended: *Provided*, That of this amount \$50,000,000 shall be used to restore and rebuild national wildlife refuges and increase the resiliency and capacity of coastal habitat and infrastructure to withstand storms and reduce the amount of damage caused by such storms: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL PARK SERVICE

HISTORIC PRESERVATION FUND

For an additional amount for the "Historic Preservation Fund" for necessary expenses related to the consequences of Hurricanes Florence and Michael, and Typhoon Yutu, \$50,000,000, to remain available until September 30, 2022, including costs to States and territories necessary to complete compliance activities required by section 306108 of title 54, United States Code (formerly section 106 of the National Historic Preservation Act) and costs needed to administer the program: *Provided*, That grants shall only be available for areas that have received a major disaster declaration pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided further*, That individual grants shall not be subject to a non-Federal matching requirement: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CONSTRUCTION

For an additional amount for "Construction" for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoons Yutu and Mangkhut, and calendar year 2018 wildfires, earthquakes, and volcanic eruptions, \$78,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

UNITED STATES GEOLOGICAL SURVEY

SURVEYS, INVESTIGATIONS, AND RESEARCH

For an additional amount for "Surveys, Investigations, and Research" for necessary expenses related to the consequences of Hurricanes Florence and Michael, and calendar year 2018 wildfires, earthquake damage associated with emergency declaration EM-3410, and in those areas impacted by a major disaster declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) with respect to calendar year 2018 wildfires or volcanic eruptions, \$98,500,000, to remain available until expended: *Provided*, That of this amount, \$72,310,000 is for costs related to the repair and replacement of equipment and facilities damaged by disasters in 2018: *Provided further*, That, not later than 90 days after enactment of this Act, the Survey shall submit a report to the Committees on Appropriations that describes the potential options to replace the facility damaged by the 2018 volcano disaster along with cost estimates and a description of how the Survey will provide direct access for monitoring volcanic activity and the potential threat to at-risk communities: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENTAL OFFICES

INSULAR AFFAIRS

ASSISTANCE TO TERRITORIES

For an additional amount for "Technical Assistance" for financial management expenses related to the consequences of Typhoon Yutu, \$2,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF INSPECTOR GENERAL

SALARIES AND EXPENSES

For an additional amount for "Salaries and Expenses" for necessary expenses related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, \$1,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

ENVIRONMENTAL PROTECTION AGENCY

SCIENCE AND TECHNOLOGY

For an additional amount for "Science and Technology" for necessary expenses related to improving preparedness of the water sector, \$600,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

LEAKING UNDERGROUND STORAGE TANK TRUST FUND PROGRAM

For an additional amount for "Leaking Underground Storage Tank Fund" for necessary expenses related to the consequences of Hurricanes Florence and Michael, calendar year 2018 earthquakes, and Typhoon Yutu, \$1,500,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND TRIBAL ASSISTANCE GRANTS

For additional amounts for "State and Tribal Assistance Grants" for necessary expenses related to the consequences of Hurricanes Florence and Michael and calendar year 2018 earthquakes for the hazardous waste financial assistance grants program, \$1,500,000, to remain available until expended; for necessary expenses related to the consequences of Typhoon Yutu for the hazardous waste financial assistance grants program and for other solid waste management activities, \$56,000,000, to remain available until expended, provided that none of these funds shall be subject to section 3011(b) of the Solid Waste Disposal Act; and for grants under section 106 of the Federal Water Pollution Control Act, \$5,000,000, to remain available until expended, to address impacts of Hurricane Florence, Hurricane Michael, Typhoon Yutu, and calendar year 2018 wildfires, notwithstanding subsections (b), (e), and (f), of such section: *Provided*, That such amounts are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

For an additional amount for "State and Tribal Assistance Grants", \$349,400,000 to remain available until expended, of which \$53,300,000 shall be for capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, and of which \$296,100,000 shall be

for capitalization grants under section 1452 of the Safe Drinking Water Act: *Provided*, That notwithstanding section 604(a) of the Federal Water Pollution Control Act and section 1452(a)(1)(D) of the Safe Drinking Water Act, funds appropriated herein shall be provided to States or Territories in EPA Regions 4, 9, and 10 in amounts determined by the Administrator for wastewater treatment works and drinking water facilities impacted by Hurricanes Florence and Michael, Typhoon Yutu, and calendar year 2018 wildfires and earthquakes: *Provided further*, That notwithstanding the requirements of section 603(i) of the Federal Water Pollution Control Act and section 1452(d) of the Safe Drinking Water Act, for the funds appropriated herein, each State shall use not less than 20 percent but not more than 30 percent of the amount of its capitalization grants to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: *Provided further*, That the Administrator shall retain \$10,400,000 of the funds appropriated herein for grants for drinking water facilities and waste water treatment plants impacted by Typhoon Yutu: *Provided further*, That the funds appropriated herein shall be used for eligible projects whose purpose is to reduce flood or fire damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to further such purposes: *Provided further*, That the Administrator of the Environmental Protection Agency may retain up to \$1,000,000 of the funds appropriated herein for management and oversight: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

In addition, for an additional amount for "State and Tribal Assistance Grants", \$250,000,000, to remain available until expended, of which \$130,500,000 shall be for capitalization grants for the Clean Water State Revolving Funds under title VI of the Federal Water Pollution Control Act, and of which \$119,500,000 shall be for capitalization grants under section 1452 of the Safe Drinking Water Act: *Provided*, That notwithstanding section 604(a) of the Federal Water Pollution Control Act and section 1452(a)(1)(D) of the Safe Drinking Water Act, funds appropriated herein shall be provided to States or Territories in EPA Regions 2, 4 and 6 in amounts determined by the Administrator for wastewater and drinking water treatment works and facilities impacted by Hurricanes Harvey, Irma, and Maria: *Provided further*, That, for Region 2, such funds allocated from funds appropriated herein shall not be subject to the matching or cost share requirements of sections 602(b)(2), 602(b)(3) of the Federal Water Pollution Control Act nor the matching requirements of section 1452(e) of the Safe Drinking Water Act: *Provided further*, That, for Region 2, notwithstanding the requirements of section 603(i) of the Federal Water Pollution Control Act and section 1452(d) of the Safe Drinking Water Act, each State and Territory shall use the full amount of its capitalization grants allocated from funds appropriated herein to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: *Provided further*, That, for Regions 4 and 6, notwithstanding the requirements of section 603(i) of

the Federal Water Pollution Control Act and section 1452(d) of the Safe Drinking Water Act, for the funds allocated, each State shall use not less than 20 percent but not more than 30 percent amount of its capitalization grants allocated from funds appropriated herein to provide additional subsidization to eligible recipients in the form of forgiveness of principal, negative interest loans or grants or any combination of these: *Provided further*, That the Administrator shall retain \$37,300,000 of the funds appropriated herein for grants to any state or territory that has not established a water pollution control revolving fund pursuant to title VI of the Federal Water Pollution Control Act or section 1452 of the Safe Drinking Water Act for drinking water facilities and waste water treatment plants impacted by Hurricanes Irma and Maria: *Provided further*, That the funds appropriated herein shall only be used for eligible projects whose purpose is to reduce flood damage risk and vulnerability or to enhance resiliency to rapid hydrologic change or a natural disaster at treatment works as defined by section 212 of the Federal Water Pollution Control Act or any eligible facilities under section 1452 of the Safe Drinking Water Act, and for other eligible tasks at such treatment works or facilities necessary to further such purposes: *Provided further*, That, for Region 2, notwithstanding section 603(d)(2) of the Federal Water Pollution Control Act and section 1452(f)(2) of the Safe Drinking Water Act, funds allocated from funds appropriated herein may be used to make loans or to buy, refinance or restructure the debt obligations of eligible recipients only where such debt was incurred on or after September 20, 2017: *Provided further*, That the Administrator of the Environmental Protection Agency may retain up to \$1,000,000 of the funds appropriated herein for management and oversight: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

RELATED AGENCIES

DEPARTMENT OF AGRICULTURE

FOREST SERVICE

FOREST AND RANGELAND RESEARCH

For an additional amount for “Forest and Rangeland Research” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, \$1,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

STATE AND PRIVATE FORESTRY

For an additional amount for “State and Private Forestry” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, \$12,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

NATIONAL FOREST SYSTEM

For an additional amount for “National Forest System” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, \$84,960,000, to remain available until expended: *Provided*, That of this amount \$21,000,000 shall be used for hazardous fuels management activities: *Provided*

further, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CAPITAL IMPROVEMENT AND MAINTENANCE

For an additional amount for “Capital Improvement and Maintenance” for necessary expenses related to the consequences of Hurricanes Florence and Michael, and the calendar year 2018 wildfires, \$36,040,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

WILDLAND FIRE MANAGEMENT

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Wildland Fire Management”, \$720,271,000, to remain available through September 30, 2022, for urgent wildland fire suppression operations: *Provided*, That such funds shall be solely available to be transferred to and merged with other appropriations accounts from which funds were previously transferred for wildland fire suppression in fiscal year 2018 to fully repay those amounts: *Provided further*, That such amount is designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

NATIONAL INSTITUTES OF HEALTH

NATIONAL INSTITUTE OF ENVIRONMENTAL HEALTH SCIENCES

For an additional amount for “National Institute of Environmental Health Sciences” for necessary expenses in carrying out activities set forth in section 311(a) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980 (42 U.S.C. 9660(a)) and section 126(g) of the Superfund Amendments and Reauthorization Act of 1986 related to the consequences of major disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) in 2018, \$1,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISION—THIS TITLE

SEC. 601. Not later than 45 days after the date of enactment of this Act, the agencies receiving funds appropriated by this title shall provide a detailed operating plan of anticipated uses of funds made available in this title by State and Territory, and by program, project, and activity, to the Committees on Appropriations: *Provided*, That no such funds shall be obligated before the operating plans are provided to the Committees: *Provided further*, That such plans shall be updated, including obligations to date, and submitted to the Committees on Appropriations every 60 days until all such funds are expended.

TITLE VII

DEPARTMENT OF LABOR

EMPLOYMENT AND TRAINING ADMINISTRATION

TRAINING AND EMPLOYMENT SERVICES

(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Training and Employment Services”, \$50,000,000, for the dislocated workers assistance national reserve for necessary expenses directly related to the consequences of Hurricanes

Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, wildfires and earthquakes occurring in calendar year 2018, and tornadoes and floods occurring in calendar year 2019 (referred to under this heading as “covered disaster or emergency”), to remain available through September 30, 2020: *Provided*, That the Secretary of Labor may transfer up to \$1,000,000 of such funds to any other Department of Labor account for reconstruction and recovery needs, including worker protection activities: *Provided further*, That these sums may be used to replace grant funds previously obligated to the impacted areas: *Provided further*, That of the amount provided, up to \$500,000, to remain available until expended, shall be transferred to “Office of Inspector General” for oversight of activities responding to such covered disaster or emergency: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

ADMINISTRATION FOR CHILDREN AND FAMILIES

PAYMENTS TO STATES FOR THE CHILD CARE AND DEVELOPMENT BLOCK GRANT

For an additional amount for “Payments to States for the Child Care and Development Block Grant”, \$30,000,000, to remain available through September 30, 2021, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, wildfires and earthquakes occurring in calendar year 2018, and tornadoes and floods occurring in calendar year 2019 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191): *Provided*, That the Secretary shall allocate such funds based on assessed need notwithstanding sections 658J and 658O of the Child Care and Development Block Grant Act of 1990: *Provided further*, That such funds may be used for costs of renovating, repairing, or rebuilding child care facilities without regard to section 658F(b) or 658G of such Act and with amounts allocated for such purposes excluded from the calculation of percentages under subsection 658E(c)(3) of such Act: *Provided further*, That notwithstanding section 658J(c) of such Act, funds allotted to a State and used for renovating, repairing, or rebuilding child care facilities may be obligated by the State in that fiscal year or the succeeding three fiscal years: *Provided further*, That Federal interest provisions will not apply to the renovation or rebuilding of privately-owned family child care homes, and the Secretary shall develop parameters on the use of funds for family child care homes: *Provided further*, That the Secretary shall not retain Federal interest after a period of 10 years in any facility renovated, repaired, or rebuilt with funds appropriated under this paragraph: *Provided further*, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

CHILDREN AND FAMILIES SERVICES PROGRAMS

For an additional amount for “Children and Families Services Programs”, \$90,000,000,

to remain available through September 30, 2021, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, wildfires and earthquakes occurring in calendar year 2018, and tornadoes and floods occurring in calendar year 2019 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191): *Provided*, That \$55,000,000 shall be for Head Start programs, including making payments under the Head Start Act: *Provided further*, That none of funds provided in the previous proviso shall be included in the calculation of the “base grant” in subsequent fiscal years, as such term is defined in sections 640(a)(7)(A), 641A(h)(1)(B), or 645(d)(3) of the Head Start Act: *Provided further*, That funds provided in the second previous proviso are not subject to the allocation requirements of section 640(a) of the Head Start Act: *Provided further*, That \$5,000,000 shall be for payments to States, territories, and tribes for activities authorized under subpart 1 of part B of title IV of the Social Security Act, with such funds allocated based on assessed need notwithstanding section 423 of such Act and paid without regard to percentage limitations in subsections (a) or (e) in section 424 of such Act: *Provided further*, That \$25,000,000 shall be for payments to States, territories, and tribes authorized under the Community Services Block Grant Act, with such funds allocated based on assessed need notwithstanding sections 674(b), 675A, and 675B of such Act: *Provided further*, That notwithstanding section 676(b)(8) of the Community Services Block Grant Act, each State, territory, or tribe may allocate funds to eligible entities based on assessed need: *Provided further*, That funds appropriated in this paragraph shall not be available for costs that are reimbursed by the Federal Emergency Management Agency, under a contract for insurance, or by self-insurance: *Provided further*, That up to \$5,000,000, to remain available until expended, shall be available for Federal administrative expenses: *Provided further*, That obligations incurred for the purposes provided herein prior to the date of enactment of this Act may be charged to funds appropriated under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

OFFICE OF THE SECRETARY

PUBLIC HEALTH AND SOCIAL SERVICES
EMERGENCY FUND

(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for the “Public Health and Social Services Emergency Fund”, \$201,000,000, to remain available through September 30, 2020, for necessary expenses directly related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, wildfires and earthquakes occurring in calendar year 2018, and tornadoes and floods occurring in calendar year 2019 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191) (referred to under this heading as “covered disaster or emergency”), including activities authorized under section 319(a) of the Public Health Service Act (referred to in this Act as the “PHS Act”): *Provided*, That of the amount provided, \$80,000,000 shall be transferred to “Health Resources and Services Administration—Primary Health Care” for expenses directly related to a covered disaster

or emergency for disaster response and recovery, for the Health Centers Program under section 330 of the PHS Act, including alteration, renovation, construction, equipment, and other capital improvement costs as necessary to meet the needs of areas affected by a covered disaster or emergency: *Provided further*, That the time limitation in section 330(e)(3) of the PHS Act shall not apply to funds made available under the preceding proviso: *Provided further*, That of the amount provided, not less than \$20,000,000 shall be transferred to “Centers for Disease Control and Prevention—CDC-Wide Activities and Program Support” for response, recovery, mitigation, and other expenses directly related to a covered disaster or emergency: *Provided further*, That of the amount provided, not less than \$100,000,000 shall be transferred to “Substance Abuse and Mental Health Services Administration—Health Surveillance and Program Support” for grants, contracts, and cooperative agreements for behavioral health treatment, treatment of substance use disorders, crisis counseling, and other related helplines, and for other similar programs to provide support to individuals impacted by a covered disaster or emergency: *Provided further*, That of the amount provided, up to \$1,000,000, to remain available until expended, shall be transferred to “Office of the Secretary—Office of Inspector General” for oversight of activities responding to such covered disasters or emergencies: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF EDUCATION

HURRICANE EDUCATION RECOVERY
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Hurricane Education Recovery” for necessary expenses related to the consequences of Hurricanes Florence and Michael, Typhoon Mangkhut, Super Typhoon Yutu, wildfires, earthquakes, and volcanic eruptions occurring in calendar year 2018, and tornadoes and floods occurring in calendar year 2019 in those areas for which a major disaster or emergency has been declared under section 401 or 501 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5170 and 5191) (referred to under this heading as “covered disaster or emergency”), \$165,000,000, to remain available through September 30, 2020, for assisting in meeting the educational needs of individuals affected by a covered disaster or emergency: *Provided*, That such assistance may be provided through any of the programs authorized under this heading in title VIII of subdivision 1 of division B of Public Law 115–123 (as amended by Public Law 115–141), as determined by the Secretary of Education, and subject to the terms and conditions that applied to those programs, except that references to dates and school years in Public Law 115–123 shall be deemed to be the corresponding dates and school years for the covered disaster or emergency: *Provided further*, That the Secretary of Education may determine the amounts to be used for each such program and shall notify the Committees on Appropriations of the House of Representatives and the Senate of these amounts not later than 7 days prior to obligation: *Provided further*, That \$2,000,000 of the funds made available under this heading, to remain available until expended, shall be transferred to the Office of the Inspector General of the Department of Education for oversight of activities supported with funds appropriated under this heading, and up to \$1,000,000 of the funds made available under this heading shall be for program adminis-

tration: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 701. Not later than 30 days after enactment of this Act, the Secretaries of Labor, Health and Human Services, and Education shall provide a detailed spend plan of anticipated uses of funds made available in this title, including estimated personnel and administrative costs, to the Committees on Appropriations: *Provided*, That such plans shall be updated and submitted to the Committees on Appropriations every 60 days until all funds are expended or expire.

SEC. 702. (a) Section 1108(g)(5) of the Social Security Act (42 U.S.C. 1308(g)(5)) is amended—

(1) in subparagraph (A), by striking “and (E)” and inserting “(E), and (F)”;

(2) in subparagraph (C), in the matter preceding clause (i), by striking “and (E)” and inserting “and (F)”;

(3) by redesignating subparagraph (E) as subparagraph (F);

(4) by inserting after subparagraph (D), the following:

“(E) Subject to subparagraph (F), for the period beginning January 1, 2019, and ending September 30, 2019, the amount of the increase otherwise provided under subparagraph (A) for the Northern Mariana Islands shall be further increased by \$36,000,000.”; and

(5) in subparagraph (F) (as redesignated by paragraph (3) of this section)—

(A) by striking “title XIX, during” and inserting “title XIX—

“(i) during”;

(B) by striking “and (D)” and inserting “(D), and (E)”;

(C) by striking “and the Virgin Islands” each place it appears and inserting “, the Virgin Islands, and the Northern Mariana Islands”;

(D) by striking the period at the end and inserting “; and”; and

(E) by adding at the end the following:

“(ii) for the period beginning January 1, 2019, and ending September 30, 2019, with respect to payments to Guam and American Samoa from the additional funds provided under subparagraph (A), the Secretary shall increase the Federal medical assistance percentage or other rate that would otherwise apply to such payments to 100 percent.”.

(b) The amounts provided by the amendments made by subsection (a) are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE VIII

LEGISLATIVE BRANCH

GOVERNMENT ACCOUNTABILITY OFFICE

SALARIES AND EXPENSES

For an additional amount for “Salaries and Expenses”, \$10,000,000, to remain available until expended, for audits and investigations related to Hurricanes Florence, Lane, and Michael, Typhoons Yutu and Mangkhut, the calendar year 2018 wildfires, earthquakes, and volcano eruptions, and other disasters declared pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That, not later than 90 days after the date of enactment of this Act, the Government Accountability Office shall submit to the Committees on Appropriations of the House of Representatives and the Senate a spend plan specifying funding estimates for audits and investigations of any such declared disasters occurring in 2018 and identifying funding estimates or carryover balances, if any, that

may be available for audits and investigations of any other such declared disasters: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE IX

DEPARTMENT OF DEFENSE

MILITARY CONSTRUCTION, NAVY AND MARINE CORPS

For an additional amount for “Military Construction, Navy and Marine Corps”, \$115,000,000, to remain available until September 30, 2023, for planning and design related to the consequences of Hurricanes Florence and Michael on Navy and Marine Corps installations: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a master plan for the installations: *Provided further*, That, not later than 60 days after enactment of this Act, the Secretary of the Navy, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, AIR FORCE

For an additional amount for “Military Construction, Air Force”, \$700,000,000, to remain available until September 30, 2023, for planning and design, and construction expenses related to the consequences of Hurricane Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive a basing plan and future mission requirements for installations significantly damaged by Hurricane Michael: *Provided further*, That, not later than 60 days after enactment of this Act, the Secretary of the Air Force, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

MILITARY CONSTRUCTION, ARMY NATIONAL GUARD

For an additional amount for “Military Construction, Army National Guard”, \$42,400,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael: *Provided*, That none of the funds shall be available for obligation until the Committees on Appropriations of the House of Representatives and the Senate receive form 1391 for each specific request: *Provided further*, That, not later than 60 days after enactment of this Act, the Director of the Army National Guard, or his designee, shall submit to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such funds may be obligated or expended for planning and design and military construction projects not otherwise authorized by law: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF VETERANS AFFAIRS
VETERANS HEALTH ADMINISTRATION
MEDICAL FACILITIES
(INCLUDING TRANSFER OF FUNDS)

For an additional amount for “Medical Facilities”, \$3,000,000, to remain available until September 30, 2023, for necessary expenses related to the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu: *Provided*, That the Secretary of Veterans Affairs, upon determination that such action is necessary to address needs as a result of the consequences of Hurricanes Florence and Michael and Typhoons Mangkhut and Yutu, may transfer such funds to any discretionary account of the Department of Veterans Affairs: *Provided further*, That before a transfer may take place, the Secretary of Veterans Affairs shall submit notice thereof to the Committees on Appropriations of the House of Representatives and the Senate: *Provided further*, That none of these funds shall be available for obligation until the Secretary of Veterans Affairs submits to the Committees on Appropriations of the House of Representatives and the Senate a detailed expenditure plan for funds provided under this heading: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

TITLE X

DEPARTMENT OF TRANSPORTATION
FEDERAL TRANSIT ADMINISTRATION
PUBLIC TRANSPORTATION EMERGENCY RELIEF PROGRAM

For an additional amount for the “Public Transportation Emergency Relief Program” as authorized under section 5324 of title 49, United States Code, \$10,542,000 to remain available until expended, for transit systems affected by major declared disasters occurring in calendar year 2018: *Provided*, That not more than three-quarters of 1 percent of the funds for public transportation emergency relief shall be available for administrative expenses and ongoing program management oversight as authorized under sections 5334 and 5338(f)(2) of such title and shall be in addition to any other appropriations for such purpose: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL AVIATION ADMINISTRATION
OPERATIONS
(AIRPORT AND AIRWAY TRUST FUND)

Of the amounts made available for “Federal Aviation Administration—Operations” in division B of the Bipartisan Budget Act of 2018 (Public Law 115-123), up to \$18,000,000 shall also be available for necessary expenses related to the consequences of major declared disasters occurring in calendar year 2018: *Provided*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act of 1985 are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

FEDERAL HIGHWAY ADMINISTRATION
EMERGENCY RELIEF PROGRAM

For an additional amount for the Emergency Relief Program as authorized under section 125 of title 23, United States Code, \$1,650,000,000, to remain available until expended: *Provided*, That such amount is designated by the Congress as being for an

emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

COMMUNITY PLANNING AND DEVELOPMENT
COMMUNITY DEVELOPMENT FUND
(INCLUDING TRANSFERS OF FUNDS)

For an additional amount for “Community Development Fund”, \$2,491,000,000 to remain available until expended, for necessary expenses for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas resulting from a major disaster that occurred in 2018 or 2019 (except as otherwise provided under this heading) pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.): *Provided*, That funds shall be awarded directly to the State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974) at the discretion of the Secretary: *Provided further*, That of the amounts made available under this heading the Secretary shall allocate an amount necessary to address unmet needs for restoration of infrastructure for grantees that received allocations for disasters that occurred in 2017 under this heading of division B of Public Law 115-56 and title XI of subdivision 1 of division B of Public Law 115-123: *Provided further*, That of the amounts provided in the previous proviso, the Secretary’s determination of unmet needs for restoration of infrastructure shall not take into account mitigation-specific allocations: *Provided further*, That any funds made available under this heading and under the same heading in Public Law 115-254 that remain available, after the funds under such headings have been allocated for necessary expenses for activities authorized under such headings, shall be allocated to grantees receiving awards for disasters that occurred in 2018 or 2019, for mitigation activities in the most impacted and distressed areas resulting from a major disaster that occurred in 2018 or 2019: *Provided further*, That allocations under the previous proviso shall be made in the same proportion that the amount of funds each grantee received or will receive under this heading for unmet needs related to disasters that occurred in 2018 or 2019 and the same heading in division I of Public Law 115-254 bears to the amount of all funds provided to all grantees that received allocations for disasters that occurred in 2018 or 2019: *Provided further*, That of the amounts made available under the text preceding the first proviso under this heading and under the same heading in Public Law 115-254, the Secretary shall allocate to all such grantees an aggregate amount not less than 33 percent of the sum of such amounts of funds within 120 days after the enactment of this Act based on the best available data, and shall allocate no less than 100 percent of such funds by no later than 180 days after the enactment of this Act: *Provided further*, That the Secretary shall not prohibit the use of funds made available under this heading and the same heading in Public Law 115-254 for non-Federal share as authorized by section 105(a)(9) of the Housing and Community Development Act of 1974 (42 U.S.C. 5305(a)(9)): *Provided further*, That of the amounts made available under this heading, grantees may establish grant programs to assist small businesses for working capital purposes to aid in recovery: *Provided further*, That as a condition of making any grant, the Secretary shall certify in

advance that such grantee has in place proficient financial controls and procurement processes and has established adequate procedures to prevent any duplication of benefits as defined by section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155), to ensure timely expenditure of funds, to maintain comprehensive websites regarding all disaster recovery activities assisted with these funds, and to detect and prevent waste, fraud, and abuse of funds: *Provided further*, That with respect to any such duplication of benefits, the Secretary shall act in accordance with section 1210 of Public Law 115-254 (132 Stat. 3442) and section 312 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5155): *Provided further*, That the Secretary shall require grantees to maintain on a public website information containing common reporting criteria established by the Department that permits individuals and entities awaiting assistance and the general public to see how all grant funds are used, including copies of all relevant procurement documents, grantee administrative contracts and details of ongoing procurement processes, as determined by the Secretary: *Provided further*, That prior to the obligation of funds a grantee shall submit a plan to the Secretary for approval detailing the proposed use of all funds, including criteria for eligibility and how the use of these funds will address long-term recovery and restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas: *Provided further*, That such funds may not be used for activities reimbursed by, or for which funds have been made available by, the Federal Emergency Management Agency or the Army Corps of Engineers, in excess of the authorized amount of the project or its components: *Provided further*, That funds allocated under this heading shall not be considered relevant to the non-disaster formula allocations made pursuant to section 106 of the Housing and Community Development Act of 1974 (42 U.S.C. 5306): *Provided further*, That a State, unit of general local government, or Indian tribe may use up to 5 percent of its allocation for administrative costs: *Provided further*, That the first proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115-254) is amended by striking “State or unit of general local government” and inserting “State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))”: *Provided further*, That the sixth proviso under this heading in the Supplemental Appropriations for Disaster Relief Requirements Act, 2018 (division I of Public Law 115-254) is amended by striking “State or subdivision thereof” and inserting “State, unit of general local government, or Indian tribe (as such term is defined in section 102 of the Housing and Community Development Act of 1974 (42 U.S.C. 5302))”: *Provided further*, That in administering the funds under this heading, the Secretary of Housing and Urban Development may waive, or specify alternative requirements for, any provision of any statute or regulation that the Secretary administers in connection with the obligation by the Secretary or the use by the recipient of these funds (except for requirements related to fair housing, nondiscrimination, labor standards, and the environment), if the Secretary finds that good cause exists for the waiver or alternative requirement and such waiver or alternative requirement would not be inconsistent with the overall purpose of title I of the Housing and Community Development Act of 1974: *Provided further*, That,

notwithstanding the preceding proviso, recipients of funds provided under this heading that use such funds to supplement Federal assistance provided under section 402, 403, 404, 406, 407, 408 (c)(4), or 502 of the Robert T. Stafford Disaster Relief and Emergency Assistance Act (42 U.S.C. 5121 et seq.) may adopt, without review or public comment, any environmental review, approval, or permit performed by a Federal agency, and such adoption shall satisfy the responsibilities of the recipient with respect to such environmental review, approval or permit: *Provided further*, That, notwithstanding section 104(g)(2) of the Housing and Community Development Act of 1974 (42 U.S.C. 5304(g)(2)), the Secretary may, upon receipt of a request for release of funds and certification, immediately approve the release of funds for an activity or project assisted under this heading if the recipient has adopted an environmental review, approval or permit under the preceding proviso or the activity or project is categorically excluded from review under the National Environmental Policy Act of 1969 (42 U.S.C. 4321 et seq.): *Provided further*, That the Secretary shall publish via notice in the Federal Register any waiver, or alternative requirement, to any statute or regulation that the Secretary administers pursuant to title I of the Housing and Community Development Act of 1974 no later than 5 days before the effective date of such waiver or alternative requirement: *Provided further*, That of the amounts made available under this heading, up to \$5,000,000 shall be made available for capacity building and technical assistance, including assistance on contracting and procurement processes, to support States, units of general local government, or Indian tribes (and their subrecipients) that receive allocations pursuant to this heading, received disaster recovery allocations under the same heading in Public Law 115-254, or may receive similar allocations for disaster recovery in future appropriations Acts: *Provided further*, That of the amounts made available under this heading and under the same heading in Public Law 115-254, up to \$2,500,000 shall be transferred, in aggregate, to “Department of Housing and Urban Development—Program Office Salaries and Expenses—Community Planning and Development” for necessary costs, including information technology costs, of administering and overseeing the obligation and expenditure of amounts under this heading: *Provided further*, That the amount specified in the preceding proviso shall be combined with funds appropriated under the same heading and for the same purpose in Public Law 115-254 and the aggregate of such amounts shall be available for any of the same such purposes specified under this heading or the same heading in Public Law 115-254 without limitation: *Provided further*, That such amount is designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985: *Provided further*, That amounts repurposed under this heading that were previously designated by the Congress as an emergency requirement pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985.

GENERAL PROVISIONS—THIS TITLE

SEC. 1001. (a) Amounts previously made available for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in

the most impacted and distressed areas resulting from a major disaster, including funds provided under section 145 of division C of Public Law 114-223, section 192 of division C of Public Law 114-223 (as added by section 101(3) of division A of Public Law 114-254), section 421 of division K of Public Law 115-31, and any mitigation funding provided under the heading “Department of Housing and Urban Development—Community Planning and Development—Community Development Fund” of Public Law 115-123, that were allocated in response to Hurricane Matthew, may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Florence. In addition, any funds provided under the heading “Department of Housing and Urban Development—Community Planning and Development—Community Development Fund” in this Act or in division I of Public Law 115-254 that are allocated in response to Hurricane Florence may be used interchangeably and without limitation for the same activities in the most impacted and distressed areas related to Hurricane Matthew. Until HUD publishes the Federal Register Notice implementing this provision, grantees may submit for HUD approval revised plans for the use of funds related to Hurricane Matthew that expand the eligible beneficiaries of existing programs contained in such previously approved plans to include those impacted by Hurricane Florence. Approval of any such revised plans shall include the execution of revised grant terms and conditions as necessary. Once the implementing Notice is published, any additional action plan revisions shall follow the requirements contained therein.

(b) Amounts made available for administrative costs for activities authorized under title I of the Housing and Community Development Act of 1974 (42 U.S.C. 5301 et seq.) related to disaster relief, long-term recovery, restoration of infrastructure and housing, economic revitalization, and mitigation in the most impacted and distressed areas under this Act or any future Act, and amounts previously provided under section 420 of division L of Public Law 114-113, section 145 of division C of Public Law 114-223, section 192 of division C of Public Law 114-223 (as added by section 101(3) of division A of Public Law 114-254), section 421 of division K of Public Law 115-31, and under the heading “Department of Housing and Urban Development—Community Planning and Development—Community Development Fund” of division B of Public Law 115-56, Public Law 115-123, and Public Law 115-254, shall be available for eligible administrative costs of the grantee related to any disaster relief funding identified in this subsection without regard to the particular disaster appropriation from which such funds originated.

(c) The additional uses pursuant to this section for amounts that were previously designated by the Congress, respectively, as an emergency requirement or as being for disaster relief pursuant to the Balanced Budget and Emergency Deficit Control Act are designated by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 or as being for disaster relief pursuant to section 251(b)(2)(D) of the Balanced Budget and Emergency Deficit Control Act of 1985.

SEC. 1002. Of all amounts made available for mitigation activities under the heading “Department of Housing and Urban Development—Community Development Fund” in Public Law 115-123, the Secretary shall publish in the Federal Register the allocations to all eligible grantees, and the necessary administrative requirements applicable to such allocations within 90 days after enactment of this Act;

(1) For any plans or amendments addressing the use of any funds provided under Public Law 115-123 and received by the Secretary prior to December 22, 2018, the Secretary shall review pending amendments within 15 days of enactment of this Act and pending plans within 30 days of enactment of this Act;

(2) After the date of this Act, the Secretary may not apply the statutory waiver or alternative requirement authority provided by Public Law 115-123 to extend or otherwise alter existing statutory and regulatory provisions governing the timeline for review of required grantee plans.

TITLE XI

GENERAL PROVISION—THIS ACT

SEC. 1101. Each amount designated in this Act by the Congress as being for an emergency requirement pursuant to section 251(b)(2)(A)(i) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall be available (or rescinded or transferred, if applicable) only if the President subsequently so designates all such amounts and transmits such designations to the Congress.

This Act may be cited as the “Additional Supplemental Appropriations for Disaster Relief Act, 2019”.

AUTHORITY FOR COMMITTEES TO MEET

Mr. LANKFORD. Mr. President, I have 11 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 ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 2, 2019, at 9:30 a.m., to conduct a hearing on the following nominations: General Tod D. Wolters, USAF, for reappointment to the grade of general and to be Commander, United States European Command and Supreme Allied Commander Europe, and General Stephen J. Townsend, USA, for reappointment to the grade of general and to be Commander, United States Africa Command.

COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Tuesday, April 2, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, April 2, 2019, at 10 a.m., to conduct a hearing entitled, “The President’s Fiscal year 2020 budget for Department Energy.”

COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, April 2, 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 Tuesday, April 2, 2019, at 2:15 p.m., to conduct a hearing on NATO.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, April 2, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Tuesday, April 2, 2019, at 2:30 p.m., to conduct a hearing on the following nominations: Ron A. Bloom, of New York, to be a Governor of the United States Postal Service, and James A. Crowell IV, and Jason Park, both of the District of Columbia, both to be an Associate Judge of the Superior Court of the District of Columbia.

COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, April 2, 2019, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, April 2, 2019, at 2:30 p.m., to conduct a closed hearing.

SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session of the Senate on Tuesday, April 2, 2019, at 9:30 a.m., to conduct a hearing.

SUBCOMMITTEE ON AIRLAND

The Subcommittee on Airland of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, April 2, 2019, at 3 p.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mrs. MURRAY. Mr. President, I ask unanimous consent that the following fellows on the HELP Committee be granted floor privileges for the remainder of the 116th Congress: Meghan Mott, Garrett Devenney, Brian Keplun, Lindsey Tepe, Erika Nuernberg, and Yesenia Ayala.

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

Mrs. MURRAY. Mr. President, I ask unanimous consent that Mary Polanco, a fellow from the Air Force assigned to my office, be granted floor privileges for the remainder of this year.

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

MEASURE READ THE FIRST TIME—H.R. 7

Mr. McCONNELL. Mr. President, I understand there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The legislative clerk read as follows:

A bill (H.R. 7) to amend the Fair Labor Standards Act of 1938 to provide more effective remedies to victims of discrimination in the payment of wages on the basis of sex, and for other purposes.

Mr. McCONNELL. Mr. President, I now ask for a second reading and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection is heard.

The bill will be read for the second time on the next legislative day.

MEDICAID SERVICES INVESTMENT AND ACCOUNTABILITY ACT OF 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 1839.

The PRESIDING OFFICER. The clerk will report the bill by title.

The bill clerk read as follows:

A bill (H.R. 1839) to amend title XIX to extend protection for Medicaid recipients of home and community-based services against spousal impoverishment, establish a State Medicaid option to provide coordinated care to children with complex medical conditions through health homes, prevent the misclassification of drugs for purposes of the Medicaid drug rebate program, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 1839) was passed.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

HONORING THE LIFE OF TED LINDSAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 132 and the Senate proceed to its immediate consideration.

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

The bill clerk read as follows:

A resolution (S. Res. 132) honoring the life of Ted Lindsay.

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

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. MCCONNELL. I further 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. 132) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of March 28, 2019, under "Submitted Resolutions.")

RECOGNIZING THE 50TH ANNIVERSARY OF THE DENTAL COLLEGE OF GEORGIA AT AUGUSTA UNIVERSITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 138, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 138) recognizing the 50th anniversary of The Dental College of Georgia at Augusta University.

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

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

Mr. MCCONNELL. 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. 138) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

AUTHORIZING THE PRODUCTION OF RECORDS BY THE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 139, submitted earlier today.

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

The bill clerk read as follows:

A resolution (S. Res. 139) to authorize the production of records by the Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs.

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

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

Mr. MCCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and 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. 139) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, APRIL 3, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 12:30 p.m., Wednesday, April 3; 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, and the Senate proceed to executive session and resume consideration of the Kessler nomination, with the time until 2 p.m. equally divided between the two leaders or their designees; finally, that notwithstanding the provisions of rule XXII, the cloture motions filed during Monday's session of the Senate ripen at 2 p.m. tomorrow.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of our Democratic colleagues.

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

The PRESIDING OFFICER. The Senator from Ohio.

THE ECONOMY

Mr. BROWN. Mr. President, last week the dedicated journalists at the Cincinnati Enquirer published the first in a series of reports on the Ohioans left behind by the economic recovery. This is a big project that seven reporters, three editors, photographers, and videographers are all working on. They are doing what reporters do best—going behind the headlines about stock market performance and actually talking to people from all walks of life in southwest Ohio, in their circulation area.

When you look beyond the numbers, you see a pretty different story from what this President and his Wall Street

Cabinet like to brag about. These reporters traveled the 80-mile road that stretches from Middletown to Cincinnati and beyond. They talked to teachers and factory workers. They talked to pastors and truckdrivers, people of all ages, and people of all races. Over and over they found the same things. These Ohioans have simply not recovered from the Wall Street recession of a decade ago. They haven't recovered from decades of trade and tax policies that funneled wealth to the richest CEOs and the biggest multinational corporations.

These reporters wrote:

[These workers] may find jobs, but they don't earn the salaries and benefits they once did. They may pay their bills on time, but they're one illness or broken-down car from financial crisis.

Their savings accounts are stretched. Their health and retirement benefits inadequate. They need more than they have.

In other words, their hard work isn't paying off. Listen to some of the stories these reporters tell. They talked to a subcontractor for AK Steel. His employer is renegotiating its contract with the factory.

The authors wrote:

If the contract vanishes, someone will still do the work he does, but that's about the only thing he knows for sure. A new company might fire everyone and hire new drivers or decide to cut his pay.

More and more companies use subcontractors and independent contractors as a way to—as they always put it—"cut labor costs." What they really mean is to pay people less.

Listen to the story of a Mexican immigrant in West Chester Township in Butler County. He is here legally. He has a work permit. He works 60 hours a week to support his family. Do you know what he told reporters?

It's real tight with four kids. . . . I'm not here to take anybody else's jobs or money or benefits. . . . I'm here to work.

Another woman, a cancer survivor, talked to reporters about her crippling medical debt. She had to leave her job because of her condition, and she owes thousands of dollars because of her cancer treatment.

They wrote that "the debt took her car first, then her home of 12 years."

Think about that. The debt took her car first because she got sick and because we don't protect people with pre-existing conditions because of the President's comments and antics and all. They took her car first, and then they took her home of 12 years.

Listen to a story of a man in Middletown. He is trying to get a job, but he can't yet afford a computer or a car. He is applying for a job in an auto parts plant. He has to fill out forms online, and he has to have a drug test. That means trying to figure out how to get to a job counseling center to use a computer. It means trying to get a friend to drive him another 7 miles to the drug testing center.

The competition for a decent-paying job like that is so stiff that he is afraid

if he doesn't get the application in very soon, the job will be gone.

Think about the many layers of these stories. The reporting makes clear, as they say, that these are not outliers. These are not unusual cases. "Household income is lower today than before the recession in almost half the counties in Greater Cincinnati."

Greater Cincinnati is partly in Kentucky, represented by Senator McCONNELL and Senator PAUL, partly in Indiana, represented by Senator YOUNG and our new colleague from Indiana, and much in Ohio, represented by Senator PORTMAN and me.

Poverty is worse in one-third of those counties.

Wages for the poorest workers have barely budged since the recovery began.

And we know it isn't just southwest Ohio. It is the whole State. It is the whole country. It is the same story we see repeated over and over and over in this country. Wall Street recovers, corporations recover, and the wealthiest CEOs recover and then some. They all do better than ever.

Corporations spent more than \$800 billion with a "b"—800,000 million—in stock buybacks last year.

Remember the President's tax bill? I heard him say in his Cabinet Room, every American would get at least a \$4,000 raise. Some Americans would get a \$9,000 raise. He told a group of Senators face-to-face. There would be many more good-paying jobs created. He went to Youngstown, OH, only 1 year ago and said: Don't sell your homes. Stay here. The jobs are going to come back. We are going to build new factories. We are going to repopulate these factories.

Well, on his watch, three shifts of 1,500 people each at Lordstown—a GM plant—and Youngstown have been laid off, it appears, permanently.

The President's tax bill? That money didn't end up in the pockets of the company's workers. Stock buybacks go straight to the pockets of CEOs and other corporate managers who make the decisions about what to do with corporate stock buybacks.

So do you remember I said \$800 billion in stock buybacks last year? For the first time in a decade, corporations spent more on buying back their own stock, meaning taking the money and putting it in their pockets. They spent more money buying back their own stock than they did in long-term capital expenditures and investing in their workers' pay. They took more money for themselves—as if the President didn't know that of his tax cut, between 70 percent and 80 percent went to the richest 1-percent of the people in the country over time. He knew that. I think he knew that.

He also knew that in this tax bill there was a 50-percent-off coupon. If you produce in the United States, you pay a 21-percent corporate tax rate. If you move to Mexico you pay a 10.5-percent corporate tax rate. So what the President did and what the Senate did

is to give a 50-percent-off coupon as a reward for shutting down your production in Lordstown, OH, and moving to Mexico.

Corporations spent more on their stock than investing in long-term capital expenditures and workers, but ordinary Americans—what happened to the people in this story?

As for this story that the Cincinnati Enquirer wrote about and all of the people they interviewed—White, Black, Latino, Asian American, young and old, middle class and people falling out of the middle class, and low-income people who work hard and aspire to the middle class—what happened to them? They got left behind.

We need to change how we think about our economy. It is time for people in this Congress and in the White House to stop measuring the economy in quarterly earnings reports and stock prices.

Who thinks that way? People don't structure their lives thinking about quarterly financial reports. They don't structure their lives thinking of stock prices. People don't think in terms of 3-month earnings quarters. They think in terms of school years. They think in terms of 30-year mortgages. They think in terms of "the number of years left that I have to work before my retirement, and am I going to have enough?" That is the way that people think, but that is who we are here to serve, in South Dakota, Ohio, or anywhere else. We are here to serve workers and here to serve families. We are not here on the Senate Banking Committee to serve Wall Street. We are not here on the Senate Finance Committee or on the floor of the Senate to serve the biggest companies in the country that typically reward us by moving jobs overseas.

We need policies that restructure our economy to recognize that all work has dignity. When work has dignity, everyone can afford healthcare and everyone can afford housing. They have power over their schedules. They have the economic security to start a family, to pay for daycare or college or both, to take time off to care for themselves or their families when they are sick, and they save for their retirement.

The dignity of work fundamentally is about wages. It is about benefits. It is about having power over your own schedule. It is about daycare. It is about saving for retirement. It is about being able to take off to care for a loved one, whether you are raising children or taking care of an aging parent.

When work has dignity, our country has a strong middle class and a prosperous future.

PLANNED PARENTHOOD

Mr. BROWN. Mr. President, last month, the courts once again stepped in and allowed politicians to meddle in women's healthcare. Last month the courts once again stepped in. Unelected judges—unelected, conservative, most-

ly male judges—stepped in and allowed politicians to meddle in women's healthcare. These unelected judges ruled that Ohio can defund Planned Parenthood, limiting healthcare options for tens of thousands of Ohioans.

Planned Parenthood centers just in my State alone provide 70,000 free STD and HIV tests, cancer screenings, domestic violence education, and prenatal care. These clinics—and I have been to a number of them—are often the only places that many women and some men have to turn. Think again about the services they provide. They provide STD and HIV tests. They provide cancer screenings. They provide prenatal care. They provide domestic violence education.

What happens if they can't go to Planned Parenthood because of a political movement? Because of the politicizing of women's health, we see elected officials in Ohio taking away that care. They can't afford care somewhere else or they live too far away from other healthcare providers to have any real options. They turned to Planned Parenthood.

This decision by these judges is devastating for Ohioans. I get letters all the time from Ohioans who rely on Planned Parenthood.

One woman in Cincinnati wrote:

[Planned Parenthood] performed several of my yearly screenings, one of which detected an abnormality that was taken care of early and didn't develop into a major problem. Also, I was able to buy highly effective birth control at a reasonable price and avoid harder choices down the road.

Why would a legislature and a judge want to take that away?

A woman from West Liberty, a conservative community in our State, wrote:

If Planned Parenthood was not available to me as a young woman, I would've had nowhere to turn.

I was comfortable with seeking the help of the kind women and staff at Planned Parenthood. I was young and naive, but at least I knew there was somewhere safe to turn to.

A Columbus woman who wrote from the State's largest city:

At the age of 18, I became a young new mother. Throughout my years as a new mom, struggling to manage financial responsibilities on top of everything else, I used Planned Parenthood for most of my OB needs.

Planned Parenthood not only provided a well-rounded education in which I had received none previously—

That happens so often—

but they also provided services that I would not have had access to otherwise.

Another woman from Cincinnati wrote:

I am 42 years old, but when I was a young woman in college I went to a Planned Parenthood clinic to receive my yearly check-ups. It was cheap, near my college, and easy to access.

During one of my appointments they shared with me that they had found an irregular pap-smear and that I needed immediate medical attention.

[The doctor] suggested a surgery for an issue she found that may later cause issues

with having children. The doctor was amazing, supportive, and provided me the guidance as a young woman of what to do to ensure I was safe and getting the proper next steps.

Planned Parenthood saved my life.

The animosity coming out of the majority leader's office, the animosity toward Planned Parenthood coming from so many of my colleagues, and so much of the animosity coming out of the White House toward Planned Parenthood just amazes me because this woman said: "Planned Parenthood saved my life."

Think about that.

It is time for old White men in Washington and in courtrooms—and that is usually who they are. They are very affluent, they are generally older men judges, they are generally White, and they are making decisions in courtrooms and dictating decisions that should be made between a woman and her doctor.

That is what this is. This, along with heartbeat bills and all the other bills making their way through the State legislature in my State of Ohio and around the country—they spread lies. They spread disinformation. They are all about the same thing—intimidating women, intimidating doctors, and making it harder for women to get comprehensive healthcare. It is immoral, and it is despicable. I join so many of my colleagues in pledging never to stop fighting to protect women's freedom to make their own healthcare decisions.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for my usual climate speech. The Presiding Officer has seen this increasingly battered poster many times before.

We have had an interesting period in the Senate recently with respect to climate change, and I would like to take a moment to comment on it. Before I do that, I think it is important to kind of frame the backdrop of what is going on and why this matters.

This is the measurement of carbon dioxide levels on Earth. This goes back 400,000 years—no agriculture, no wheel, a long, long time ago. We see, over time, this recurring pattern in which CO₂ levels stay between 180 and 300 ppm. You can go back and people can see that these are—there are temperature shifts that correlate with these CO₂ levels.

We know this—I saw Senator BROWN from Ohio here. We know this because people have gone out—including two scientists from Ohio State. They have gone out to glaciers in the farthest and highest reaches of the planet, and they have drilled out cores of ice that go back tens of hundreds of thousands of years, and they are able to figure out, from the characteristics of the ice of that period, what the CO₂ concentra-

tions were—that and a lot of other data as well. This is very well scientifically established.

It is a little bit hard to see because it gets lost in the 0 year line, but this is what has happened. This is the highest level ever right there—highest historic CO₂ level. We shot up to here. We are actually over 400 ppm, and the range was 180 to 300. Do the math. Between 300 and 180, that is 120 ppm range, and now we are almost, by that full range, out of that range. That is an extraordinary anomaly in the entire history of the species—in fact, before our species.

So the idea that this has all happened before, that the climate is always changing, that is factual and scientific nonsense. Anybody who says that is either uninformed or should be ashamed of themselves because it is not always changing up to 400-plus ppm. It just isn't. We have no experience of that ever.

We do know that as these CO₂ levels go up, the planet warms. We have known that since Abraham Lincoln was President. When Abraham Lincoln was riding around here in his top hat, scientists had begun to understand about greenhouse gases and what that did. So there is nothing new in this. The science is totally established, and this is unprecedented in human history and before.

Here is where it comes home to roost for me. This is a map of the northern part of my State. This is the lower tip of our capital city, Providence. Over here is Bristol and Warren. Here is Warwick. This is Narragansett Bay. This is the top of Prudence Island. Here is the Mount Hope Bay. If you can see, all the parts that you see here as blue, all of that is now land. All of that is now land.

It has people's homes on it. It has people's businesses on it. It has some of our public recreation facilities on it. It is all predicted to disappear by the end of this century if we don't get our hands around this climate change problem. We don't have until the end of the century to stop it because like a giant oil tanker, you can put all engines in reverse, you can shut off engines, it is still going to have a lot of carry because of the momentum that has built up. This, where we are right now, is going to create effects for a long time. We have way less until the end of the century to act. The newest studies say we have about 12 years, if we really want to get ahead of this.

There has been some interesting stuff said on the Senate floor recently. Tell it to the people whose homes are going to be gone. This isn't just a political debate. There are lives, there are people's homes, and there are people's businesses that are at stake.

We had a big appearance by 13 Republican Senators led by the majority leader, and they all came to the Senate floor to make fun of the Green New Deal or at least the Koch brothers' phony cartoon version of the Green New Deal. Out of the 13, 12 mentioned

a fanciful \$93 trillion cost that the Koch brothers have come up with. So basically the purpose was to come to the floor, make fun of the Green New Deal, and pretend it is going to cost \$93 trillion.

Very few could even use the word "climate change." Imagine that. There were 13 Republican Senators coming to the floor to talk about climate change, and all they want to do is make fun of the Green New Deal, mock it, pretend it is going to cost \$93 trillion, and then go away as if these people's homes didn't matter and as if this weren't serious to people who are looking at this.

The news report that I have just seen on the \$93 trillion says this:

When it comes to the \$93 trillion estimate for the Green New Deal, created by its critics, the answer is found in a network of interlinked groups: a think tank, its political arm and a super political action committee. Add a web of secret donors, and eager lawmakers—

The 13 of them—

and you have the blurry outlines of an echo chamber that propels an unverified claim into the orbit of Washington politics.

I am sure that is all good fun, but this is pretty serious, from my point of view. It actually got worse after that. A Senator from Utah came to the floor with a lot of jokes about rocket launchers, velociraptors, tauntauns, and 20-foot seahorses carrying Aquaman around.

By the way, if you are looking at having your constituents' homes disappear underwater, jokes about Aquaman are not funny, not funny at all. Train seahorses—give me a break—jokes about cows.

"Critics," he said, "will chastise me for not taking climate change seriously." Well, yes, I am here to do exactly that because it is darn serious to most everybody and particularly to my home State. So jokes about Sharknados just—I would say this: You might disagree with me about climate change, and you might not want to do anything about climate change, but, by God, I think if there is one thing we owe each other in this body, it is sincerity, and to come to the floor with an insincere bill that is designed to fail is demeaning to the whole body. To come to the floor and make jokes, when our own national scientific agencies are warning of these harms about all of this, it is just fundamentally wrong.

Let me talk about the Senator's home State a little bit because one of the things I have done is paid my colleagues the sincere compliment of going to many of their States to look into what is going on with climate change. Let me review what I have said about Utah because I went there.

What I have learned—I gave a speech before I went in based on research that I did. I gave another speech when I came out based on what I heard in Utah. Going in, I knew the average temperature had already increased 2 full degrees Fahrenheit in parts of Utah. The 2 degrees centigrade we are

worried about for the globe, it is already there in Utah. There are actually spots in Utah where the temperature has risen as much as 4.5 degrees Fahrenheit.

There are significant trends in river and stream flooding and also the highest drying trend in rivers and streams in Southern Utah as the system comes unhinged. Lake Powell in Utah, when I was ready to leave, was about half full, which is kind of a big deal because Salt Lake City gets 80 percent of its water supply from snowpack in the Uinta and Wasatch Mountains.

Local predictions were that water managers in Utah would no longer be able to depend on the historic data about snow melt and river flow because the change is so complete that the old data isn't germane any longer. There have been wildfire studies led by Dr. Philip Dennison of the University of Utah connecting climate change to the wildfires that take place out there. In fact, Utah State has entire courses of study teaching students about climate change—how to predict it and how to fight back. Utah State has its own climate action plan. It has an active climate center. The University of Utah has an active sustainability center. Students and researchers work there to address climate change. Each year, the University of Utah publishes an annual report on climate change. I am sure that is all just so amusing to my colleague from Utah.

Mayors are engaged in Utah, including the mayor then of Salt Lake City. Mayor Ralph Becker took first place in the Mayors Climate Protection Center rankings. I can only imagine how amusing that was for the senior Senator from Utah to yuck it up about that.

His ski areas—Alta, Canyons, Deer Crest, Deer Valley, and Park City—all signed the BICEP coalition's Climate Declaration in support of taking national action on climate change. I bet that really cracked him up.

The Park City Foundation in Utah was predicting a local temperature increase of 6.8 degrees Fahrenheit by 2075, which they said would cause a total loss of snowpack in the lower Park City resort area. It kind of takes the fun out of skiing when there is no snow in Park City.

A retired pediatrician named David Folland, who is the coleader of Salt Lake Citizens Climate Lobby, wrote there is an actual solution: "Placing a fee on carbon sources and returning the proceeds to households would create jobs, build the economy, improve public health, and help stabilize the climate." I hope my colleague from Utah has a chance to go talk to this retired pediatrician and hear from him just how amusing all of this climate change stuff is.

Republican Presidential candidate John Huntsman, who has served Utah as Governor, wrote a New York Times op-ed piece back then titled "The G.O.P. Can't Ignore Climate Change."

Well, it is getting to the point where we are pushing them enough. They can't ignore it so much. Their fallback, I guess, is to make fun of it. That is really, really helpful.

Here is what he wrote:

The fact is that the planet is warming, and failing to deal with this reality will leave us vulnerable and possibly worse. Hedging against risk—

He said— is an enduring theme of conservative thought.

An enduring theme of conservative thought, up until it bumps up against the enduring theme of Republican fundraising from the fossil fuel industry.

So then I went out there and had a chance to meet with the folks from the Utah ski industry. During the last season, they told me they had nearly 4½ million skiers and snowboarders and that almost 1 in 10 jobs in Utah is in tourism. They market themselves as having what they call the Greatest Snow on Earth, and they pointed out that according to the EPA, average temperatures had already risen 2 full degrees Fahrenheit there over the past 100 years.

I visited with Ski Utah and with a group of professional skiers from the group, Protect Our Winters, who want to see the mountaintops and the ski slopes that give them their recreation and give them their living, in many cases, protected and saved. The scientists at the University of Utah, including meteorologists Leigh Sturges and John Horel, were predicting that there would be more rain and less snow at major Utah ski resorts under different climate change scenarios. Rain at a ski resort is not a good thing, and with this many jobs in Utah, you would think somebody from the Utah Senate delegation might be willing to take this seriously and work in good faith toward a solution.

Ski Utah's 14 resorts would certainly like that. They got together and sent a letter last year to the Governor of Utah asking the State to take action on climate change. Salt Lake City's letter went out too. Salt Lake City's drinking water, 70 percent comes from snowpack melt. When the snowpack goes away, so does that captured supply of water serving the city.

The State, when I was there, was experiencing abnormally dry conditions. I went out to the Great Salt Lake Shorelands Preserve that was run by The Nature Conservancy. You go out there, and you walk on boards over the marsh because, you know, it is marsh. It is wet. It is spongy. It is hard to walk through. Not then. It was dry as a bone. We were walking over it, but there was absolutely dry soil underneath.

The Salt Lake itself has shrunk. The lake's volume has fallen by nearly half since Utah's early pioneers reached its shores in 1847. The lake's surface is down 11 feet. That has left roughly half of the former lake bed dry and exposed.

The Salt Lake, for which Salt Lake City is named, is drying up. I guess that is another reason for a lot of yucks here on the Senate floor from the senior Senator from Utah.

There is a bird—I know here in Mammoth Hall, where we care mostly about big interests and big money, it may seem ridiculous to talk about a bird. There is a bird called Wilson's phalarope. It flies a 3,000-mile migration from the Patagonian lowlands up to the Great Salt Lake. As the Great Salt Lake shrinks, it is going to find that it doesn't have a destination. It is going to be a little like the red knot flying from Brazil straight through to Delaware. Imagine how long taking an airplane flight from Brazil to Delaware would be. Now imagine you are a bird that is about this high, and you have to fly all that way yourself in a straight shot. They do that. Here is this wonderful Wilson's phalarope, and its lake is drying up.

All that dust from the dried-up lake bed is now a contaminant, compromising air quality in Salt Lake City, which now gets an "F" from the American Lung Association for both ozone and particulates. The Salt Lake City mayor then was Jackie Biskupski. She had pledged to transition the city to 100 percent renewable energy sources by 2032.

I will tell you, I met with scientists from Brigham Young, Utah State, and the University of Utah, and there was no doubt about climate change. There was nobody yucking it up about climate change. There were no jokes about tauntauns and Aquaman. This is something they take very seriously. It is entitled to be taken very seriously.

I will close by referring to some of the comments I found over the weekend from members and in some cases leaders of the Mormon Church, the Church of Latter-day Saints. Here is the official statement by Mormon Women for Ethical Government on Environmental Stewardship and Climate Change:

The consequences of maintaining the status quo of carbon emissions and the resulting rate of global temperature change are dire and include major shifts in patterns of weather, fire, and hydrology; large-scale impacts on biodiversity; and disruption to human systems, including agriculture and food supplies, migration, national security, and economies. . . . We urge governments, institutions, and businesses to boldly mobilize in pursuit of creative and radical strategies that will effectively curb climate change and dramatically reduce carbon emissions.

I urge the Senator from Utah to read that and to listen to those constituents.

G. Michael Alder wrote—I guess in the Ensign on an LDS Church website—"about the environmental damage caused by such man-made problems as acid rain, excessive carbon dioxide and other chemicals in the atmosphere, deforestation, and the pollution of our oceans, lakes, and streams," saying that "as a result, serious, mostly unintended changes are taking place in the

air, water, and land around us. . . . The evidence is mounting that we are doing ourselves and our mortal home serious damage. . . . A continued increase in carbon dioxide and other gases in the atmosphere, produced by our vast consumption of oil, coal, and other fossil fuels, appears to be responsible for a general increase in temperature worldwide. . . . That increase threatens possible major changes in climate around the world, potentially causing drought in some areas and greater rainfall in others. . . . The studies showed that the greatest global temperature increase has taken place in the last decade. Carbon dioxide and trace gases produced by our industrial societies were considered to be the cause.”

Well, they are. In fact, they are unanimously considered to be the cause by the responsible science community.

The last thing I will read is an address given by Elder Steven E. Snow of the Seventy of the Church of Jesus Christ of Latter-day Saints during a

panel discussion that occurred Wednesday October 10, 2018, at Utah State University.

He begins by agreeing with his mountain fellow Utahans about Utah’s fresh powder snow, calling it, again, the “greatest snow on earth,” at least according to Utah’s license plates.

He goes on to say:

It causes me much grief when I look outside my window and see a hazy inversion or when I hear consistent reports of Utah’s poor air quality. I am concerned for the families affected by wildfires and for the school-children forced to stay indoors because of smoky skies.

No jokes. He is concerned.

He goes on:

Algal blooms are breaking out in Utah’s lakes. We are experiencing unusually dry seasons and record-breaking warm winters.

He cites another church leader, President Dallin Oaks, and quotes him:

These are challenging times, filled with big worries: wars and rumors of wars, possible epidemics of infectious diseases, droughts, floods, and global warming.

He goes on to say, quoting a commentary on MormonNewsroom.org, that “the creation groans under the weight of recklessness and indulgence.”

Here is the sentence that stuck with me: “Climate change is real, and it’s our responsibility as stewards to do what we can to limit the damage done to God’s creation.”

Making jokes about that will not limit the damage we are now doing to God’s creation.

I yield the floor.

ADJOURNMENT UNTIL 12:30 P.M.
TOMORROW

The PRESIDING OFFICER (Ms. MCSALLY). Under the previous order, the Senate stands adjourned until 12:30 p.m. tomorrow.

Thereupon, the Senate, at 6:51 p.m., adjourned until Wednesday, April 3, 2019, at 12:30 p.m.