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## 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.

Answer us when we call, O God, and have mercy upon our Nation. May, our lawmakers work to do Your will, remembering that You have set apart the godly for yourself. Provide our Senators a refuge in You, enabling them to shout for joy, blessed by Your righteousness and favor. Continue to supply their needs, teaching them how to abound and abase.

Lord, keep us all from slipping, presenting us one day before Your throne with great joy.

We pray in Your majestic 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.

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The Senator from Iowa is recognized.

### 50TH ANNIVERSARY OF APOLLO 11

Mr. GRASSLEY. Madam President, July 20 marks 50 years since Neil Armstrong took "one small step for man" and, for the first time in human history, walked on the Moon. The Apollo missions should be remembered for generations to come as a triumph for innovation, for hard work, and for the American spirit. As we commemorate the mission to the moon that captured the world 50 years ago, we should look with anticipation to the next "giant leap for mankind," and thus work to

ensure that the United States remains at the forefront of innovation and technology.

Madam President, I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### ECONOMIC GROWTH

Mr. MCCONNELL. Madam President, economic data continue to confirm what we have been hearing from American workers and job creators for 2 years now: This is a pro-worker, pro-family, pro-opportunity economic moment. Hardly a day goes by without new headlines highlighting the new prosperity in communities that the last administration's policies overlooked and the red-hot market for American workers.

Since January 2017, Republican policies have focused on letting the American people control more of their own money and letting American businesses create jobs more easily.

So what are the results? On our watch, unemployment has fallen to near 50-year lows and stayed there. Underemployment has fallen too. Wages are growing. Month after month, we have had more job openings nationwide than Americans looking for work. Specifically, there are currently about 1.6 million more job openings than Americans looking for work, the widest margin ever recorded.

Now, these aren't Washington accomplishments. They are the American people's accomplishments, but public policy can certainly change the conditions. Government can either create the conditions that help lead to success or to stagnation.

For example, bad public policies under the Obama administration help to explain why the insufficient and unfair economic "recovery" left so many

places behind. High taxes, heavy regulation, and a hostile climate for business—these things all add up. They took a real toll in many places.

Take my home State of Kentucky, for example. Kentucky is proud of our diverse economy. We are proud of our great healthcare and aviation sectors. We are proud that we are a tourist destination. It turns out that Bourbon and horse races are a winning combination.

We also take huge pride in the kinds of industries that liberal policies tend to either forget about or actively work against. I am talking about manufacturing and agriculture and mining and coal-fired electricity—the things that keep the lights on in America's heartland. We could not be prouder of the huge role these sectors play in our Commonwealth.

So it is not surprising that leftwing policies dreamt up in places like New York and San Francisco, for places like New York and San Francisco, were not too kind to Kentucky—growth that was too slow, jobs that were hard to come by. Some so-called experts said it was just the "new normal," but we knew better. We knew Kentucky could get back on track if we could only get a fair shot and fewer hurdles from Washington. We needed the government to stop creating headwinds and maybe even create a few tailwinds. That is exactly what happened over the last 2½ years.

Since January 2017, Republicans in Congress have partnered with the Trump administration to get our Nation's opportunity economy going and growing again—for everyone. We passed the first comprehensive overhaul of the Federal Tax Code in more than a generation. We cut regulations that had reduced liberty and stifled our competitiveness. We helped American workers and entrepreneurs hang up a big, bright neon sign saying "Open for Business." And—no surprise here—working Americans have taken the ball and they have run with it.

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



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I have already read the national statistics. I am even prouder about this. Instead of being left behind, Kentucky is helping to lead the charge. The State's unemployment rate has hit and sustained its lowest level on record. Again, that is recordbreaking low unemployment.

Last year, Governor Bevin helped Kentucky to welcome more than \$5.3 billion of planned business investment. This new growth isn't just concentrated in urban areas. Rural communities in the Bluegrass are seeing more jobs, investment, and expansion as well.

Of course, it takes more than 2 years to unwind the mistakes of the past. Parts of Kentucky are still struggling from the effects of liberal policies, and this Republican Senate, the administration, and leaders in Frankfort are laser-focused on continuing to invest in and fight for recovery.

In many communities, particularly in rural Kentucky, the lingering pain has been hard to shake—the damage to the coal industry, the devastation caused by opioid and substance abuse. So more work is certainly needed, and I am honored to lead the charge in Washington to help Kentuckians confront these challenges.

Through programs like the Appalachian Regional Commission and the abandoned mine land pilot program, we are investing hundreds of millions of dollars into struggling areas and out-of-work Americans. In Eastern Kentucky, Congressman HAL ROGERS and I have partnered with local organizations to secure Federal resources for everything from skills training to water infrastructure improvements.

I have helped to secure tens of millions of dollars to aid the retraining efforts of the Eastern Kentucky Concentrated Employment Program and job-creating programs like the Kentucky Highlands Community Development Corporation. We have also secured grants to bolster good jobs, support the environment, attract tourism, and promote healthy lifestyles.

These are just a few examples from just one State. There are stories like this all over our country. While the previous administration left these men and women behind, Republicans recognize their skills and their drive. We are investing in their futures.

#### TREATIES

Mr. McCONNELL. Madam President, speaking of economic growth and development, the Senate will soon turn our attention to a number of bilateral tax treaties with important U.S. trading partners. We have these kinds of agreements in place to reduce tax evasion, tax avoidance, and unfair double taxation of U.S. citizens and businesses who conduct businesses overseas. The four we will consider this week are agreements with Spain, Switzerland, Japan, and Luxembourg.

The U.S. Government and each of these foreign governments have pains-

takingly negotiated updates to existing agreements about how certain kinds of commerce would be taxed and which country will tax them. In short, Senate ratification of these protocols would mean less confusion, more certainty, and, often, fewer taxes for U.S. job creators—and, by the way, a simpler rule book for overseas investors who want to invest their money here. Fairer treatment for our own American job creators and more enticement for foreign investment to head to our country—that is what we would call a win-win.

We are talking about a serious economic impact. In addition to the four countries we are tackling this week, there are three more nations with tax treaties pending which I know the administration is continuing to work on with the Foreign Relations and Finance Committees to finalize work on these remaining agreements.

Combined, these seven foreign countries invest more than \$1.2 trillion in the United States. That is more than \$1 trillion in foreign investment and, by some estimates, hundreds of thousands of U.S. jobs are tied up, either directly or indirectly, in trade with these countries.

These trading relationships touch all 50 States. Every one of my colleagues is familiar with communities that benefit from the foreign investment. For my part, that includes thousands of workers in Kentucky.

One major manufacturer with ties to Spain employs 1,500 people in my State. It accounts for more than one third of all the stainless steel produced in the United States every year. Over the three decades it has operated in Carroll County, the surrounding communities benefited from more than \$60 million in tax revenue.

That is just one of many job creators in my home State, and it is far from the only one with a serious interest in seeing these measures get across the finish line. From consumer goods makers to industrial suppliers, Kentucky continues to welcome job-creating investment from around the world.

I think practically every American is familiar with Hot Pockets, a culinary staple of busy families, workers, and college students everywhere. But not everyone knows that, as of several years ago, every single Hot Pocket is cooked in Mount Sterling, KY. The facility employs more than 1,000 Kentuckians. The parent company is Nestle, based in Switzerland. So there are not only hard-working Kentuckians but also a lot of hungry consumers across the country who can understand why we need to keep our international trade in sync.

Passing these agreements will help every State to keep up the economic momentum. It will reinforce the international trade that is so essential to our economic success and help stave off further trade disruptions. I urge all of our colleagues to join me in voting for these this week.

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Peter Joseph Phipps, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

The PRESIDING OFFICER. The Senator from Illinois.

#### PRESCRIPTION DRUG COSTS

Mr. DURBIN. Madam President, I listened as the Republican leader came to the floor and announced the business of the Senate for this week. Highlighted in the business will be tax treaties—tax treaties with Spain, Switzerland, Japan, and Luxembourg. According to the Republican leader, these are critical to economic development in the United States. I don't question their importance, but I will tell you that, routinely, these are done by voice vote. We don't spend the time of the Senate to come to the floor and talk about our relationship with Luxembourg.

When you look at the issues that most American families expect us to address, I would say the tax treaty with Luxembourg would be low on the list. What might be high on the list and should be considered in the Senate this week is the No. 1 concern of families across America—Democrats and Republicans. The highest concern and the No. 1 issue when asked about the economy of the United States is the cost of prescription drugs.

The United States Senate has the authority to do something about the cost of prescription drugs. We will not be doing it this week. We will be dealing with a tax treaty with Luxembourg.

What kind of issues, when it comes to the cost of prescription drugs, might be important? Let's start with one that I have started focusing on back home.

Did you know that there are 30 million Americans who suffer from diabetes, type 1 and type 2 diabetes? Did you know that 7.5 million Americans use insulin every single day to stay alive? Four of them were in my office last week from Illinois. They were between the ages of 10 and 17. Talk about amazing young people. Three young women and a young boy talked about their lives and what had happened to them since it was discovered that they had juvenile diabetes.

Their lives have been changed a lot. Each one of them is hooked up to a CGM—I believe that is the proper term, a continuous glucose monitor—that measures whether they need additional insulin, which is pumped in another device on their arm. They talked about how this was a commitment around the clock to make sure their insulin levels were appropriate.

One little girl talked about what it meant to her family for her to be a type 1 diabetic. This beautiful young lady started talking about it. Then she got to the point where she said: It has changed our family; my diabetes has changed our family.

Then she started crying.

She said: We can't do things in our family that others do. We can't take the same vacations that my cousins take, and we can't rent that house out on the lake because of the cost of my drugs, the cost of my insulin.

I turned to her mother, and I said: Tell me, what does it come down to?

Her mom said: We are lucky. We have health insurance. Our health insurance covers prescription drugs. However, there is an \$8,000 deductible. So we start each year buying the insulin for our daughter until we have spent \$8,000 out of our savings. Then the health insurance kicks in. Usually it is about 3 months.

She is paying, or she is being charged, about \$3,000 a month for insulin.

Let's look into this for a minute as we consider why the U.S. Senate thinks a tax treaty with Luxembourg is more important than this issue. Let's look into the fact that insulin was discovered almost 100 years ago in Canada, and the researchers who discovered it came to the United States and said: We have the patent rights to this lifesaving drug for diabetics. We never want to see anybody make a profit at the expense of this lifesaving drug.

The Canadian researchers surrendered their patent rights to insulin for \$1—gave it up. I recall that when it came to the Salk vaccine for polio, he did the same thing. He said that no one should ever make a profit on a drug that eliminated polio. These two Canadian researchers felt the same about insulin.

What happened then? Insulin was produced in the earliest stages in a rather crude way but in an effective way to save the lives of people with diabetes. Over the years, that process was improved. There is no question about that.

Today there are three major pharmaceutical companies that make insulin products for the United States—Eli Lilly of Indianapolis, IN, is one of them; Novo Nordisk is another; Sanofi is another. I know a little bit about the Eli Lilly product. It is called Humalog. Humalog was introduced in the American market in 1996, an insulin product. The charge was about \$20 to \$30 for a dosage—a vial, I should say, and was

used as a dosage for those with type 1 diabetes, type 2 diabetes. It was about \$21.

Here we are 20 years later, and how much is that same vial? It is \$329. Remember, this was a drug discovered almost 100 years ago. Remember, those who could have capitalized and made a fortune off of it surrendered their patent rights.

How did we reach the point where this drug, in 20 years, is 10 times more than it cost when it was introduced? It is the same drug from the same company. Why has it gone up so much in price? Because they can do it, because these pharmaceutical companies have the power to raise their prices, and people like that little girl in my office from Jerseyville, IL, who broke down in tears, can't control how much that price would be. They need this to survive.

Now you must ask yourself: What are other countries paying for exactly the same drug made by the same American pharmaceutical company, Eli Lilly?

We don't have to go very far to find out. All we need to go to is Canada—Canada. The \$329 Humalog vial in Canada costs \$39. Why? It is exactly the same drug and is a fraction of the cost in Canada. It is because the Canadian Government stands up for the people of that country and says: You cannot gouge, you cannot overprice these drugs. You are going to be paid a reasonable amount so that you make a profit, but you aren't going to do it at the expense of our families in Canada.

They care. They have done something about it.

We care about a tax treaty with Luxembourg. I am sorry, but as important as that may be in that small part of the world, it is more important for us to deal with the issue of prescription drugs and to ask ourselves why this U.S. Senate, this empty Chamber, is not filled with Senators of both political parties doing something about the cost of prescription drugs.

There is one traffic cop in this Chamber. He just spoke. The Republican leader decides what comes to the floor of the Senate. He has decided we are not going to consider prescription drugs. Maybe he will change his mind, but I think he will need some persuading to reach that point.

What I am hoping is that the 30 million Americans and their families will speak up when it comes to the cost of lifesaving insulin for diabetes. I hope they will do the same when it comes to other drugs—so many of them.

Senator GRASSLEY of Iowa, a Republican, was just on the floor a few minutes ago when we opened the session. He and I are working on a bill, which is just a first step—and I underline, only a first step and not the answer to the problem. But it comes down to this: You can't turn on the television these days without seeing a drug ad. If you haven't seen drug ads on television, you must not own a television. They are on all the time. All of the informa-

tion we are given about drugs with long names that are hard to pronounce and remember—all of that information is given to us over and over again so that we know much more than we ever dreamed we would know about XARELTO. We can even spell it. We know what different drugs are supposed to do to improve the lives of individuals. Those ads are being thrown at us so that eventually we have that name in our head and take it into the doctor's office and ask for that expensive drug as opposed to a generic drug. That is running up the cost of healthcare.

Senator GRASSLEY and I put in a bill, and the bill is pretty basic. With all of the things they tell you on television about the drugs, it wasn't until just 2 weeks ago—the first time I have ever seen it—that one of these companies disclosed the cost of the drug.

You say to yourself, maybe that is an important part of speaking to consumers across America. Senator GRASSLEY and I have a bill that will require price disclosure on these pharmaceutical companies' advertising. It is not the total answer, but I am hoping it will in some way at least slow down, if not embarrass these companies from the runups in cost that these drugs are going through.

That is part of the answer, but it is not the total answer by any means. There is a long list of things we can do and should do that are a lot more important than a tax treaty with Luxembourg, which should pass by a voice vote without taking the time of the Senate.

#### HEALTHCARE

Madam President, thanks to the Affordable Care Act, 20 million Americans gained health insurance—including more than 1 million in Illinois. Thanks to the law, the uninsured rate in Illinois has been cut in half. People with preexisting conditions can no longer be denied health insurance coverage or be charged higher premiums. This protects 5 million people in Illinois with a preexisting condition. Insurance companies are no longer allowed to impose annual or lifetime caps on benefits or deny coverage for maternity care, mental health treatment, prescription drugs, or hospitalizations. Young people are allowed to stay on their parents' health plans until age 26 and seniors in the dreaded Medicare donut hole are saving money on their prescription drugs. Thanks to the law's Medicaid expansion, rural hospitals in Illinois have found a critical lifeline to help alleviate economic challenges. Yet, just last week, the Trump administration and 18 Republican-led States argued in a Federal court that the entire law should be thrown out—ruled unconstitutional. If President Trump is successful, more than 600,000 people in Illinois will lose their health insurance. Nearly 5 million Illinoisans with preexisting conditions will, once again, be at risk of discrimination.

Two years ago, President Trump tried to convince Congress to repeal

the Affordable Care Act. He failed. So what President Trump couldn't do with a Republican-controlled House and Senate—eliminate health insurance for 20 million Americans—he is now trying to do through the courts. That is right. Rather than defending the law of the land, President Trump's Department of Justice is arguing before the U.S. Court of Appeals for the Fifth Circuit that the entire law is unconstitutional. Protections for people with preexisting conditions? President Trump wants them struck down as unconstitutional. A prohibition on insurers imposing annual or lifetime caps on benefits? President Trump wants that ruled unconstitutional. Tax credits to help people afford health insurance? Unconstitutional, according to our President. If you thought that the U.S. President would be on the side of Americans with preexisting conditions—women in need of maternity and newborn care, young adults just out of college, or seniors with high drug costs—well, you would be wrong. Instead, President Trump's administration is arguing that every single one of these protections should be eliminated. If President Trump and Republicans have their way in court, insurers will once again be able to discriminate against patients with preexisting conditions and impose arbitrary caps on benefits, millions will be thrown off health insurance, and families nationwide will pay more.

Earlier this year, the Democratic-controlled House of Representatives said: Not on our watch. That is right. On a bipartisan basis, the House passed the Protecting Americans with Pre-existing Conditions Act. This bill would prevent President Trump from once again allowing health insurance companies to discriminate against people with preexisting conditions. The House didn't stop there. They also passed a bill to restore funding to programs that help people sign up for health insurance, and they passed a bill to limit the sale of junk plans.

Why is the Affordable Care Act so important? Why are these House-passed patient protection bills so important? Why is this court case so important? They are important because of people like Nathan from Sleepy Hollow, IL, who recently wrote to me about his brother. Nathan wrote:

My 12-year old brother has Crohn's Disease and his treatments are very expensive. . . . I worry about whether he will be able to still have insurance if the ACA is overturned. . . . Please do everything you can to help.

To Nathan and his brother, I say this: The House of Representatives is attempting to help you. Unfortunately, the Republican-controlled Senate is not. What is the Senate, under McCONNELL's watch, doing instead? Nothing. Rather than address the existential threat facing America's health care system, the Senate HELP Committee advanced legislation that is stunningly silent on protections for preexisting conditions. Republicans are abdicating

their legislative duty to preserve healthcare in America. As my colleague, Senator CHRIS MURPHY, said during the HELP Committee markup, we are applying a bandaid to one arm, while the other is being sawed right off. Republicans on the HELP Committee announced grand plans to lower prescription drug costs and shield patients from surprise medical bills, but all they really did is tinker around the edges of the problems. Similarly, the Senate Judiciary Committee was slated to tackle the outrageous cost of prescription drugs. Yet what emerged from committee was the bare minimum of legislative action. When will Congress get serious about going after drug companies that are gouging the American public? When will congressional Republicans stop tweeting and issuing press releases about preexisting conditions and instead do something—anything—to help protect people in need? Talk is cheap, but, unfortunately, it is all congressional Republicans know how to do.

#### IMMIGRATION

Madam President, I went to Chicago on Friday. I went to the northwest side of the city, and I met with a group called Communities United. It was a meeting I am not going to soon forget. There were about 20 people in the room. Most of them were women with their children, and a couple of us were politicians. They talked about the fear that is running through their community with President Trump's threat of mass arrests and mass deportations. Each one of them had an important thing to say. The one that stuck with me was a young lady—I will give just her first name. Guadalupe was her first name. She is a high school student in that section of Chicago. She started to read from a little piece of paper on which she had written down the feelings of her family about what was happening with the threats of these raids.

You see, one of her parents is undocumented. She is a citizen of the United States, having been born here, but her mother is not so lucky.

Guadalupe said: I am tired of living in fear. I am tired of being afraid that the next knock on the door means our family will be torn apart; that my mother, who has been here for almost 20 years, will be forced to leave.

She has never committed a crime. She has worked hard every single day for the family, to bring a little money home, taking jobs that most of us don't want to take, being paid low wages in the hope that her daughter Guadalupe and others would have a better life in the years ahead.

I remember that meeting because that was just the beginning of a weekend filled with meetings just like those all across that great city of Chicago, particularly among the Hispanic population—a genuine fear that ICE would start knocking on doors. People are being told their rights, their legal rights, if ICE comes to the door. Most of them are being told: Don't open the

door unless there is a real search warrant from a real judge, not an ICE administrative warrant.

These people, I am sure, will find it hard to make that distinction, but it really is a question of whether they may be able to stay in the United States or cannot.

Keep in mind that we are not talking about people who have been convicted of a serious crime. As far as I am concerned, if you come to this country and you are undocumented and you commit a serious crime, you have forfeited your right to stay here. I am not making any defense of those people, but they are a tiny, small percentage of those who are here undocumented. The vast majority came to this country, some undocumented when they came, others who have overstayed a visitor's visa, a work visa or student visa, and started a life and started a family.

These are the people who have become a major part of our economy. Of the 11 million who are undocumented in this country, 8½ million actually work. They are employed. They pay taxes. They are not officially or legally part of our economy. Yet they are all subject to the mass arrests and deportation that President Trump has threatened.

As a Presidential candidate, Donald Trump regularly used inflammatory anti-immigrant language. You will remember most of these quotes because they were said over and over again.

Donald Trump said:

The Mexican government is forcing their most unwanted people into the United States. They are, in many cases, criminals, drug dealers, [and] rapists.

Donald Trump said that a Federal judge was biased against him because the judge was “a Mexican.” He called for a “total and complete shutdown of Muslims entering the United States.”

He attacked a family I have come to know, Khizr and Ghazala Khan, the Muslim American parents of the American soldier who was killed in the line of duty. This Gold Star family gave their son to this country in defense of it and were ridiculed because they disagreed with President Trump.

For the last 2½ years, President Donald Trump has continued to use divisive language. On January 11, 2018, I heard it personally. In a meeting in the Oval Office that I will never forget, the President used a crude term to refer to Haiti and African countries.

This weekend, President Trump sunk to a new low. His tweets saying four Democratic Congresswomen should “go back” to their countries were racist and reprehensible comments. Elected officials of both parties should condemn the President's statement.

It is important to understand the President's hateful language is also reflected in his policies. The Trump administration has shown unprecedented cruelty on the issue of immigration, especially to children and families.

The Muslim travel ban created chaos at airports across the country and continues to separate thousands of American families.

The cruel repeal of DACA threatens 800,000 young immigrants with deportation to countries they barely remember.

The termination of temporary protected status puts more than 300,000 immigrants at risk of deportation to dangerous conditions. Imagine this for a moment. We have a travel advisory that says to American families: Do not—do not—go to the country of Venezuela. It is too dangerous.

But for those Venezuelans who are in the United States and should qualify for temporary protected status, this President has said: We are returning you to Venezuela.

Really? It is too dangerous for Americans, but, Venezuelans, we are going to force you to go back to the horrible situation in that country.

The disastrous separation of thousands of families at the border has done permanent damage to these families and especially to their children. Under what was known as the zero-tolerance policy announced by then-Attorney General Jeff Sessions, over 2,880 infants, toddlers, and children were separated from their families at the border.

What was even worse, they were cast into this bureaucratic no-man's-land, and they couldn't be located to be reunited with their parents until a Federal judge demanded it. We still have some who have not been reunited with their parents over a year later.

The inhumane overcrowding and migrant detention facilities that the DHS inspector general found was "an immediate risk to the health and safety of detainees and DHS employees" was so bad that after I personally witnessed it, I joined with more than 20 other Democratic Senators writing to the International Red Cross and asking for them to send in a team to investigate American detention facilities. I never thought I would do that.

This President's threatening, and now mass arrests and deportations, of millions of immigrants who have committed no crime and pose no threat—no threat—to the security and safety of this country has created rampant fears, as I mentioned, in Chicago and across the Nation.

Now, today, the Trump administration has put in place a new rule which will block nearly all asylum claims at the southern border from nationals of any country except Mexico, including families and children fleeing persecution.

The UNHCR, the refugee Agency for the United Nations, said this rule proposed by the Trump administration "will endanger vulnerable people in need of international protection from violence or persecution."

How did we reach this point? During World War II, we made a fateful decision in the United States to turn away hundreds who were fleeing Europe. Many of them were people of the Jewish religion who believed the Holocaust, which Hitler had initiated, would eventually reach their families

and take their lives. There were 700 or 800 of them who were on a ship called the *USS St. Louis*. They came to the United States and asked for refuge here, asylum here, to escape the Nazis. Sadly, our government turned them away. They went back to Europe, and 200 died in the Holocaust. After that, after that horrible experience, we said we were going to do this differently from this point forward.

Since World War II, the United States has led the world in accepting refugees and asylees. Other countries have done more than their part. I think of Jordan immediately. We have tried to be a leader among developed countries in accepting refugees and asylees, and we have done it. When you look at all of the Cubans who came to the United States to escape communism under Castro—we have three Cuban Americans serving in the U.S. Senate whose families were part of that exodus from the island of Cuba. We did the same thing with Jews who were facing persecution in the Soviet Union. We did it, as well, after the Vietnam war, when those Vietnamese who had stood by American soldiers and risked their lives were given refuge to the United States. The list goes on and on, and it reflects who we are as a nation. We screen those who come in, but we say our doors are open to give them a second chance in life and the protection of the United States.

That was what we did from World War II until the election of Donald Trump as President of the United States. Now he has turned back the clock. We are back in the *USS St. Louis* era, where we are turning away refugees who are simply coming here trying to find some safe place to be.

America is better than this. We can keep our Nation safe and respect our heritage as a nation of immigrants. We can have a secure border and abide by our international obligations to protect refugees fleeing from persecution, as we have done on a bipartisan basis for decades.

The reality is President Trump's cruel and ineffective policies on immigration have made our southern border much less secure than when he took office. The President's obsession with his almighty border wall to be paid for by the Mexicans, as he suggested, led to the longest government shutdown in the history of the United States—35 days, paralyzing agencies and the government, ironically paralyzing immigration courts that were supposed to process the people presenting themselves at the border. More refugees have been driven to our border because the President has shut down legal avenues for migration and blocked all the systems to stabilize Northern Triangle countries in El Salvador, Guatemala, and Honduras.

There is also a gaping leadership vacuum at the Trump administration's Department of Homeland Security. In less than 2½ years, there have already been four different people heading this

Department. Every position at the Department of Homeland Security with responsibility for immigration or border security is now held by a temporary appointee, and the White House has not even submitted nominations to fill these positions.

The Republicans have tried to blame Democrats for the President's failure to secure the border, but Democrats have tried to work on a bipartisan basis to solve this crisis. In February, after the President finally agreed to end the longest government shutdown in history, Congress passed an omnibus appropriations bill that included \$414 million for humanitarian assistance at the border. When I hear Vice President PENCE and others saying they were begging the Democrats to give them money for the border, we did—\$400 million in February.

Then, last month, Congress passed an emergency supplemental appropriations bill with \$4.6 billion of additional funding to alleviate overcrowding at detention facilities and provide the basics—food, supplies, and medical care.

Last year, before the border crisis began, Senate Democrats supported a bipartisan agreement—bipartisan agreement—from centrists in both caucuses that included robust security funding and dozens of provisions to strengthen border security. We put this together last year. It was a compromise. I didn't like parts of it, but it is the nature of the Senate that you can't get everything you want; you have to do the best you can to solve a problem. We had a bipartisan solution. This was a chance last year for the President to step up and accept a bipartisan approach. The President rejected it. He threatened to veto it. Instead, he wanted to push for his hardline, get-tough immigration reform instead. The Senate rejected the President's bill, his proposal, with a strong, bipartisan supermajority. It was that unpopular and unworkable.

In 2013, 6 years ago, I was part of a gang of eight Senators—four Democrats and four Republicans—who wrote comprehensive immigration reform legislation. It passed the Senate 68 to 32. Unfortunately, the Republicans who controlled the House of Representatives refused to even consider the bill.

The acting DHS Secretary, Kevin McAleenan, recently said that if our 2013 bill had been enacted into law, "We would have a very different situation. . . . We would be a lot more secure at our border." That is what he says now about a bill we passed 6 years ago.

Republican Senator LAMAR ALEXANDER of Tennessee, who supported the 2013 bill, said: "If that bill became law, most of the problems we're having today we'd not be having." There are ways to deal with this in a sensible, bipartisan way. Our comprehensive bill did that.

Getting tough, threatening a wall, and cutting off foreign aid has backfired on this President. It has created failure when it comes to immigration.

The Democrats have introduced the Central American Reform and Enforcement Act as a comprehensive response to our current border crisis. Let me tell you the highlights.

It addresses root causes in the Northern Triangle countries that drive migrants to flee. It cracks down on traffickers who are exploiting migrants. It provides for in-country processing of refugees and expands third-country resettlements so migrants can find safe haven without making that dangerous and expensive trip to our border. It eliminates immigration court backlogs so asylum claims can be processed quickly. It expands the use of proven alternatives to detention, like family case management, so immigrants know their rights and show up for court.

Democrats stand ready to work on smart, effective, and humane border security policies, but we need our Republican colleagues to condemn President Trump's cruel campaign against families and children and to work with us on a bipartisan basis.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### TREATIES

Mr. MENENDEZ. Mr. President, I am pleased, at long last, to speak on the floor today in support of four protocols amending the tax conventions between the United States and Spain, Switzerland, Japan, and Luxembourg.

I have long been a strong supporter and proponent of these tax protocols and worked to advance them across multiple Congresses. In the Senate Foreign Relations Committee, I voted to advance Japan and Spain protocols three times and voted four times to advance the protocols with Luxembourg and the Swiss Confederation. I am pleased that, after too many years of waiting, the majority leader has finally decided to take up these protocols.

I am a strong believer in the benefits these treaties provide our country. They play a critical role in relieving U.S. citizens and companies of double taxation, encouraging foreign investment in the United States, and enforcing U.S. tax law on those who seek to evade it. There are no downsides to these treaties.

As I conveyed directly to Secretary Mnuchin, the Treasury Department's initial interaction on these treaties without consulting the Foreign Relations Committee was completely inadequate. This botched effort resulted in a completely avoidable delay in taking up these four protocols. However, I am pleased that Treasury responded quickly to my concerns, including providing a written commitment on behalf of the

administration that the Foreign Relations Committee chair and ranking member would be consulted on any changes to the model tax treaty prior to negotiations based on a new model or new model provisions. Therefore, I support moving the tax treaties as expeditiously as possible and urge my colleagues to support them.

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

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

#### MEDICARE

Mr. ALEXANDER. Mr. President, last month, during National Nurses Week, Ballard Health, a healthcare system in East Tennessee, announced it would be giving several thousand nurses a raise.

The head of Ballard Health announced a \$10 million investment in pay increases for nurses.

He said: "Our nurses and those who work with them in the provision of direct patient care are heroes . . . however, it is also true that . . . we face significant national shortage of these critical health care providers."

Alan, the head of Ballard Health, said that his investment was, in part, because of a new rule proposed by the Trump administration in April.

This new rule will update the formula that determines how much Medicare will reimburse hospitals for patient care. The formula takes into account, among other things, the cost of labor in that geographic area called the area wage index.

This new rule attempts to level the playing field between hospitals in areas that have higher wages, and therefore are reimbursed at a higher rate than hospitals in areas with lower wages.

The Centers for Medicare and Medicaid Services Administrator, Seema Verma, wrote in a recent op-ed in *The Tennessean* in Nashville:

Many stakeholders have raised concerns that the Medicare hospital payment system disadvantages many rural hospitals. Our proposed rule brings payments to rural and other low-wage hospitals closer to their urban neighbors.

I say this standing in the Senate Chamber, where we have the chairman and the ranking Democrat on the Agriculture, Nutrition, and Forestry Committee—two experts on rural areas and rural hospitals in our country.

In recent years, too many rural Americans have seen their local hospital close and their doctors leave town.

Since 2010, 107 rural hospitals have closed across 28 States and another 637—about one-third of all rural hospitals—are at risk of closing.

In Tennessee alone, 12 rural hospitals have closed since 2010.

A recent survey by the Robert Wood Johnson Foundation and the Harvard School of Public Health found that one in four Americans in rural areas couldn't access healthcare when they need it.

This new rule will help rural hospitals keep up with the cost of providing care and keep those hospitals open.

Alan from Ballard Health said: "This proposed change indicates that Washington finally understands that rural health systems, like ours, have been historically unable to keep up with the real cost growth of nursing and other direct care providers."

Craig Becker, who leads the Tennessee Hospital Association, wrote in *The Tennessean* earlier this month that this rule "is good news for our State's hospitals and will provide much-needed relief to many of them, especially those in rural areas" and that the rule "finally will address the significant inequities in the Medicare area wage index—the first meaningful effort by any administration to address this flawed system."

This new rule from CMS will help ensure Americans can access healthcare close by to their homes by leveling the playing field between urban and rural hospitals that rely on the Medicare hospital payment system.

Last month, the Senate Health, Education, Labor, and Pensions Committee, which I chair and Senator MURRAY of Washington State is the ranking Democrat, approved, by a vote of 20 to 3, a bipartisan package of 55 proposals from 65 Senators to lower healthcare costs that will help rural Americans.

For example, the legislation would ban anticompetitive terms that large hospital chains sometimes use in contracts with employers, such as the so-called all-or-nothing clauses. These clauses increase prices for employers and patients and can block healthcare plans from choosing hospitals based on the care quality, the patient experience, or one hospital's competitive pricing.

Banning all-or-nothing clauses will help level the playing field for smaller, independent hospitals who are not part of a large corporate chain.

Another provision in the Lower Healthcare Cost Act of 2019 will expand technology-based healthcare to help Americans in rural areas have access to specialty care.

I hope the Trump administration and CMS Administrator Verma will quickly finish this rule and give Americans better healthcare choices and outcomes at lower costs, especially in our rural areas.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, before our distinguished leader and chairman of the Health, Education, Labor, and Pensions Committee leaves, I want to thank him for his hard work.

Having grown up in a small, rural community in Northern Michigan, I

can speak directly to how important healthcare services are. My mother was director of nursing at a small hospital, and I know, since that time, they have gone through many changes, barely holding on to the hospital. We have had a number of hospital closings and consolidations.

There is important work that has happened in the health community. I want to congratulate the distinguished chairman and also indicate that the Presiding Officer and I, as we were doing the farm bill—it is my honor and privilege to work with the Presiding Officer—we were part of the solution, including language on telehealth in rural development to actually help expand services, and I think telehealth is an important way to do that as well.

I thank the chairman for his comments.

#### PRESCRIPTION DRUG COSTS

Mr. President, 2 weeks ago, people in Michigan and across the country were getting ready to celebrate the Fourth of July.

Families were deciding what to take on picnics and planning a day on the water, particularly if you were in Michigan, on the Great Lakes, and were finding the very best possible place to watch the community fireworks display—and we have many great fireworks displays.

So what were drug companies doing to celebrate?

Well, nothing so wholesome, I am afraid. Instead, they were raising prices on prescription medications—prices that are already the highest in the world.

People in the United States have the highest prices in the world. Happy Independence Day.

On July 1 alone, just 1 day, 20 companies ratcheted up the price of 40 of their prescription drugs by an average of more than 13 percent—just in 1 day.

Those companies aren't alone. Already this year, prices have gone up for more than 3,400 different medications. The average price hike was five times the rate of inflation.

I know families in Michigan, seniors in Michigan, would love to have their incomes, their wages go up five times the rate of inflation, but that certainly didn't happen. It is getting harder and harder for the average Michigan family to afford the medications they need to get and stay healthy, and I know that is true all across the country. I know because I hear about it every day.

I know we hear these stories every day. I hear this from friends and family and certainly people as I am moving and traveling throughout Michigan. Some folks skimp on groceries—it is still happening today—or put off paying their electric bill or their gas bill. Other people take their heart medication every other day instead of every day, which, by the way, is dangerous to do. Still others cut back on insulin, putting their lives at risk. We had testimony before the Finance Committee from a mom whose son did that and lost his life.

Perhaps nobody has been hurt more than our seniors. Seniors tend to live on fixed incomes, as we know—pensions and Social Security. They also tend to have more medications than younger people, and costs quickly add up.

In 2017 alone, the average price of brand-name drugs that seniors often take rose at four times the rate of inflation, according to AARP—four times the rate of inflation in 1 year—for the average medication a senior citizen is using. That is one of the reasons why 72 percent of seniors in a recent poll said they are very concerned about the cost of their medications.

It is absolutely shameful that people in America, one of the richest countries in the world, are going without the medicine they need to survive. We can fix that. This does not have to happen.

I have always believed healthcare is a basic human right and that it includes medicine. Over and over again, I say on the Senate floor: Healthcare is not political. For a senior, for a family, for a child, it is personal. It is personal.

We need to do something about it, and the No. 1 way we know we can bring prices down is to let Medicare negotiate—let Medicare negotiate—for prescription drugs. Harness the full power of tens of millions of seniors and people with disabilities across the country who are on Medicare to bring down the prices.

We know negotiation can work because it works for the VA. We know that. The VA—Veterans' Administration—is allowed to negotiate the price of prescription drugs and, on average, saves 40 percent—40 percent—compared to Medicare.

In fact, if Medicare paid the same prices as the VA, it could have saved \$14.4 billion on just 50 of the most commonly used drugs in 2016 alone—in 1 year, \$14.4 billion on just 50 commonly used medications. This is according, again, to the AARP.

So what is stopping us?

Well, we have the biggest lobby in the world called the pharmaceutical lobby in DC. The fact is, in 2018, there were 1,451 lobbyists for the pharmaceutical and health product industry. That is almost 15 for every 1 of us as Senators.

Their job—and they do it extremely well—is to stop competition and to keep prices high.

Back in 2003, Medicare Part D was signed into law. I had worked very hard as a new Member of the Senate to have Medicare cover prescription drugs, but in the end, they blocked Medicare from harnessing the bargaining power of 43 million American seniors in order to bring down prices. Unfortunately, our Republican colleagues supported that.

Sixteen years later, pharmaceutical companies are still doing everything they can to put profits before people. One of those people is Jack, who lives in Constantine, MI, and was diagnosed with cancer late last year.

Imagine being told you have cancer and then being told the drug you need to treat it is going to cost you \$15,000 the first month—\$15,000. Jack was lucky. A generic drug became available. However, that drug still cost \$3,400 the first month and \$400 every month after that. That is about \$8,000 a year. In Jack's words, it is an "extreme hardship"—\$8,000 a year—trying to figure out how to be able to have your cancer medication so you can continue to live.

Jack added: "I hope and pray you and your colleagues on both sides of the aisle would be able to get something done."

We can get something done, and we can do it quickly. The best thing is to let Medicare negotiate and harness the bargaining power of 43 million people. There are various proposals that are good proposals and are being talked about. We can cap increases, but that doesn't cut prescription drug costs right now. If we are going to seriously talk about making medicine affordable and do it the right way—do it the right way and the way we know that will work—it is about letting Medicare negotiate. Let Medicare negotiate.

I think it is time to take Jack's advice. We need to work together. We need to put people above profits. We need, very simply, rather than moving the chairs around on the *Titanic*, to harness the bargaining power of 43 million Americans and get the best price for them. They deserve it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### BORDER SECURITY

Mr. CORNYN. Mr. President, last Friday I joined the Vice President of the United States and a number of our colleagues on the Senate Judiciary Committee for a trip to the Rio Grande Valley and, specifically, to McAllen, TX.

The Rio Grande Valley Sector, headquartered in McAllen, is ground zero for the humanitarian crisis on our southern border. I know some of our colleagues refused to acknowledge that this was indeed a humanitarian crisis on our border, but that seems to have waned in recent days in light of the overwhelming evidence. In fact, in 2014 President Obama himself called it a humanitarian and security crisis, and it has gotten nothing but worse.

Of all the sectors, it is head and shoulders above the rest in terms of apprehensions of people trying to enter the country illegally. In fact, 46 percent of all apprehensions along the southern border last month occurred in the Rio Grande Valley Sector. Across



the entire border, 68 percent of those apprehended in June were unaccompanied children or part of a family unit. In the Rio Grande Valley, that figure shot up to a whopping 79 percent.

People may be asking themselves: Why are unaccompanied children and families—that is, an adult with a child—the ones predominantly coming across the border? It is because human smugglers know our laws better than we do, and they are exploiting the vulnerabilities in our asylum laws in order to make a lot of money. They charge roughly \$5,000 to \$10,000 per person whom they deliver across the border from Central America or from anywhere around the world. As a matter of fact, the Border Patrol told us on Friday, when we were in McAllen, that just in the last year they had detained people from 60—six-zero—different countries coming across the border at the Rio Grande Valley Sector. That is because these human smuggling networks are really worldwide. If you want to come from Bangladesh or Syria or Iran or Russia, all you have to do is make your way to Central America, hire one of these human smuggling networks, and they will work your way up across the border into the United States. This is a national security as well as a humanitarian crisis.

As of July 1, the Rio Grande Valley Sector had 8,000 migrants in custody. They are overwhelmed, to be sure. This is placing a huge strain on our resources. Our Border Patrol stations were never designed to hold that many people.

The men and women who apprehend and care for these migrants have been unfairly criticized and mischaracterized as bad guys, but last week I got to see once again that they aren't the real villain in this scenario. In fact, they are the heroes.

The Border Patrol agents in the Rio Grande Valley, and those along the entire border, are pulling double duty as law enforcement officers and caregivers. They are hired to be law enforcement officers, but they have had to basically end up handing out juice boxes and diapers to unaccompanied children or family units because that is what we are seeing flood across our borders. One minute they are stopping fentanyl, heroin, and methamphetamine from coming across the border and they are stopping dangerous criminals from entering our country, and the next they are comforting crying babies and providing sustenance to children.

Balancing an overcrowded facility and a constantly growing list of responsibilities is no easy task, but it is not their fault. It is Congress's fault because only Congress has the authority to provide the change in the laws necessary to stop this endless flood of humanity and this overwhelming of our resources, both human and infrastructure. These dedicated agents handle these demands with professionalism and compassion.

My colleagues and I had the opportunity to hear from several of these agents, including Chief Patrol Agent Rudy Karisch. Chief Karisch talked about the work his agents do to provide quality care to those in custody, particularly medical care. In his sector alone, that equates to an average of 32 hospital runs each day—32 hospital runs each day—to ensure that migrants receive the care they need.

As these agents know too well, many of the people who cross the border do so because they are deeply familiar with the loopholes in our immigration laws, and they are eager to exploit them, as I described a moment ago.

One of those loopholes is something called the Flores Settlement Agreement, which was created as a way to ensure that unaccompanied children don't remain in Border Patrol custody for long periods of time. It was expanded in, I believe, an unintended and unnecessary sort of way to effectively expand this protection for unaccompanied children to families as well.

As a result, we can't detain those families for more than 20 days, the adults in particular. As a result, we see the dramatic increase in the number of families arriving at the border. Why not? What is to discourage them or dissuade them?

As we learned during our visit, many of these migrants coming across the border are not families at all. Tim Tubbs is a deputy special agent in charge for Immigration and Customs Enforcement Homeland Security Investigations, HSI. He discussed the rise in fraudulent families. In other words, by that I mean adults claiming to be the parent or family member of a child when, in fact, they are not related at all.

In April, ICE HSI sent more than 400 employees to the southern border to investigate these fraudulent claims of family units. In the roughly 90 days since, more than 352 fraudulent families were discovered across the southern border.

He described one case of a Honduran man that illustrates why leaving these loopholes untouched is so dangerous. Again, only Congress can change that. He mentioned the fact that a 51-year-old man negotiated with a pregnant Honduran woman to purchase—to buy—her baby when it was born. For the equivalent of about 80 U.S. dollars, this man purchased her child and then traveled with human smugglers into the United States. If you have a child with you, it is a ticket to entering the United States and exploiting those gaps in our immigration laws.

Deputy Agent Tubbs said HSI also uncovered an organization that recycled—recycled—approximately 69 children in order to smuggle people into the United States. In other words, once you successfully get to the United States, these children are sent back and used over and over again in an endless loop to smuggle more adults into the United States under the guise of being a family.

We can point the finger of blame at the Border Patrol for being overwhelmed for not having facilities that were designed to handle the influx of this number of people, but that would be a terrible miscarriage of justice. The fact is, Congress needs to look in the mirror. The only people who can change the laws under our Constitution is the U.S. Congress and the President. The President has called time and again for Congress to fix these loopholes in our immigration laws to begin to stem the tide of humanity coming across our border.

Our broken laws are fueling this behavior. Unless we take action to close those loopholes that invite more people to illegally enter into our country, the problem will only continue to grow.

Amid calls from many of the so-called progressive Democrats running for President to do things that make illegally crossing the border legal—in other words, rather than protecting the sovereignty of our country, securing our borders, they want to actually make entry into the United States legal—the work being done by our Border Patrol and our Health and Human Services and other nongovernmental organizations at the border to keep our country safe and care for migrants in their custody cannot be overstated.

The key to solving this crisis isn't opening the door to more illegal immigration; it is removing the pull factors that encourage people to come here in the first place. Of course, you can imagine, if the door were wide open, how many people would come from other countries into the United States at will. They would flood our country. That is part of what is happening now because they don't see any limits or any order or any rules being applied to who enters our country.

We are a proud nation of immigrants. We naturalize almost 1 million people a year. This isn't about being anti-immigrant. Immigrants have made our country stronger. Legal immigration is the key distinction.

Our friends across the aisle seem to be the champions of illegal immigration. We want our legal, orderly, lawful, rules-based immigration system to work so it can be fair to everybody, rather than let people who have been waiting in line for years to come into the country legally see people jump in line ahead of them and enter the country illegally. That is not fair to them, and that is not a rules-based and lawful and orderly system of immigration.

I have introduced legislation that will take major steps to achieve filling those gaps, plugging those holes in our asylum and immigration laws. It is called the HUMANE Act. This bill would close the Flores loophole, streamline the processing of migrants, improve standards of care, which we all want to do for individuals in our custody, and require additional training of customs and Border Patrol and Immigration and Customs Enforcement employees who work with children.



This bill is, to my knowledge, the only bipartisan, bicameral solution that has been offered. It is bicameral. My friend and colleague in the House, HENRY CUELLAR, from Laredo, TX, and I have cosponsored this bill—bipartisan, bicameral.

As we consider this and other legislative proposals, I hope our colleagues on the other side of the aisle will finally get serious about taking the required action.

Chairman GRAHAM of the Judiciary Committee tried to organize a bipartisan trip to the border, believing that would be an important step in helping us witness together the facts on the ground and then hopefully work together to try to solve the problem.

I am disappointed that none of our Democratic colleagues accepted his invitation. I hope this is not an indication of what our immigration reform discussions will look like moving forward: no desire to help, no desire to solve the problem, no desire to work together on a bipartisan basis. I hope that is not where we are, but I am fearful that is exactly where we are.

I appreciate the Vice President taking the time to visit Texas once again and getting a chance to see the front-line challenges our officers and agents are facing. I would thank Mrs. Pence as well for accompanying the Vice President.

Despite the challenges this humanitarian crisis has brought, the Rio Grande Valley remains a wonderful region, characterized by a thriving economy and a vibrant culture. You would be hard-pressed to find more generous people. They have been extraordinarily generous to the migrants who found their way to our front doorstep and are trying to take care of them in a compassionate sort of way, but, frankly, they are overwhelmed too.

I thank the men and women of the Border Patrol, as well as local officials, businesses, and members of the border communities who continue to assist with this humanitarian crisis. It would be nice if Congress, on a bipartisan basis, would lift a finger to help.

#### ENERGY INNOVATION

Mr. President, on another matter, this morning, the Energy and Natural Resources Committee held a hearing to consider numerous bills introduced to promote energy innovation in the United States. Breakneck changes in technology have fueled our economy, propelled our communications sector, and completely transformed each of our daily lives. Just this alone has done that. It is time to harness this ingenuity to revolutionize our energy sector. Smart policies can't prioritize only conservation, productivity, or economic power. We obviously need to strike the proper balance. You are not going to achieve that balance by imposing heavy-handed regulations and driving up costs for consumers.

To put it another way, the Green New Deal will bankrupt our country and crush our innovation economy. In-

stead, we have to harness the power of the private sector and build partnerships to create real solutions.

The NET Power plant in La Porte, TX, is a shining example of how public-private partnerships can drive next-generation energy solutions. NET Power has developed the first-of-its-kind power system that generates affordable, zero-emissions electricity from natural gas. Using their unique carbon capture technology, they have taken natural gas and made it emission-free.

This technology is relatively young, and it is not ready to be scaled up yet at the national level. By investing in this type of research, I believe we can take serious strides to decreasing our carbon emissions.

While renewable energy sources like wind, solar, hydropower, and biomass have come a long way in recent years, they are not alone sufficient to fuel our economy. As one witness said, the Sun doesn't always shine, and the wind doesn't always blow. So you need a baseload of electricity that has to be provided by other sources like natural gas powerplants like the one I saw.

Last year, renewables accounted for 17 percent of our total energy sources. In Texas, as the Presiding Officer knows, we produced more electricity from wind turbines than any other State in the Nation. Yes, we are an oil and gas State, but we truly believe in the all-of-the-above approach. Some people say that and don't really mean it, but we do it every day in Texas.

While renewables account for 17 percent of our total energy sources, natural gas alone accounts for double that. Imagine if we could take natural gas, a plentiful energy source, inexpensive, and bring more projects like NET Power online. That is precisely why I introduced the LEADING Act with my colleagues, Senator COONS, Cassidy, and Sinema. This bill would incentivize research and development of carbon capture technology for natural gas and support energy innovation.

This legislation was crafted with the understanding that reliable, affordable, and environmentally sound energy supplies are not mutually exclusive. You wouldn't know that sometimes by the rhetoric here in Washington.

By incentivizing research into the development of new technologies, we can keep costs low for taxpayers, for seniors, for people on fixed incomes, while securing our place as a global leader in energy innovation. The goal of this legislation is to accelerate development and commercial application of natural gas carbon capture technologies. We should do this by requiring the Department of Energy to establish a program to develop cost-effective carbon capture technologies for natural gas power facilities.

This legislation would also encourage partnerships with the National Laboratories, as well as universities and other research facilities to improve and strengthen our efforts. I am proud the

LEADING Act passed the Energy and Natural Resources Committee this morning, and I hope we will have the opportunity to vote on this and other similar and related bills before the full Senate soon.

We need smart energy policies that will strengthen our economy without bankrupting American families or turning the keys over to the central government to regulate our lives, to micromanage our lives. We don't need the Federal Government to tell us what to do. We need to follow the private sector and innovate our way to solve these problems, and that is exactly what the LEADING Act would do.

When you implement policies that get government out of the way and let the experts do their job, you can be pro-energy, pro-innovation, pro-growth, and pro-environment.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### 50TH ANNIVERSARY OF APOLLO 11

Mr. JONES. Mr. President, today I rise in absolute awe—remain in awe—of what happened in this country and in this world 50 years ago this week, and I am still inspired by the events of our space program 50 years ago.

Fifty years ago today, Americans of all ages, in every corner of this great Nation and, in fact, all over the world, stopped what they were doing to watch in complete awe as Apollo 11 launched from Cape Kennedy, headed toward the Moon. It is unbelievable what we saw, what we witnessed, that entire week.

It would be the first time that humans would set foot on a celestial body other than the Earth. We would step foot on the Moon, which had captured the imagination of the world since time began, trying to reach that big, round object in the sky. It was a remarkable feat, made possible by the sheer determination and grit of the American space program and all of those who participated in it.

I was just a kid growing up in Alabama at the time. I lived just 2 or 3 hours south of what was known as Rocket City in Huntsville, AL. It is still known as Rocket City because of all of the work at NASA and in our space program today. It was a thriving metropolis then and even more so today. That is where all of the rockets were built. That is where the engines, the powerful engines that drove the rockets into space, were built. They were tested in Huntsville, AL. If you go there today, most of those stands are still there. Some of them are about to be used again. Those Saturn V rockets, the most powerful rocket engines man had ever created, were built in Huntsville, AL. They were the engines that would propel man to the Moon.

I was absolutely mesmerized—absolutely mesmerized—by all things involving the space program. I still am. I can remember so many times when my maternal grandfather, Oliver Wesson, whom I called Paw-Paw, and I would just sit for hours and watch and listen

to the commentaries. We would watch the liftoffs. We would watch the splash-downs. Some of my best memories as a kid were literally sitting in front of a TV set with my granddad, watching the heroes I saw, the heroes I wanted to be, and the heroes America wrapped their arms around. At the time, there was nothing—nothing—and maybe to some extent today—more that I wanted to do than to be an astronaut and to go into space. It sounds corny for an old man like me to say that, but it is absolutely true.

Those astronauts, the original Mercury Seven astronauts, were heroes in every sense of the word. I admire their courage, not having a clue when they blasted off from Florida whether they would return safely. And we did lose astronauts along the way.

I did so many things. I read. I studied. I watched. I read papers. A lot of papers in my grammar, junior high, and high schools were all written about the space program.

I am a memorabilia collector, as many of you may know, including of autographed baseballs. I have a few autographed baseballs by some of the astronauts, but the ones I like most are the newspapers. From that time, I could see that everybody could sense something was special. From the time Apollo 11 took off from Cape Kennedy, and the headlines in the Birmingham News read “Man Sets Foot in Heavens,” to the time they splashed down, I collected and saved every one of those newspapers. They are still at home, and they are prized possessions.

We watched every single launch. We knew every single name of every astronaut. We stood there with intense, mesmerizing attention to every moment of those launches.

It was something that captivated this entire country. It was a unifying time. It was a unifying force at a time when America needed it—the 1960s. For Apollo 11 in 1969, it was a time when we needed that sense of collective pride. We needed that sense of unification. We had gone through tough times during the civil rights era. We had gone through and we were still in the midst of the Vietnam war and all that tore this country asunder. We saw all that happened in 1968. We saw the deaths of John Kennedy, Robert Kennedy, and Martin Luther King, but the space program was that one sense of pride.

It didn't take a tragedy to unify America at that time. It took success. It took a build of what we do. It took our determination. It took knowing that we were the most patriotic, and, doggone, we were going to beat those Russians to the Moon. It sounds so corny these days, but it is absolutely the case. We were going to do it. It was going to be the United States of America, and, doggone, we did it.

A lot has changed. Today, we are building on this legacy. We are still building on this legacy in space. We are building it in Huntsville, AL, and elsewhere with NASA, and we are going to

continue to inspire a new generation—and more generations to come—of Alabamans and Americans, people all across this country, to help us reach even loftier heights.

Yes, a lot has changed since 1969—50 years ago—but there is a reason that space flight and exploration of other worlds continue to capture our attention and to capture our imagination. It is because, at the end of the day, we are all dreamers. We always dream of those loftier heights. We always want to achieve. We always want to make this country great—consistently make this country great. We always want to reach for the stars, whether it is in our personal lives or whether it is collectively as a country. That is what we do. We are dreamers.

Today, 50 years after the launch of Apollo—and on Saturday, we will celebrate 50 years of the actual steps on the lunar surface—we celebrate the achievement of a dream five decades ago, but a dream that started long, long before that, long before President Kennedy challenged America to put a man on the Moon.

Looking back, 50 years ago was really just the beginning. It showed us that a true moonshot was possible, and, quite literally, it opened our world to new possibilities.

Today, we are reaching for human spaceflight back to the Moon and to Mars. It is not just us; other countries are doing the same. We are looking for a return flight to the Moon for deeper exploration. We are receiving pictures from the farthest reaches of the galaxy, things we have never seen before. We have seen the surface. We have landed rovers on the Moon surface and have seen the pictures and have done the tests. It is just unbelievable. Who would have ever thought of this some 50, 60 years ago when I was a kid?

Today, we have a greater understanding of the universe around us and how we apply that knowledge to our own lives. We continue to reach for the stars.

Yes, a lot has changed, but a lot hasn't. We still have divisions in this country. We still need that unifying voice. We still need that sense of pride that we can all—everybody—wrap our arms around.

Today, we seem to be divided more than we were during the height of the Vietnam war. We seem to be divided over the very issues that my friend Senator CORNYN was talking about a moment ago with regard to immigration. We are divided over politics—a partisan divide. We are divided over gun violence. You name it; we are divided. So we need that unifying voice. We need something positive that we can all wrap our arms around.

It is not just a holiday—and sometimes now, in today's world, unfortunately, even our holidays get divided. Even on our holidays, people go to their corners for political reasons, on both sides of the aisle. Make no mistake, folks, I am not casting a stone

one way or another. I am casting it across this land. People are divided.

We have to honor the visionaries of long ago, as well as the visionaries of today who think big, dream big, and give our Nation a collective sense of purpose and unity—a collective sense of unity and purpose—not a divisive sense of purpose for their own benefit but a collective sense of unity and purpose.

We can honor those folks by setting aside all of the differences we see. We can honor those folks by not going to our corners every time a hot-button issue is mentioned either here on the floor of the Senate or in a tweet or in a Facebook post or in the national news. We can set that aside. We can set it aside by setting aside our differences.

We honor folks by setting aside our differences today. We can honor those folks by remembering our collective pride and who we are as Americans, by making sure that all men and women are created equal and living up to the creed that we so proudly point to in the Declaration of Independence and the Constitution. We can do that again. We can honor these visionaries by coming together, reaching across the aisle and also reaching within our aisles to bring people together to talk about those things we can do together and with a sense of pride. We can do it by, once again, being the leader of the world and not trying to do everything alone but bringing our friends and allies to join us in these collective efforts to make us stronger.

Yes, we owe those folks a great debt of gratitude for making America a leader in space, a leader in the world, and giving us all something to dream about. Let us now meet that challenge in a different way.

Let us continue to explore space. Let us continue to reach for the stars, but let us dedicate ourselves to becoming that unified voice so that something we can all dream about is one America—one America—not a house divided but one America for everyone.

Thank you.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from Iowa.

**MR. GRASSLEY.** Mr. President, since it is getting close to shutting-down time, I ask unanimous consent to finish my entire remarks. I promise the Presiding Officer I will not be too long.

**THE PRESIDING OFFICER.** Without objection, it is so ordered.

#### EB-5 REGULATIONS

**MR. GRASSLEY.** Mr. President, I come to talk to my colleagues today about the deeply flawed EB-5 green card program.

Several weeks ago, we learned that the Office of Management and Budget at the White House had completed its review of the new rules to update and reform the EB-5 Program. I have been an advocate for reforming this program for a long, long period of time. Several times I have even talked to the White

House about moving these regulations along.

Now that they have been reviewed by OMB, for the rule to come into effect, it must now be published in the Federal Register. The rule was first proposed in January 2017. We have been waiting for it to be finished for 2½ years. I hope that President Trump now makes that happen as soon as possible.

The proposed rule would raise the minimum investment amounts required under the program. It also makes sure that investments are directed to rural areas and truly high-unemployment areas, as Congress intended when EB-5 was created in 1990.

Considering those points of where EB-5 ought to be concentrated and now looking at how they have been diverted from the original intent of Congress is the very best reason for these rules to be put in place—to get us back to square one, the original intent of the law.

Since the 1990s, rampant and abusive gerrymandering of the EB-5 Program's targeted employment areas has undermined that congressional intent, which was to direct it toward high-unemployment areas and rural areas. Instead of channeling investment to rural and high-unemployment areas, EB-5 has become a source of cheap foreign capital for big-city, big-moneyed interests. The targeted employment area reforms in the proposed rule would take a first step toward refocusing EB-5 investment in the way that Congress originally intended in that 1990s legislation.

In addition to channeling investment away from the areas of our country that need it the most, this is what has happened. The EB-5 Program has been plagued with other forms of fraud and abuse, and this has been going on for years and years. There are examples of EB-5 fraud from all over the country, and I am going to give just a few examples as a reminder to the President why these rules need to be put into the Federal Registry right away.

In Chicago, a businessman defrauded 290 investors of \$150 million in funds that were supposed to be used for construction of a hotel and conference center near O'Hare Airport.

In Palm Beach, FL, a real estate developer and real estate attorney teamed up to defraud 60 Chinese and Iranian EB-5 investors of \$50 million. Instead of that money being used to fund the construction of a proposed hotel, it was instead used to pay personal taxes and purchase a 151-foot yacht.

In Wisconsin, a businessman used over half of the \$7.6 million in funds he had solicited from investors to pay for personal expenses, including Green Bay Packers tickets and the purchase of a Cadillac Escalade.

I could go on all day.

In May of 2017, U.S. Citizenship and Immigration Services conducted an internal fraud assessment and found 19 cases of national security concerns

within the EB-5 Program. Those are national security concerns. The No. 1 responsibility of the Federal Government is to protect the American people, and that involves national security. These cases related to terrorism, espionage, and information and technology transfer.

Unfortunately, multiple bipartisan efforts in the Congress to modify the EB-5 Program have been consistently stymied by powerful special interest groups and big-moneyed interests. Because I have been in the middle of those battles—and they are bipartisan battles—over the years, I know exactly where these big-moneyed interests are coming from and the special interest groups that keep this program from being reformed.

Now we have an opportunity for one person—the President of the United States—through regulation, to reform this program in a way that would be very helpful. So that makes the publication of the EB-5 reform rules even more important. I applaud President Trump and the administration for getting the proposed rule to this point, but now it is time for the President and his team to finish the process and make sure the final rule goes into effect as soon as possible.

Iowans and all Americans who live in rural and high-unemployment areas deserve to have the investment that Congress intended when the EB-5 Program was created almost 30 years ago. President Trump and his administration now have a chance to finally address some of the very serious flaws in this program that have hurt rural America. We have been waiting for these reforms for over 2 years. It is time for this final rule to be published, and it needs to happen right now, if not sooner.

#### TREATIES

Mr. President, I rise today for the purpose of expressing my support for the passage of the resolutions of advice and consent that the Senate is considering this week with respect to the protocols to our tax treaties with Spain, Switzerland, Japan, and Luxembourg.

Tax treaties are a very integral part of the architecture of our tax system. For example, these treaties would help define the rules of the road for cross-border investment and trade for U.S. individuals and companies doing business in one of our treaty partner countries, like Spain, as an example, and for individuals and companies in those countries doing business in the United States.

The protocols before us today provide important updates to the tax treaties with these four countries. In general, several of them lower withholding taxes and include provisions to prevent double taxation. Several provide mechanisms for resolving disputes in a timely manner through mandatory binding arbitration. In addition, they provide important updates to the exchange of information provisions in the underlying treaties.

I am aware of the concerns that have been raised regarding the standard

used to provide for such exchange of information. The standard provided for in these protocols is that relevant information shall be exchanged between the United States and its treaty partners. That relevant standard has been used throughout our treaty network for decades and is also the standard used in U.S. domestic tax laws.

This issue was raised last month in the Foreign Relations Committee, and an amendment was offered to the resolution regarding the protocol with Spain that would have required a narrower standard. That amendment was appropriately defeated. If the issue is raised again as an amendment here on the floor, I will urge my colleagues to vote no on the amendment.

These four protocols have been awaiting action by the Senate for many years. In some cases, it has been nearly a decade. It is important that the Senate fulfill its constitutional duty to provide its advice and consent on tax treaties and protocols. It is also important that our treaty partners know that the United States really values these agreements and negotiates these treaties and protocols in good faith, with the expectation that they will be implemented without lengthy delays.

Our actions on these protocols are also timely, given the international effort to address the effects of digitalization on the international tax system.

For the past several months, representatives from the Treasury Department have been actively engaged in negotiations at the Organisation for Economic Co-operation and Development. These talks are focused on finding a multilateral agreement to these issues and avoiding the regrettable unilateral approach that some countries have taken—most notably, France. Ultimately, if these negotiations are successful, there could be a need for the United States to update its bilateral income tax treaties.

It is important that the Senate take action on the pending protocols and send a strong signal to our treaty partners that the international tax agreements are a priority for our country.

In addition to moving forward on these four protocols, we have three new income tax treaties with Chile, Hungary, and Poland that are awaiting action by the Foreign Relations Committee. I urge Chairman RISCH and Ranking Member MENENDEZ to use the wave of momentum that is building this week to move forward on those three new treaties and send them to the floor of the Senate as soon as possible.

I thank the chairman and ranking member for moving these protocols to the floor. These treaties were reported favorably by the committee by voice vote without amendment, and their consideration is long overdue.

I thank Leader MCCONNELL and Minority Leader SCHUMER for their efforts to bring these protocols up for consideration on the floor this week.

I urge all of my colleagues to vote yes on these resolutions of advice and consent.

I yield the floor.

# RECESS

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

Thereupon, the Senate, at 12:40 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

## EXECUTIVE SESSION—Continued

The PRESIDING OFFICER. The Senator from North Dakota.

Mr. HOEVEN. Madam President, I ask unanimous consent that I be allowed to engage in a colloquy with my colleagues.

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

### UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. HOEVEN. Madam President, I rise today to speak about a very important issue not only for my home State but for our country, and that is the United States-Mexico-Canada Agreement, also referred to as the USMCA.

This is the agreement that would replace NAFTA. It will increase exports, expand consumer choice, raise wages, and boost innovation not just for our country but also for two of our strongest trading partners, Canada and Mexico, as well.

In the United States the U.S. International Trade Commission's analysis found that the USMCA will raise GDP by nearly \$63 billion and create more than 176,000 jobs. The implementation of this agreement will also benefit my State, as it will secure and expand market access for our ag producers, and that is true for all of our ag-producing States across the country. It will help to grow our manufacturing base, as well, for our manufacturing States, such as Ohio. I see that my good friend and colleague from Ohio has just joined us. It will provide important support and help for the technology sector and energy sector. All of our different industry sectors stand to benefit from this agreement.

Access to foreign markets is critical for American agriculture and for our producers, who have maintained an ag trade surplus for more than 50 years. We produce far more than we can consume in this country, and we need access to markets in Canada, Mexico, and beyond.

My State of North Dakota is the ninth largest producer of ag goods, exporting and shipping \$4.5 billion worth of ag products around the globe, for example, in 2017.

Farmers and ranchers depend on free and fair trade to sell the highest quality, lowest cost food supply, not just in our country but in the world. We produce the highest quality, lowest

cost food supply. That benefits every single American every single day, and it benefits many other people around the globe if we are able to export to these other countries.

According to the International Trade Commission report, the USMCA will increase U.S. ag and food exports to Canada and Mexico by \$2.2 billion. This agreement secures existing market access, makes ag trade fairer, increases access to the Canadian market, and supports innovation in agriculture, which is why it is critical that Congress consider and pass this agreement as soon as possible.

Passage of the USMCA will help to secure market access in Canada to U.S. farmers and ranchers as the agreement maintains all existing zero-tariff provisions on ag products. Canada and Mexico are crucial markets for U.S. agriculture and the USMCA gives the certainty that these markets will continue to remain open for business.

I have more, but some of my colleagues are here. So I will turn to them, starting with my colleague from Indiana, somebody who has been active in business for many years. He built a business from scratch, from nothing to, I believe, more than 1,000 employees. He is certainly somebody who understands the importance of business and understands the importance of markets and access to those markets, and trade and export. So I turn at this point to the good Senator from Indiana for some of his thoughts on this important issue.

The PRESIDING OFFICER. The Senator from Indiana.

Mr. BRAUN. Madam President, it is true. I am a mainstream entrepreneur, and I have been involved with business my entire life, including the farm markets. I started a turkey farm back in 1979 from scratch, and I was involved in it for 32 years. I sold my share of it to my partner's kids and grandkids. My wife has had a business in downtown Jasper, my hometown, for years.

I have been an entrepreneur. I have dealt with how hard the marketplace is even when things are going well.

I stand to make the point on behalf of Hoosier farmers and businesses and to express my strong opinion that we need to get the USMCA across the finish line.

This agreement is vital to secure our hard-fought market access for American agriculture. At a time when agriculture could never have more challenges, from chronically low prices to the increasing concentration among farmer-suppliers with big corporations, this is one piece of uncertainty we need to eliminate.

In stressing the importance of the USMCA, I would state that despite the fact NAFTA had its faults, it was quite successful in securing markets for farmers. The USMCA is better. It provides stronger access to Canadian markets for U.S. milk, wheat, poultry, and egg products. It ensures that Hoosier wine and spirit makers are treated fair-

ly on Canadian shelves. And it secures the Mexican market for Indiana pork, cheese, and grain.

The USMCA improves on NAFTA in other areas of the economy as well. It adds modern rules for digital trade and stronger protections for American intellectual property. We know how important that is with regard to dealing with the Chinese.

It contains new rules of origin that ensure more manufacturing is conducted in North America and has brand-new rules to bring more of that production back to the United States.

When President Trump ran for office, he ran on a few simple things, and negotiating a NAFTA improvement was one of his core promises to the American public. At the time, Congress had two requests: Follow the guidelines from the trade promotion authority and move quickly—move quickly—to minimize uncertainty. President Trump upheld his end of the bargain. He has delivered an agreement that is better than the original NAFTA in nearly every respect.

This week Congress is ready to vote, and yet we can't. Why? Because House Democrats will not bring it to the floor. Don't believe me? Look at this letter, dated July 8, from several House Democrats.

They say in plain English: Do not send this agreement to the Congress. Do not send this agreement to the Congress.

Madam President, I ask unanimous consent to have printed in the RECORD a letter dated July 8, 2019, to Robert Lighthizer.

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

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, July 8, 2019.

Hon. ROBERT LIGHTHIZER,  
Office of the U.S. Trade Representative,  
Washington, DC.

DEAR AMBASSADOR LIGHTHIZER: We appreciate all the work you have done with the New Democrat Coalition and the rest of the Democratic caucus to resolve the outstanding issues that must be addressed for a successful, bipartisan passage of the updated North America Free Trade Agreement (NAFTA).

These conversations have been frank, productive and engaged in in good faith by all parties, and we are therefore optimistic that these limited concerns can be addressed in a timely manner. While we appreciate your willingness to listen, we have not seen any meaningful progress or tangible proposals from you to address these concerns. It has been clear from the outset that such proposals are necessary for a successful resolution.

The New Democrat Coalition was integral in the development and passage of the Bipartisan Congressional Trade Priorities and Accountability Act of 2015 (TPA). It is our belief, as legislators intimately involved with the law under which the new NAFTA was negotiated, that moving forward with implementing legislation absent the agreement of Democratic leadership would almost certainly be taken as a failure to fulfill the consultation requirements of TPA. We were troubled that you sent up the draft Statement of Administrative Action on May 30

without sufficient consultation, and strongly urge you not to make the same mistake twice.

We look forward to continuing to work with you to develop these proposals to help ensure a strong, bipartisan vote on the updated NAFTA later this year.

Sincerely,

DEREK KILMER,  
*Chair, New Democrat Coalition.*

RICK LARSEN,  
*Co-Chair, NDC Trade Task Force.*

SUZAN DELBENE,  
*Vice-Chair for Policy, New Democrat Coalition.*

GREGORY MEEKS,  
*Co-Chair, NDC Trade Task Force.*

RON KIND,  
*Co-Chair, NDC Trade Task Force.*

LIZZIE FLETCHER,  
*Co-Chair, NDC Trade Task Force.*

Mr. BRAUN. Madam President, this is an outrage. We are ready to pass the USMCA. Today you will hear from Senators who support this deal. In the Senate we have more than enough votes to pass the USMCA. There is no reason to wait.

The Democrats have known the contents of this deal for over 2 years. They knew the provisions offered by the United States and saw the text as it developed. Once the final text was released, the Democrats were stunned. They couldn't figure out how to oppose the USMCA.

First, they argued that Mexico needed to pass its labor reforms. Mexico did so in April. Then, they moved the goalpost, arguing that labor and environmental provisions in the deal were not strong enough, even though the provisions in USMCA are substantially stronger than those in the NAFTA, an agreement that some of them supported.

They still want to move the goalpost. In fact, the USMCA is the first-ever trade agreement to contain provisions requiring a minimum wage for Mexican auto workers. The Democrats still aren't happy. This time they are asking for enforcement. In response, the Mexican President issued assurances that Mexico would enforce the new labor law Democrats had demanded. But NANCY PELOSI is keeping those goalposts moving. The fact of the matter is that the Democrats are blocking USMCA because they do not want to give President Trump a win—the worst of all reasons and what makes this place so objectionable to so many people.

In the meantime, NAFTA remains the law of the land. While they play their political games American workers are still competing under the old NAFTA rules. It is time for NANCY PELOSI to end these political games. We need to pass the USMCA.

In closing, I simply would remind my colleagues that this trade debate is unlike any other this Chamber has ever made. The USMCA is the first-ever re-

negotiation of a major trade agreement. We are not talking about whether we should have an agreement with our Mexican and Canadian partners, because we already do. Instead this debate is about the future of that relationship. Do the American people want the rules in the original NAFTA or do they want the modern protections included in the USMCA?

The USMCA is a substantially better agreement than NAFTA, and the American economy—Hoosiers—need these new rules so that we can move forward into the 21st century with a stronger American economy in the North American region. It is time to pass the USMCA now.

I yield my time.

Mr. HOEVEN. I would like to thank the Senator from Indiana. Like our State, it is a major ag State. It also has manufacturing and many other areas. The USMCA is very important to the State of Indiana. I thank the good Senator for his comments today.

I turn to the senior Senator from Iowa—another State that certainly has a big part in ag—and ask for his comments on the importance of the USMCA.

Mr. GRASSLEY. First of all, I thank Senator HOEVEN for leading this discussion. It is a very important discussion because American farmers, workers, and businesses stand to benefit greatly from the new United States-Mexico-Canada Agreement.

This successor agreement to NAFTA will allow for more market access for agriculture, new commitments in critical areas such as customs, digital trade, intellectual property, labor, environment, currency, and the lowering of nontariff barriers—all translating into higher wages, greater productivity, and more jobs.

As a family farmer, I can say without a doubt that trade with Canada and Mexico is critical to the prosperity of my State of Iowa, the Midwest, and, for that matter, all of rural America. In 2019, a Business Roundtable study found that trade with Mexico and Canada supported 12 million U.S. jobs. The same study found that 130,000 Iowa jobs were supported by trade with Canada and Mexico in 2017, and \$6.6 billion in Iowa goods and services were exported to Canada and Mexico. According to the National Association of Manufacturers, Canada and Mexico purchase nearly half of Iowa's total global manufacturing exports.

President Trump and Ambassador Lighthizer delivered a solid deal to enhance this critical relationship with our good neighbors. Now, Congress must act to implement the U.S.-Mexico-Canada Agreement. As Ambassador Lighthizer said earlier this year, doing so will not only help the economy of the three countries, but it will enhance the credibility of America's global trade agenda. That is more important than ever, as talks between the United States and China are back on track.

I am looking forward to hearing concrete suggestions from House Demo-

crats sometime soon. I am glad Speaker PELOSI has formed working groups to work with Ambassador Lighthizer to address Democrats' concerns and that these meetings are underway.

About a month ago, I met for a half hour with Speaker PELOSI, and I can assure you that she wants to get to "yes," but she has a lot of new Members. The House of Representatives has the largest number of new Members in that body since 1974, and there is a lot that new Members have to learn. As Speaker of the House of Representatives, she has to make sure those new Members are comfortable with it. I am sure she wants to get there.

Any additions to the USMCA that might come as a result of these negotiations that can improve the outcome of American workers, I am happy to consider.

It is important to remember that USMCA is better than NAFTA by nearly every standard, including labor and environment. I hope discussions between House Democrats and Ambassador Lighthizer are an exercise in getting to the "yes" that I feel Speaker PELOSI wants to get to.

One particular area where everyone can agree is that enforcement across the board is a key compromise that must be hammered out. Factors outside of farmers' hands, such as an oversupply of grain in the global market, an unusually wet spring across the Midwest, and natural disasters, like flooding, have all contributed to increased uncertainty and less profitability for farmers, leading to anxiety among those same farmers. Passing the USMCA will help alleviate some of that uncertainty and anxiety for the years ahead by providing a stable export market for American corn, soybeans, pork, and dairy, to name just a few examples of the benefits not only to farming but the rest of the agenda for manufacturing and services.

I yield the floor.

Mr. HOEVEN. I would like to thank the Senator from Iowa not only for his work on agriculture but also his leadership on the Finance Committee, which is so important to advancing USMCA.

We will now go from the Midwest to the South. This is an agreement that benefits all regions of the country. I now turn to the good Senator from the great State of Arkansas.

Mr. BOOZMAN. I want to thank my colleague Senator HOEVEN for organizing this very important event.

I think you sense a theme building here. Many of my colleagues have spoken about the economic benefits USMCA holds for their specific States, and I would like to add Arkansas to the list.

According to the Arkansas World Trade Center—which, by the way, does an excellent job promoting trade in my State and growing opportunities for our exporters—Canada and Mexico are Arkansas's top trading partners by far. Arkansas goods and services are exported to 181 countries, but Canada and

Mexico combined for over one-third of our exports in 2017. Our exports to these two countries added \$2.1 billion to Arkansas's economy that year. Nearly 69,000 jobs in my State are dependent on trade with Canada, and another 41,000 jobs are affected by trade with Mexico. Arkansas exports about \$1.3 billion in goods to Canada and another \$182 million in services. I could go on, but we have already covered a lot of statistics here today.

It is important to remember that there are real people behind this data. They are the workers in the paper mills in South Arkansas, the employees of the steel mills in Northwest Arkansas, the family farmers producing rice in the delta, and the line workers at the poultry-processing plants in Northwest Arkansas.

These Arkansans, and many more, work in the industries that produce our top exports to Mexico and Canada. For them and countless others, the announcement that a trade agreement has been reached with Canada and Mexico was very welcome and promising news. Arkansas farmers, business leaders, and workers understand how vital it is to have free but also fair trade, particularly with our neighbors to the north and the south. It helps create the sense of certainty that has been sorely missing for our manufacturers, small businesses, and the agriculture industry.

For our agricultural community, it is particularly crucial that we push this agreement across the finish line. Our farmers face a very tenuous situation right now. Commodity prices are well below the cost of production. Farm incomes in 2018 dropped sharply again for the fifth consecutive year. Total farm debt has risen to levels not seen since the early 1980s. A rainy fall and spring have hampered planting season and, in the case of Arkansas, produced one of the worst floods in the State's history. All this combined has placed Arkansas's rural communities in dire conditions. Far too many family farms are barely hanging on, and, sadly, many more are filing for bankruptcy.

Arkansas has a diverse economy, ranging from aerospace and defense to steel production, to the world's largest retailer, but agriculture is by far our largest industry. It adds around \$16 billion to our economy every year and accounts for approximately one in every six jobs in Arkansas.

In my discussions with farmers on how we can help, the same mantra is often repeated: They prefer trade over aid. While they appreciate the President's efforts to ease the pain during these trade standoffs, what they really need are more markets in which to sell their products. They understand that increased trade is the way forward to create a better long-term outlook for their operations.

Our neighbors to the north and south are our natural allies and trading partners. The President's team worked hard to get Canada and Mexico to the

negotiating table to formalize a more mutually beneficial agreement. That hard work has paid off in the form of the USMCA. Now Congress has the responsibility to see it through to the end.

Fair trade agreements have become increasingly important to Arkansas's economy over the last half-century. As the world becomes more interconnected, access to global markets is necessary not just for the large corporations that call Arkansas home but also for small and medium-sized businesses that are looking to expand their operations and their footprints. With a level playing field, Arkansas's agriculture, manufacturing, and small businesses can compete with anyone around the globe. Let's help them take a giant step closer to that by swiftly approving USMCA.

Mr. HOEVEN. I would like to thank the Senator from Arkansas for his words and also his leadership in agriculture.

Now I turn to the Senator from Ohio, who I think is going to touch on some of the aspects that are beneficial for the manufacturing sector.

The Senator from Ohio.

Mr. PORTMAN. Thank you to my colleague from North Dakota. North Dakota has a lot of farmers and manufacturers. There is a lot of manufacturing in his State as well, and they never had a better friend. That is why he is so strong a supporter of this agreement. It makes a big difference.

My colleague from Arkansas talked about the fact that Arkansas's two largest trading partners are Canada and Mexico. It is the same for Ohio. China is actually kind of a distant third. These two countries are critical for our exports. That is why this agreement is so important.

I am a former trade lawyer. I also was the U.S. Trade Representative under George W. Bush. Now I am on the Finance Committee, which is the committee that handles these trade issues. I think having a balanced and healthy trade relationship is very important. We have to stand up for our country. We need to enforce these agreements we have. We also need to expand the exports because that is what creates jobs—by the way, better paying jobs. They pay about 16 percent more on average and have better benefits. That is why we need to be sure we have agreements like this one.

We have about 5 percent of the world's population and about 25 percent of the world's economy. We need to sell our stuff overseas. It gives us access to 95 percent of the consumers who live outside of our borders. Mexico and Canada, as I said, are our biggest trading partners. Thirty-nine percent of our exports go to Canada alone—twice the national average. All in all, Mexico and Canada now support more than 12 million jobs nationally, according to the U.S. Chamber of Commerce.

We all know the NAFTA agreement has to be updated. It is now 25 years

old, and it looks like it. It doesn't have a lot of things I would expect in any modern agreement, such as taking care of the digital economy. So much of our economy is now over the internet; yet there is nothing in this agreement that deals with that part of our economy.

It is more than just a name change. It does include a lot of different aspects. We put in more modern agreements that we don't have in the NAFTA.

Another is labor and environmental standards. Not only are they stronger, but they are enforceable under this new agreement. They are not enforceable under NAFTA.

Auto jobs have left the United States of America over the last 25 years. One reason this agreement is necessary is that the USMCA shifts more auto production back to the United States. My colleague from North Dakota talked about the manufacturing side. This is going to get U.S. automobile assembly lines humming again because if you want to get the better tariff treatment under the USMCA, car parts and cars have to have higher content from North America—that means from us. Under NAFTA, that requirement was 62.5 percent, and under USMCA, it is 75 percent. There is also a new provision where 70 percent of steel that is used in automobiles has to be North American steel. Both of these things help to ensure that we have more manufacturing jobs in Ohio and around the country.

American farmers, as we have heard earlier, are going to gain access to new markets in Canada and Mexico. That is why Ohio farm groups are for this. That is why, by the way, nearly 1,000 farm groups from around the country now—I didn't know there were 1,000 farm groups—have come out to support this agreement.

Small businesses in Ohio and around the country whose bottom line relies on these internet sales, internet commerce is going to have much more access to Canada and Mexico, thanks to these new digital economy provisions. So it kind of helps across the board.

By the way, these stronger labor standards in Mexico we talked about are going to help level the playing field in terms of labor because labor costs are less in Mexico, but it goes even further than that. It actually requires that 40 to 45 percent of a USMCA vehicle made in Mexico, or anywhere in North America, must be produced by workers making at least 16 bucks an hour.

This is kind of revolutionary. It is a different kind of thinking in a trade agreement. Frankly, it is something you would expect from a Democratic administration to put into an agreement, but it is in there, and it is going to help autoworkers in this country.

Because of all of these changes I have discussed—by the way, many of which, like the higher minimum wage or like the higher domestic content, have been advocated by Democrats in the past. That has been their approach to these



trade agreements, not Republicans so much, but because these provisions are so good for workers, I must tell you I am surprised—even amazed—to see so many of my Democratic colleagues not stand up to support this agreement because it has all of these things they have said they have wanted over the years, and they certainly don't like NAFTA. Many of them have campaigned against NAFTA for the past 25 years. In a way, if you vote against USMCA, you know what you are stuck with—NAFTA. So in a way, you are voting for NAFTA if you vote against USMCA.

That is the alternative here. It is a binary choice, as they say. It is either you are for this new agreement that is an improvement or you go back to the status quo, which is NAFTA.

So it will be interesting to see, but my hope is the media and others, outside groups, will hold people accountable and say: Why would you be against an agreement that is better, even if it is not perfect from your point of view?

By the way, no trade agreement is absolutely perfect. Every one of us would negotiate something slightly different. It is a question of trying to make sure you don't make the agreement, which is not perfect, the enemy of the good, and the good is to go to this new agreement.

There was an outside, independent study done by the International Trade Commission showing that 176,000 new jobs will be added to the U.S. economy just from this agreement alone. So this is better.

So the bottom line is, do we continue under the outdated NAFTA or do we adopt these new USMCA standards that will allow us to compete better in the global 21st century economy?

A vote against the USMCA, again, is a vote for the status quo, without enforceable labor and environmental standards, with a nonexistent digital economy provision, and with rules of origin that allow more automobiles and auto parts to be manufactured overseas instead of in America. USMCA addresses and solves all those problems.

I put together a little handy chart to talk about some of these specific provisions.

USMCA will create 176,000 new jobs. NAFTA? None.

Enforceable labor and environmental standards. USMCA, yes, checkmark, enforceable. Enforceable under NAFTA? No.

Rules for the internet economy, new rules, again, to help small businesses, internet economy, checkmark. NAFTA? No.

Seventy percent of the steel in vehicles has to be made in North America. That is a new provision. It is not in any other trade agreement, by the way. Yes on USMCA; no on NAFTA.

Finally, 40 to 45 percent of the vehicles must be made by workers earning at least 16 bucks an hour. NAFTA, no; USMCA, yes.

So it is pretty clear to me, if you actually are honest about this and you look at it objectively and you say here are these two opportunities, which way would you go?

So I hope my colleagues on the other side of the aisle take a look at this and apply logic and say: It might not be perfect. I might have wanted a little more here or there, but be sure that you are supporting what works for your workers.

If we can get this agreement passed, the President will sign it. It will make a difference for employees, for farmers, workers, service providers in my home State of Ohio and around the country.

Mr. HOEVEN. I want to thank the Senator from Ohio. I introduced him as the Senator from Ohio because that is what he is right now, but I could have also said that he is the former USTR, U.S. Trade Ambassador, so I guess I could have said Ambassador Portman, and he was also the Director of the Office of Management and Budget. So when he gets up and talks about the comparison of USMCA versus NAFTA, he certainly knows what he is talking about, and I appreciate his being here and the compelling case he makes based on many years of work and truly understanding these trade agreements and being part of developing them.

So, again, my thanks to the Senator from Ohio. I appreciate him very much.

Now I am going to turn to somebody who appreciates the farmer the way I do, and that is the junior Senator from Iowa.

Ms. ERNST. Thank you to the senior Senator from North Dakota for his great work in pulling us all together. A number of us on the floor really appreciate the agricultural sector. We heard from my senior Senator just a bit ago.

Why am I so enthused about the USMCA? It is because, in the great State of Iowa, one out of every five jobs is tied to trade.

Over 87,000—87,000—farms make Iowa our Nation's top egg, pork, corn, soybean, and ethanol producer.

With Canada and Mexico being two of our biggest trading partners, the United States-Mexico-Canada Agreement—or what we have been talking about here, the USMCA—is a huge deal for the State of Iowa.

Last year alone, my home State of Iowa exported \$6.6 billion worth of products to just Canada and Mexico. That is more than we exported to our next 27 top export markets all combined—27 combined, and it still wasn't greater than what we send to Mexico and Canada.

This deal will allow those numbers to grow exponentially by creating new export opportunities for our dairy industry, greater access for our egg producers, and reducing nontariff trade barriers that previously hampered our exporting abilities.

So it is critical—it is critical—that we get the USMCA across the finish line, not just for the sake of getting a tremendous win for our agriculture

community but finalizing a deal that will impact the livelihoods of our hard-working Iowans and all Americans across the country.

Ninety-five percent of the world's population lives outside of the United States of America, which makes our exports all that more important.

Having USMCA in place means certainty—certainty in a time where prices have been low and markets have been eroded from other trade negotiations.

This trade deal preserves our duty-free access to Mexican and Canadian markets, which many of our ag producers and manufacturers benefit from.

I have heard from countless equipment dealers and processors all the way down to the farmers growing the crops and raising our hogs. Ratifying this agreement will be a shot of positive energy into their businesses, their homes, and to folks all across rural America.

When it comes to trade with our neighbors to the north and the south, it is simple. We need the USMCA passed through Congress as soon as possible.

It has already been ratified by Mexico; they are done. The deal is done with Mexico, and it looks like Canada is set to follow suit.

The USMCA was signed on November 30 of 2018. That is right—2018. That is 228 days ago—228 days. I would say it is about time that Speaker PELOSI and our friends in the House signal their full support for this agreement.

It is time to get moving. We have to get this deal done. We have to get it across the finish line. Iowa's farmers, manufacturers, and small businesses are counting on us to get this done.

With that, I would like to say: Go, USMCA. Thank you to the senior Senator from North Dakota for gathering us together. I think this is a really important topic for all of us to focus on.

Mr. HOEVEN. I want to thank the Senator from Iowa and turn to somebody who, although he is very young, has been working very hard for agriculture for a very long time, and that is the Senator from Kansas, who also happens to be our Ag Committee chairman.

Mr. ROBERTS. Madam President, I thank Senator HOEVEN for getting us together for a colloquy with everybody who is concerned about this.

This is what we do on the Agriculture Committee, working in a bipartisan way when we see an opportunity, and certainly we ought to seize this opportunity.

I thank the Senator from North Dakota for leading this. He is an outstanding champion on behalf of agriculture, and he is always riding the posse, which I truly appreciate.

I also thank Senator BRAUN from Indiana, a new and valued member of the Ag Committee, for pointing out some of the obstacles we face. Unfortunately, they tend to be on a partisan basis. There are extraneous things that



need to be talked about, and I know Senator PORTMAN just brought that up with his chart, but I thank him for his participation.

Senator GRASSLEY, who is a very valued member of the Ag Committee, chairman of the Finance Committee—and obviously that is the committee of jurisdiction—who has especially pointed out, and as Senator ERNST has pointed out, the value of agriculture to Iowa and, for that matter, all of the country.

Senator BOOZMAN, who talked about Arkansas, is a valued member of the committee as well, next to the chair in terms of seniority.

Senator PORTMAN, as has been pointed out, is the former Trade Representative. On the chart, he simply pointed out in detail why this new agreement is far superior to NAFTA and we are working with, as Senator GRASSLEY pointed out, working groups in the House, with our lead negotiator, and I hope that works out. I certainly hope it works out.

Senator ERNST has been an outstanding champion for farmers in Iowa and all around the country. She is on the committee and has compassion and also pointed out the need for certainty.

Now, since NAFTA was signed into law, the result has been that Canada and Mexico have been two of our strongest trading partners.

I worked on NAFTA back in the day when I was in the House and served as ranking member, and the Honorable Kika de la Garza was the chairman. We went all over the country working on NAFTA.

The result with that agreement—and every State could say the same thing, but we are talking about 110,000 jobs in Kansas. Those jobs are across all sectors of agriculture now, and many are tied to agriculture and the entire agriculture value chain. NAFTA secured greater market access for our farmers, our ranchers, our growers, everybody in between, and for our producers. Today, over one-quarter of our country's agriculture exports are destined for Canada and/or Mexico.

As with every trade agreement, there is always room for improvement. It has been pointed out by all of my colleagues that the United States-Mexico-Canada Agreement—the acronym for that is USMCA. I did suggest it could also be for United States Marine Corps Always, but that is the acronym we are using. It has modernized the trade pact we have benefited from for over 20 years. The U.S. agriculture industry desperately needs this trade agreement now to offer greater certainty and predictability regarding demand in the marketplace, certainly in predictability.

That is what we promised in the farm bill, and we passed the farm bill in this body with 87 votes. That is a record vote, based on the premise that the most important thing we do is provide certainty and predictability for our farmers and ranchers and growers.

As chairman of the Senate Ag Committee, I have heard directly, personally, as all my colleagues have, from producers and the broader agriculture industry regarding our challenging farm economy.

Every day our farmers, ranchers, and growers experience incredible challenges, including weather variability, and that is putting it mildly. I do not know what we have done to Mother Nature for her to act in this fashion.

In Kansas, the wheat harvest is a month late, and farmers still can't get in their fields up in the northwest part, but, amazingly, the yield is pretty good; the protein is staying about the same; and we have seen a little bit—a little bit—of price recovery. We need a lot more.

The uncertainty regarding the U.S. trade policy has led some of our most important trading partners to turn to our competitors. That is sadly true. At a time when the U.S. agriculture industry is facing new trade retaliation threats on top of the challenging agriculture economy, we must offer greater certainty and predictability for the farmers and ranchers across the country.

I cannot emphasize enough how serious this is. This is the fourth or fifth year that we have experienced this situation. Some farmers and ranchers who produce—not all but some—are in a desperate situation.

Congressional passage of USMCA would be—will be—should be—a pivotal step toward restoring the United States as a reliable supplier, not to mention tangible benefits.

I urge my colleagues—especially in the House—to get together with Ambassador Lighthizer and work out these concerns that have been talked about—especially by Senator GRASSLEY—and to give fair and swift consideration to this new trade agreement. We must expand critical market access and create new trade opportunities for U.S. agriculture.

I again thank Senator HOEVEN for his leadership and for sponsoring this colloquy.

Mr. HOEVEN. I thank the Senator from Kansas and our Agriculture Committee chairman.

Madam President, I ask unanimous consent for up to an additional 3 minutes of time to allow the Senator from Colorado to make a few remarks, and then we would turn to the Senator from Vermont for his comments.

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

Mr. HOEVEN. Madam President, I turn to the Senator from Colorado.

Mr. GARDNER. Madam President, I thank our colleague from Vermont for the accommodation of this extra time.

USMCA is incredibly important to the State of Colorado. Colorado is a pro-trade State. We have about 750,000 trade-related jobs in Colorado. Of those 750,000 jobs, almost 250,000 are related to trade with Mexico and Canada. Nearly a quarter million of Colorado's

workers are there because of trade with Canada and Mexico. It is a nearly \$5 billion share of our economy—that is, the total number of goods, services, and exports to Canada and Mexico. That was a couple of years ago, so that number has obviously increased.

Of the potatoes Mexico imports from the United States, nearly half come from Colorado. If you look at beverages, 97 percent of the beverages Mexico imports come from Colorado. If you look at crowns, closures, seals, 96 percent of those items exported or imported by Mexico come from Colorado. If you look at miscellaneous leather products, the hides and other products that Mexico imports, 87 percent of them come from Colorado.

We know NAFTA has created thousands of jobs in Colorado. We know it has added thousands of dollars to people's incomes. We know USMCA is a better, stronger opportunity for us to gain even more jobs, more income, and more opportunity for the people of Colorado. So I thank Senator HOEVEN for bringing people together on the floor to talk about the importance of free trade and particularly the passage of USMCA.

I hope our colleagues in the House will hear this call to a brighter economic future, more trade opportunities, and greater U.S. leadership by moving the USMCA, adopting it, and putting it forward so the Senate can act on it and getting this agreement into law so we can actually once again start rebuilding opportunities with trade.

I am strongly supportive of this effort. It is good for Colorado, and it is good for this country.

I thank my colleague from North Dakota and my colleague from Vermont.

Mr. HOEVEN. Madam President, I thank the Senator from Colorado. Again, the message is clear: We need to pass USMCA, and we urge our colleagues not only in this Chamber but in the House to do that and get this done for our country, across all sectors of our economy.

With that, I turn to the Senator from Vermont and express my thanks and appreciation to him.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

DEATH OF JAMAL KHASHOGGI

Mr. LEAHY. Madam President, the U.N. Special Rapporteur on extrajudicial, summary or arbitrary killings, Ms. Agnes Callamard, recently released her report on the murder of Jamal Khashoggi after a 6-month investigation. I encourage everyone to read the report, and I want to share several of her findings.

First, Mr. Khashoggi was murdered and dismembered inside the Saudi consulate in Istanbul. It was an extrajudicial killing that violated numerous international laws, and for which the Government of Saudi Arabia is responsible.

Second, there is credible evidence warranting further investigation of the

liability of high-level Saudi officials, especially the Crown Prince.

Third, once Turkey publicly announced Mr. Khashoggi's murder, the Saudi Government used consular immunity to obstruct Turkey's investigation until the crime scene could be cleaned, and there are reasons to conclude that the destruction of evidence could not have taken place without the Crown Prince's knowledge.

Fourth, Saudi officials falsely denied knowledge of Mr. Khashoggi's murder for more than 2 weeks, and they continue to deny state responsibility.

Fifth, the trial of the suspects who have been charged in Saudi Arabia will not deliver justice or the whole truth.

Sixth, Jamal Khashoggi's remains have yet to be located and turned over to his family.

Some have ignored the findings in the report, as the lobbyists who continue to rake in millions of dollars from the Saudi Government have encouraged, and as the Trump administration appears inclined to do. But ignoring the facts doesn't change what happened. And it bears repeating: The fact is, a journalist was murdered by the Saudi Government in a manner that implicates officials at the highest level in the royal family. The fact is, the Saudi Government engaged in a flagrant coverup and continues to deny any responsibility. The fact is, the steps being taken to pursue justice are a sham.

After the report was released, the Saudi Foreign Minister dismissed its finding as not containing any new information—as if the murder, coverup, and lack of accountability are irrelevant because they have been previously reported.

While many of the summary findings in the report may not be new, they are supported by roughly 100 pages of detailed information in which the Special Rapporteur and her team document official reports from the U.S., Saudi, and Turkish Governments, they include quotes from interviews conducted around the world, and they share excerpts of the gruesome intelligence information to which they had access.

Ms. Callamard presented the facts, her own conclusions, and the methodology used to reach those conclusions, and she was clear about where there were limitations of her inquiry. The report shows a meticulous and objective effort to find the truth. For that reason, it stands in stark contrast to the approach taken by both the Saudi Government and the Trump administration.

The Special Rapporteur also made several recommendations, including some that are directed specifically to the United States. They include the following:

Open an FBI investigation into the murder of Mr. Khashoggi, and pursue criminal prosecutions within the United States as appropriate.

Make a determination under the Global Magnitsky Human Rights Ac-

countability Act regarding the responsibility of the Crown Prince, the de facto ruler of Saudi Arabia.

To the greatest extent possible, consistent with national security, declassify materials relating to the murder of Mr. Khashoggi.

And hold congressional hearings on the responsibility of top Saudi officials and demand access to the relevant classified materials.

After Ms. Callamard's report was released, President Trump, just like the Saudi Foreign Minister, dismissed its findings. He made clear he intends to take no action in response to the report.

In addition, despite Secretary Pompeo's repeated claim that the administration is "committed to holding each individual accountable" in the murder of Jamal Khashoggi, the facts indicate the opposite. The administration continues to refuse to adhere to its legal requirements—refuses to follow the law—under the Magnitsky Act to determine liability in the murder, including the liability of the Crown Prince.

In fact, President Trump has made no effort to conceal that the administration's complicity in protecting the Saudi royal family is linked to billions of dollars in sales of U.S. weapons to the Saudi Government. During an interview shortly after the report was released, the President admitted to not raising the U.N. report with the Crown Prince, and said: "Saudi Arabia's a big buyer of American products; that means something to me."

Asked whether Saudi Arabia paid the right price for the United States "to look the other way," President Trump said: "No, no. But I'm not like a fool that says, 'We don't want to do business with them . . . Take their money.'"

I was a prosecutor for 8 years. The fact that premeditated murder is being condoned because of billions of dollars in Saudi money is unconscionable.

According to President Trump, our relations with Saudi Arabia should not change regardless of the outcome of any investigation. Think about that. The President is saying that no matter what the evidence shows, no matter how compelling the evidence implicating the Crown Prince in murder and obstruction of justice, that should not affect our relations with the Saudi Government. That is a shocking statement.

Instead, the administration has limited its response to imposing sanctions only against individuals who reportedly carried out the murder, as well as a few other officials believed to have played a role in ordering or facilitating the operation, and has argued that, by doing so, it has fulfilled its commitment to pursuing justice.

It is the same as what the Saudi Government has done—claim to be holding the hit men accountable while absolving the Saudi leadership and royal family of any responsibility.

Yet the Special Rapporteur has rightly emphasized that the pursuit of justice for Jamal Khashoggi and his family is about finding the truth.

Secretary Pompeo recently spoke about the need to ensure that our principles guide our policy. That is a view I share, but I have to wonder what he meant by that pious statement. What principles was he talking about? There is no evidence that the administration is being guided by principle in the Khashoggi case. To the contrary, there is every reason to believe this administration has made a calculated decision to do the opposite. In fact, the President has said as much.

There should be nothing controversial about holding accountable a government that systemically represses and abuses its own people, that is currently arbitrarily detaining American citizens whom it has also reportedly tortured, that has repeatedly committed war crimes in Yemen that potentially implicate the United States, and that is responsible for the premeditated murder of a widely respected journalist.

I hope other Senators will join me in calling on the Trump administration to lead the international community by example. Our government should put Special Rapporteur Callamard's recommendations into practice, and we should urge other governments to do the same.

I yield the floor.

**THE PRESIDING OFFICER.** The Senator from South Dakota.

**Mr. THUNE.** Madam President, I ask unanimous consent to be able to complete my remarks before the vote.

**THE PRESIDING OFFICER.** Is there objection?

Without objection, it is so ordered.

**TRADE**

**Mr. THUNE.** Madam President, a number of my colleagues were here just a few moments ago talking about trade and the impact of trade on agriculture. I have been down here a lot on the floor to talk about the ag economy in recent weeks. If you look at our economy as a whole, it is thriving, but our Nation's farmers and ranchers are still having a tough time, thanks to years of commodity and livestock prices that are below production cost because of protracted trade disputes and now, on top of that, natural disasters.

One of the most important things we can do to help our agricultural economy is to negotiate favorable trade agreements for U.S. producers. Our Nation's farmers and ranchers depend on trade. In my home State of South Dakota, we export a substantial portion of the agricultural products we produce.

Right now, though, farmers and ranchers are facing a lot of uncertainty when it comes to trade. There are a number of outstanding trade agreements, and farmers and ranchers are unsure what the rules of the road are going to look like in the future. That is why I have urged the administration to

wrap up negotiations on the various trade deals under consideration as swiftly as possible.

I strongly support the administration's goal of strengthening market access for our Nation's farmers and ranchers, and we have made real progress in negotiations. Now it is time to push for a conclusion to these deals and give our Nation's agricultural producers certainty about what international markets are going to look like.

There is one deal, however, that we don't need to wait for; that is, the United States-Mexico-Canada Free Trade Agreement. Negotiations on this trade agreement are finished. Mexico has already passed the agreement, and Canada is just waiting for the United States to act. All we need is for Speaker PELOSI to indicate her willingness to take up this deal, and the President will formally submit the agreement to Congress for approval.

The United States-Mexico-Canada Free Trade Agreement is a big win for our Nation's farmers and ranchers. Canada and Mexico are the No. 1 and No. 2 export markets for American food and agricultural products. The United States-Mexico-Canada Agreement will preserve and expand farmers' access to these critical markets and give farmers certainty about what these markets will look like long term.

I am particularly pleased with the improvements the agreement makes for U.S. dairy producers. Dairy is an important and rapidly growing industry in South Dakota. Drive the I-29 corridor north of Brookings, and you can see firsthand what massive dairy expansion we have experienced in South Dakota over the past few years.

The U.S.-Mexico-Canada Agreement will preserve U.S. dairy farmers' role as a key dairy supplier to Mexico, and it will substantially expand market access in Canada, where U.S. dairy sales have been restricted.

The U.S. International Trade Commission estimates that the agreement will boost U.S. dairy exports by more than \$277 million. The agreement will also expand market access for U.S. poultry and egg producers. It will make it easier for U.S. producers to export wheat to Canada.

I have spent my time today talking about the agricultural industry, but, of course, this agreement goes much further. The United States-Mexico-Canada Agreement will benefit virtually every sector of our economy, from manufacturing to digital services to the automotive industry. It will create 176,000 new jobs, grow our economy, and raise wages for workers.

It is time to pass this agreement and to realize its economic benefits. Senate Republicans are ready; we are ready to approve this agreement once the White House submits it to Congress. We are just waiting for Democratic leaders in the House to indicate their willingness to take up the deal. It is time for them to do so.

Democrats' concerns have been more than addressed throughout the negotiation process. The final trade agreement is perhaps the most worker-friendly trade agreement the United States has ever considered. It is a big improvement on the North American Free Trade Agreement—the agreement under which we are currently operating—on the issues over which Democrats have expressed concern.

If they are serious about making progress on these issues and are not just trying to sink the U.S.-Mexico-Canada Agreement with specious objections, Democrats should give the President the go-ahead and take up and pass this agreement in the near future.

NOTIFICATION OF PETER JOSEPH PHIPPS

Mr. TOOMEY. Madam President, I rise to speak in support of the nomination of Judge Peter Phipps of the U.S. District Court for the Western District of Pennsylvania to be a U.S. Circuit Judge for the Third Circuit.

Judge Phipps is highly qualified to serve on the Third Circuit. He has dedicated his legal career to public service, first as a decorated career attorney at the U.S. Department of Justice and now as a Federal trial judge. As both a judge and a lawyer, he has been a faithful adherent to the rule of law.

Senator CASEY and I supported Judge Phipps' nomination to the district court. He was recommended to us by the bipartisan judicial advisory panel that we use to vet and recommend candidates to fill district court vacancies in the Western District of Pennsylvania. In 2018, the Senate easily confirmed Judge Phipps to the district court by voice vote after the Senate Judiciary Committee reported him to the floor by voice vote.

Before joining the bench, Judge Phipps served for 15 years as a career attorney in the U.S. Department of Justice's Civil Division, where he worked under three Presidential administrations of both parties. He represented the Federal Government in numerous complex cases and received multiple awards for his excellent work. Since 2014, he has served as an adjunct law professor at Duquesne University, where he teaches administrative law. Earlier in his career, he clerked for Chief Judge Guy Cole on the U.S. Court of Appeals for the Sixth Circuit and worked as a commercial litigator in private practice. Judge Phipps is a graduate of the University of Dayton and Stanford Law School.

Judge Phipps has an outstanding reputation for intelligence, professionalism, fairness, and integrity, but you do not have to take my word for it. Here are few examples of how others have described him.

The American Bar Association has rated him well-qualified on the basis of his integrity, professional competence, and judicial temperament. Minority Leader SCHUMER and Senator LEAHY, the former chairman of the Senate Judiciary Committee, have called the American Bar Association's rating

"the gold standard by which judicial candidates are judged."

Senator GRAHAM, the chairman of the Senate Judiciary Committee, stated after Judge Phipps' nomination hearing on June 5, 2019 that Judge Phipps "is one of the most impressive nominees for the U.S. Circuit Courts that has appeared before the Committee. He is incredibly smart and well balanced. Mr. Phipps will be a great addition to the Third Circuit."

At Judge Phipps' district court investiture on December 18, 2018, Chief Judge Cole of the Sixth Circuit, an appointee of President Bill Clinton, said that Judge Phipps "has earned a reputation for honesty, trustworthiness, great character, humility and professionalism." In addition, Chief Judge Cole stated that Judge Phipps "has a brilliant mind, endless curiosity, and an even temperament. He will treat all who come before him equally and apply a strong work ethic to each and every matter. In short, Judge Phipps will be fair and just in the truest sense of those words."

Leon Panetta, Secretary of Defense under President Barack Obama, has written to the Senate in support of Judge Phipps' nomination. He worked closely with Judge Phipps on a legal matter when he was Secretary of Defense. His letter states: "Throughout the many hours we spent with one another I was repeatedly impressed by Peter's legal acumen, dedication, attention to detail, and integrity. I have come to know Peter to be a faithful public servant and an excellent attorney. I am very pleased that he has been nominated to give his time and talents to the bench. I believe Peter will serve with honor and highly recommend his confirmation."

The Senate has also received enthusiastic letters of support for Judge Phipps' nomination from attorneys who have litigated with and against him, including former colleagues from the U.S. Department of Justice. For instance, one group of attorneys praised Judge Phipps as a "model jurist" who has a "piercing intellect" and "deep knowledge of the law." Similarly, a group of his former colleagues from the U.S. Department of Justice wrote: "Judge Phipps' generosity, perspective, commitment to the rule of law, and selflessness—in addition to his intelligence and extensive experience—will make him a superb appellate judge."

I am confident that Judge Phipps will live up to this high praise on the Third Circuit. He has all the essential qualities needed to excel as a Federal appellate judge: experience, intelligence, integrity, and respect for the limited role of the judiciary in our constitutional system. I am pleased to support this highly qualified nominee and urge my colleagues to do the same.

Mr. THUNE. I yield the floor.

The PRESIDING OFFICER (Mr. CRAMER). Under the previous order, the question is, Will the Senate advise and consent to the Phipps nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), and the Senator from California (Ms. HARRIS) are necessarily absent.

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

The result was announced—yeas 56, nays 40, as follows:

[Rollcall Vote No. 205 Ex.]

#### YEAS—56

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

#### NAYS—40

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

#### NOT VOTING—4

Bennet	Gillibrand
Booker	Harris

The nomination was confirmed.

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

#### CLOTURE MOTION

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

The 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 Treaties Calendar No. 1, Treaty Document No. 113-4, the Protocol Amending the Tax Convention with Spain.

Mitch McConnell, Mike Crapo, John Thune, Pat Roberts, Thom Tillis, Roger F. Wicker, Mike Rounds, Roy Blunt, Shelley Moore Capito, Steve Daines, Johnny Isakson, Kevin Cramer, John Boozman, Richard Burr, John Hoeven, John Cornyn, Lindsey Graham.

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 Protocol Amending the Tax Convention with Spain 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 Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 94, nays 1, as follows:

[Rollcall Vote No. 206 Ex.]

#### YEAS—94

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

#### NAYS—1

Paul

#### NOT VOTING—5

Bennet	Gillibrand	Sanders
Booker	Harris	

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 1.

The motion was agreed to.

#### EXECUTIVE SESSION

#### THE PROTOCOL AMENDING THE TAX CONVENTION WITH SPAIN

The clerk will state the treaty.

The senior assistant legislative clerk read as follows:

Treaty Document No. 113-4, The Protocol Amending the Tax Convention with Spain.

Pending:

McConnell amendment No. 910, of a perfecting nature.

McConnell Amendment No. 911 (to Amendment No. 910) to change the enactment date.

The PRESIDING OFFICER. The Senator from Idaho.

#### ORDER OF PROCEDURE

Mr. RISCH. Mr. President, I ask unanimous consent that amendment No. 910 be withdrawn and the only amendments in order to Treaties Calendar No. 1 be the Paul amendment Nos. 924 to the treaty and 921 to the resolution of ratification; further, that at 5 p.m. today, the Senate vote on the Paul amendment No. 924; that following disposition of that amendment, the resolution of ratification be reported and the Senate vote on Paul amendment No. 921 take place; that following disposition of that amendment, the Senate vote on the resolution of ratification with no intervening action or debate; that if the resolution of ratification is agreed to, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; further, that the only amendments in order to treaties Calendar Nos. 2, 3, and 4 be the Paul amendment Nos. 922, 919, 923, 918, and 920; finally, that the cloture motions in relation to treaties Calendar Nos. 2, 3, and 4 be withdrawn, the pending amendments to the treaties be withdrawn, and the Senate vote on ratification of the treaties at a time to be determined by the majority leader in consultation with the Democratic leader on Wednesday, July 17.

Finally, I ask unanimous consent that the cloture motions with respect to the Corker, Blanchard, and Tapia nominations ripen following disposition of Treaties Calendar No. 4.

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

(Mrs. BLACKBURN assumed the Chair.)

The PRESIDING OFFICER (Mr. CASSIDY). Under the previous order, the pending amendments are withdrawn.

The Senator from Kentucky.

#### AMENDMENT NO. 924

Mr. PAUL. Mr. President, I call up my amendment No. 924.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 924 to Treaty Document No. 113-4.

Mr. PAUL. I ask unanimous consent that the reading of the amendment be waived.

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

The amendment is as follows:

(Purpose: To amend the Protocol to protect tax privacy)

In paragraph 1 of Article 27 of the Convention, as amended by Article XIII of the Protocol, strike "such information as is

foreseeably relevant” and insert “such information as is individualized and relevant to an individual investigation”.

Mr. PAUL. Mr. President, for several years now, I have been working on tax treaties that we have with other countries to try to protect Americans’ privacy. I think it is very important that your personal information—what you buy with your credit card, what checks you write, and what you do with your bank account—is private. It is yours, and it is not to be sifted through or rummaged through by the government.

I am very, very concerned that, over time, particularly with technology, the IRS is gaining too much power at the push of a button to simply sift through our bank accounts looking for anomalies.

I think it is important that we protect Americans who live overseas. About 8 million Americans live overseas, and I think the vast majority of them are law-abiding citizens.

This debate has been going on for several years now. I first tried to engage the Obama administration in this. We had meeting after meeting but no meaningful engagement. Currently, we have been involved in negotiations with the Trump administration, which has been more open to discussions of how we protect Americans’ privacies. Unfortunately, these negotiations were sabotaged by the Republican leader, who chose to bring these tax treaties forward at a time when we were in the middle of negotiations. This is very disappointing to me because I think we were at the point of actually achieving a deal that would protect the privacy of Americans. This process has been severely damaged and short-circuited by the Republican leader’s choosing to push this forward and destroy the negotiations that we were having at the time.

When we look at these treaties, and we say, “well, how could we make them better,” there are ways that we could actually make them better. There are also ways that these treaties could have come up at any point in time in the past. No one Senator can really block legislation. The fact that this legislation hasn’t come up for several years is really due to the fact that the Republican leader has failed to engage in any meaningful compromise or discussion over these.

The treaties are being brought up against my objections now. So they could have been brought up against my objections 2 years ago, 4 years ago, or 6 years ago. Really, the fault and the responsibility for the delay of these tax treaties lies squarely at the foot of the Republican leader, who has failed to engage on this subject and has, rather, chosen at the end just to rush them through without any meaningful debate.

Americans are constitutionally guaranteed to be free from unreasonable, suspicionless search—or at least we used to be. Today this Chamber begins consideration of four tax treaties, and

each one of them contains provisions that would violate the fundamental right to be free from unreasonable searches.

To be sure, these treaties would bestow benefits to the United States and our trading partners, and those provisions have my support. In fact, I have said for years now that I support the gist of the treaties and that they try to prevent double taxation and they make it easier for companies to do business overseas, as well as to do business in our country. That is why I have said from the beginning: Let’s negotiate a settlement. Let’s try to put taxpayer protections into the treaties. But at every point we have been stymied.

I don’t think the benefits of these treaties should come at the grave expense of violating the rights of every American with a foreign bank account, regardless of whether there is a shred of evidence that a crime has been committed.

These treaties make it easier for tax authorities, such as the IRS, to obtain an American citizen’s bank deposit account information. Previously, the IRS could only obtain such information if it was necessary to address a tax dispute, but that is not the standard these treaties will keep. In the past, there had to be at least an accusation of wrongdoing, an accusation of fraud, or an accusation that a taxpayer was doing something against the law. These treaties, though, would allow the IRS—the government Agency that instills terror in every citizen it contacts, the government Agency that has almost limitless power to put anybody out of business—to obtain individual bank account records if that information is “foreseeably relevant” or “may be relevant.”

Think for a minute what the standard is here. So if you happen to be an American who does business overseas, if it may be relevant, the government can look in your bank account. Really, the standard is “may be relevant” to the Tax Code, “may be relevant” to a question, instead of “is relevant” to an active investigation concerning wrongdoing by a taxpayer. I think this is a big mistake. It is going to lead to bulk transfer of information from countries back and forth.

We live in an era where some people leave one country or another, hoping to get away from totalitarianism and hoping to get away from the snooping authorities that may well debit their account or control their account based on their political behavior. I think it is a mistake to allow the information to be transferred back and forth without any kind of standard. The standard is “foreseeably relevant,” or “may be relevant.” What kind of standard is that?

Historically, the standard required, at the very least, is an accusation of a crime. It will no longer require that. Will it require suspicion of a crime? No, it will require anything the government asks that it may be relevant to the treaty, that it may be relevant to

the Tax Code, which is basically no standard at all. No American overseas will have any kind of protection of their privacy.

Some recent international court decisions have provided an idea as to what meets this new standard. According to the Swiss Federal Supreme Court, under the new standard of these new tax treaties and the “foreseeably relevant” standard, an information request will only be denied if the link between the requested data and the information is improbable. No consideration is necessary as to whether there is reasonable suspicion of a crime. People can go after the information, basically, based on no accusation of a crime or no suspicion of a crime. It will be a fishing expedition.

Perhaps we should thank the Swiss Federal Supreme Court for effectively telling us what we already knew, that the “foreseeably relevant” standard is really no standard at all.

At a time when the United States is over \$22 trillion in debt and running annual trillion-dollar deficits, these treaties would empower the IRS to obtain sensitive bank account information under the weakest of pretenses. In short, the information is exchanged with no questions asked, no reasonable suspicion, and no due process in an effort to swell the coffers of the U.S. Treasury.

I am outraged by this. The Senate should be outraged, and the American people should be outraged that their liberties are so cavalierly cast aside to accommodate the IRS’s perpetual search for more taxpayers to shake down.

My amendment to the treaties would end bulk exchanges of financial records by simply mandating that the United States and our treaty partners would exchange information only if an identified individual is subject to an individual investigation related to the enforcement of the Tax Code. I am not against going after people not paying their taxes, but I am against going after the 8 million Americans who live overseas and are just trying to abide by the laws and just trying to earn a living.

While those who have evaded their tax obligations must be held to account, the power to search and seize is not absolute in the United States or in any free country. A government dedicated to securing the blessings of liberty does not allow the IRS to rummage through our bank accounts hoping to find a crime.

Obtaining the deposit account information of an American should be done on an individualized basis without resorting to indiscriminate sweeps of sensitive information gathering.

I urge every Senator to stand up for the Fourth Amendment rights of all Americans and to support my amendment.



My amendment would simply do this. It would put a standard into the treaties that says that there has to be suspicion. You have to individualize an investigation. You can't push a button and search through 8 million Americans' bank records overseas. If we allow this to go without personal privacy protections, we are setting ourselves up for a dystopian nightmare, where the government looks at every transaction, every purchase, and everything we do in our lives. It is a big mistake to let this go.

There is no reason why this couldn't be corrected.

I have spoken to the countries involved, and they have assured me that there is not a problem at all with making these amendment changes to the treaties. Yet they have fallen on deaf ears.

It is a sad day for Americans taxpayers and a sad day for privacy that these tax treaties are being rushed through. I strongly object and hope other Senators will consider voting for taxpayer privacy.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, I ask unanimous consent that the vote take place after the completion of my remarks.

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

Mr. RISCH. Mr. President and fellow Senators, today the Senate is considering four tax protocols. These treaties—and these are treaties—have been approved by substantial bipartisan majorities in the Foreign Relations Committee in multiple successive Congresses. Two of these four protocols were reported out of committee without objection during the four most recent Congresses. It is in the interest of U.S. taxpayers that these be approved, and it is time for these to be approved.

I am honored that on my watch, we have finally brought these to the floor and brought them here at this moment to actually adopt these treaties, which will be adopted when the vote is called.

Tax treaties benefit U.S. businesses and citizens in a number of ways. Tax treaties create certainty for the business community. They promote a favorable business environment by minimizing uncertainty and helping U.S. businesses grow.

In the case of Americans working and conducting business abroad, tax treaties are indispensable in that respect. Tax treaties facilitate trade and investment by preventing double taxation. They provide U.S. taxpayers and investors with greater clarity about their tax burden. They provide tools to ensure that U.S. taxpayers are treated equally and fairly overseas, allowing them to invest and compete abroad with the knowledge that they will not face discriminatory barriers.

Tax treaties strengthen the ability of U.S. businesses to explore new opportunities abroad by establishing a predictable framework for how a tax burden

will be assessed. These treaties also provide tools to help resolve tax disputes between the United States and our tax treaty partners. Without these tools, U.S. investors would have limited ability to resolve these problems on their own.

It is not just businesses that benefit from tax treaties. These treaties impose reasonable limits in the amount of tax the other country can impose on a U.S. person who might live or work overseas. Tax treaties help us ensure that the United States can maintain an appropriate tax base by preventing tax fraud.

One of our colleagues has raised concerns about how the treaties deal with individual privacy and sensitive information. These treaties protect taxpayer information in a manner consistent with decades-long, established standards and practices under U.S. domestic law. These standards and practices have been upheld by the U.S. Supreme Court for more than half of a century. They have been used by administrations of both parties for decades. Changing the standard now would create confusion related to global administration of our tax laws.

I do not view this issue as an impediment or a change to how these matters have been successfully handled in the past. I ask my colleagues to oppose any amendments to these treaties. The treaties are consistent with the U.S.-modeled tax treaty and with a decades-long practice of implementing and enforcing our tax laws.

To be clear, any amendment to this resolution that materially changes the underlying provisions of these treaties will require acceptance by both our President and the foreign partner or the treaty cannot be ratified. These amendments constitute a material change to the treaties. They are damaging and would lead to, potentially, years of further delay when further delay is simply not acceptable.

These treaties had been held up for 8 years, and I am very pleased that this week we are finally moving forward in our role of advice and consent to the President on these commonsense treaties. It is time to move for the Senate to act on these treaties and a vote.

I urge my colleagues to approve them and to vote against the proposed amendments.

Mr. RISCH. Mr. President, I ask unanimous consent that Senator PAUL have up to 5 minutes of debate prior to the second tranche of votes in this series.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON AMENDMENT NO. 924

The PRESIDING OFFICER. Under the previous order, the question is on agreeing to the pending amendment.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 4, nays 92, as follows:

[Rollcall Vote No. 207 Ex.]

YEAS—4

Cruz  
Lee

Paul  
Sullivan

NAYS—92

Alexander  
Baldwin  
Barraso  
Blackburn  
Blumenthal  
Blunt  
Booker  
Boozman  
Braun  
Brown  
Burr  
Cantwell  
Capito  
Cardin  
Carper  
Casey  
Cassidy  
Collins  
Coons  
Cornyn  
Cortez Masto  
Cotton  
Cramer  
Crapo  
Daines  
Duckworth  
Durbin  
Enzi  
Ernst  
Feinstein  
Fischer

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

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

NOT VOTING—4

Bennet  
Gillibrand

Harris  
Sanders

The amendment (No. 924) was rejected.

The PRESIDING OFFICER. The clerk will report the resolution of ratification.

The bill clerk read as follows:

Resolution of Advice and Consent of the Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990, and a related Memorandum of Understanding, signed on January 14, 2013, at Madrid, together with correcting notes dated July 23, 2013, and January 31, 2014 (the Protocol).

The PRESIDING OFFICER. The Senator from Kentucky.

AMENDMENT NO. 921

Mr. PAUL. I call up my amendment No. 921.

The PRESIDING OFFICER. The clerk will report the amendment.

The bill clerk read as follows:

The Senator from Kentucky [Mr. PAUL] proposes an amendment numbered 921 to the resolution of ratification for treaty document No. 113-4.

The amendment (No. 921) is as follows:

(Purpose: To provide a reservation to the Protocol)

In section 1, in the section heading, strike “DECLARATION AND CONDITIONS” and insert “DECLARATION, CONDITIONS, AND A RESERVATION”.

In section 1, strike “declaration of section 2 and the conditions in section 3” and insert “declaration of section 2, the conditions in section 3, and the reservation in section 4”.

At the end, add the following:

#### SEC. 4. RESERVATION.

The advice and consent of the Senate under section 1 is subject to the following reservation: In the case of the United States, the provisions of paragraph 2 of Article XV shall apply as if the Protocol had entered into force on January 1, 2019.

Mr. PAUL. I ask unanimous consent that the reading of the amendment be waived.

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

Mr. PAUL. Madam President, I am offering a reservation to these treaties that would maximize the benefit for individuals and businesses that are impacted by these tax provisions.

My proposed reservation would establish only for the United States—and only for our tax purposes—an effective date of January 1, 2019. By entering into these treaties, the United States and our partners are committing to the same set of tax rules and solving the problems of double taxation that plague businesses that operate in several countries.

Senate debate on the merits of these treaties has taken many years, and there is no reason to punish American companies that paid their foreign taxes but then were double-taxed by the IRS due to the lack of a ratified treaty.

As I have said many times, I support the benefit of these treaties. I wish we added privacy protections, but I do support the benefits of avoiding double taxation.

I also support making whole those who have been double-taxed, and I think it is the right thing to do to backdate these to the beginning of the year. My proposed reservation would grant these companies and the IRS the additional benefit of having a uniform tax for 2019.

To give an example of a company in my State that would benefit, North American Stainless cannot pay dividends without being subject to double taxation. If we were to make this retroactive, we would not punish this company in my State. It is disappointing to me that the senior Senator from Kentucky led the opposition to this amendment because it would stand to greatly benefit a Kentucky company. It also would stand to greatly benefit many companies around the country if we were simply to make this retroactive.

We talked to the countries involved, and there is not one country that expressed any reservation about this. It is with great disappointment that I have to oppose the senior Senator from Kentucky, who is opposing this amendment and rallying those in the body to

prevent this from being retroactive. This would in no way slow down the treaties, and it is inappropriately said by some that it would. These treaties would go through with flying colors, and the reservation would apply only to our country.

I hope those who are thinking about how to vote on this will consider voting to make these treaties start in January 1 of this year.

The PRESIDING OFFICER. The question is on agreeing to amendment No. 921.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 4, nays 92, as follows:

[Rollcall Vote No. 208 Ex.]

#### YEAS—4

Cruz	Paul	
Lee	Sullivan	
		NAYS—92
Alexander	Gardner	Portman
Baldwin	Graham	Reed
Barrasso	Grassley	Risch
Blackburn	Hassan	Roberts
Blumenthal	Hawley	Romney
Blunt	Heinrich	Rosen
Booker	Hirono	Rounds
Boozman	Hoeven	Rubio
Braun	Hyde-Smith	Sasse
Brown	Inhofe	Schatz
Burr	Isakson	Schumer
Cantwell	Johnson	Scott (FL)
Capito	Jones	Scott (SC)
Cardin	Kaine	Shaheen
Carper	Kennedy	Shelby
Casey	King	Sinema
Cassidy	Klobuchar	Smith
Collins	Lankford	Stabenow
Coons	Leahy	Tester
Cornyn	Manchin	Thune
Cortez Masto	Markey	Tillis
Cotton	McConnell	Toomey
Cramer	McSally	Udall
Crapo	Menendez	Van Hollen
Daines	Merkley	Warner
Duckworth	Moran	Warren
Durbin	Murkowski	Whitehouse
Enzi	Murphy	Wicker
Ernst	Murray	Wyden
Feinstein	Perdue	Young
Fischer	Peters	

#### NOT VOTING—4

Bennet	Harris
Gillibrand	Sanders

The amendment (No. 921) was rejected.

The PRESIDING OFFICER. The question is on agreeing to the resolution of ratification.

Mr. CORNYN. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 94, nays 2, as follows:

[Rollcall Vote No. 209 Ex.]

#### YEAS—94

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

#### NAYS—2

Lee	Paul
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#### NOT VOTING—4

Bennet	Harris
Gillibrand	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 94, the nays are 2.

Two-thirds of the Senators voting, having voted in the affirmative, the resolution of ratification is agreed to.

The resolution of ratification was agreed to as follows:

#### TREATY APPROVED

The Protocol Amending the Tax Convention with Spain (Treaty Doc. 113-4)

*Resolved (two-thirds of the Senators present concurring therein),*

Section 1. Senate Advice and Consent Subject to a Declaration and Conditions.

The Senate advises and consents to the ratification of the Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990, and a related Memorandum of Understanding, signed on January 14, 2013, at Madrid, together with correcting notes dated July 23, 2013, and January 31, 2014 (the “Protocol”) (Treaty Doc. 113-4), subject to the declaration of section 2 and the conditions in section 3.

Sec. 2. Declaration.



The advice and consent of the Senate under section 1 is subject to the following declaration: The Protocol is self-executing.

#### Sec. 3. Conditions.

The advice and consent of the Senate under section I is subject to the following conditions:

(1) Not later than 2 years after the Protocol enters into force and prior to the first arbitration conducted pursuant to the binding arbitration mechanism provided for in the Protocol, the Secretary of the Treasury shall transmit to the Committee on Finance and the Committee on Foreign Relations of the Senate and the Joint Committee on Taxation the text of the rules of procedure applicable to arbitration panels, including conflict of interest rules to be applied to members of the arbitration panel.

(2)(A) Not later than 60 days after a determination has been reached by an arbitration panel in the tenth arbitration proceeding conducted pursuant to the Protocol or any of the treaties described in subparagraph (8), the Secretary of the Treasury shall prepare and submit to the Joint Committee on Taxation and the Committee on Finance of the Senate, subject to laws relating to taxpayer confidentiality, a detailed report regarding the operation and application of the arbitration mechanism contained in the Protocol and such treaties. The report shall include the following information:

(i) For the Protocol and each such treaty, the aggregate number of cases pending on the respective dates of entry into force of the Protocol and each treaty, including the following information:

(I) The number of such cases by treaty article or articles at issue.

(II) The number of such cases that have been resolved by the competent authorities through a mutual agreement as of the date of the report.

(III) The number of such cases for which arbitration proceedings have commenced as of the date of the report.

(ii) A list of every case presented to the competent authorities after the entry into force of the Protocol and each such treaty, including the following information regarding each case:

(I) The commencement date of the case for purposes of determining when arbitration is available.

(II) Whether the adjustment triggering the case, if any, was made by the United States or the relevant treaty partner.

(III) Which treaty the case relates to.

(IV) The treaty article or articles at issue in the case.

(V) The date the case was resolved by the competent authorities through a mutual agreement, if so resolved.

(VI) The date on which an arbitration proceeding commenced, if an arbitration proceeding commenced.

(VII) The date on which a determination was reached by the arbitration panel, if a determination was reached, and an indication as to whether the panel found in favor of the United States or the relevant treaty partner.

(iii) With respect to each dispute submitted to arbitration and for which a determination was reached by the arbitration panel pursuant to the Protocol or any such treaty, the following information:

(I) In the case of a dispute submitted under the Protocol, an indication as to whether the presenter of the case to the competent authority of a Contracting State submitted a Position Paper for consideration by the arbitration panel.

(II) An indication as to whether the determination of the arbitration panel was accepted by each concerned person.

(III) The amount of income, expense, or taxation at issue in the case as determined

by reference to the filings that were sufficient to set the commencement date of the case for purposes of determining when arbitration is available.

(IV) The proposed resolutions (income, expense, or taxation) submitted by each competent authority to the arbitration panel.

(B) The treaties referred to in subparagraph (A) are—

(i) the 2006 Protocol Amending the Convention between the United States of America and the Federal Republic of Germany for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital and to Certain Other Taxes, done at Berlin June 1, 2006 (Treaty Doc. 109-20) (the “2006 German Protocol”);

(ii) the Convention between the Government of the United States of America and the Government of the Kingdom of Belgium for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income, and accompanying protocol, done at Brussels July 9, 1970 (the “Belgium Convention”) (Treaty Doc. 110-3);

(iii) the Protocol Amending the Convention between the United States of America and Canada with Respect to Taxes on Income and on Capital, signed at Washington September 26, 1980 (the “2007 Canada Protocol”) (Treaty Doc. 110-15); and

(iv) the Protocol Amending the Convention between the Government of the United States of America and the Government of the French Republic for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed at Paris August 31, 1994 (the “2009 France Protocol”) (Treaty Doc. 111-4).

(3) The Secretary of the Treasury shall prepare and submit the detailed report required under paragraph (2) on March 1 of the year following the year in which the first report is submitted to the Joint Committee on Taxation and the Committee on Finance of the Senate, and on an annual basis thereafter for a period of five years. In each such report, disputes that were resolved, either by a mutual agreement between the relevant competent authorities or by a determination of an arbitration panel, and noted as such in prior reports may be omitted.

(4) The reporting requirements referred to in paragraphs (2) and (3) supersede the reporting requirements contained in paragraphs (2) and (3) of section 3 of the resolution of advice and consent to ratification of the 2009 France Protocol, approved by the Senate on December 3, 2009.

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

The PRESIDING OFFICER. The Senator from South Dakota.

#### ORDER OF PROCEDURE

Mr. THUNE. Madam President, I ask unanimous consent that at 11 a.m. on Wednesday, July 17, the Senate vote on the resolutions of ratification for Treaties Calendar Nos. 2, 3, and 4 as under the previous order and that if the resolutions are agreed to, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. I further ask unanimous consent that following disposition of Treaties Calendar No. 4, the Senate resume consideration of the Corker nomination.

Finally, I ask unanimous consent that notwithstanding rule XXII, at 2 p.m. on July 17, the Senate vote on the cloture motions on the Corker, Blanchard, and Tapia nominations and that if cloture is invoked, the confirmation votes occur at a time determined by the majority leader in consultation with the Democratic leader on Thursday, July 18.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

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

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

#### 150TH ANNIVERSARY OF FORT KENT, MAINE

Ms. COLLINS. Madam President, today I wish to commemorate the 150th anniversary of the town of Fort Kent, ME. The motto of our State's northernmost community, “The Little Town That Could,” describes a past of hard work, courage, and determination. “The Little Town That Can” describes Fort Kent today: a wonderful place to live, work, and raise families.

Located where the Fish River joins the St. John River, Fort Kent has a rich history. For thousands of years, the region has been the home of the Micmac and Maliseet. French explorers, led by Samuel de Champlain, first visited the area in 1604. In the early 1800s, French-speaking Canadians began settling in the area, laying the foundation for the robust Acadian culture that is so important in Maine, New Brunswick, Nova Scotia, and as far away as Louisiana.

The Acadian settlers created a vibrant community. They cleared farmland, established lumber and grain mills, schools, and churches. The namesake of the town is the Fort Kent Blockhouse, a fort named for then-Governor Edward Kent and carefully preserved today, which was built in 1839 during a long-running border dispute between the United States and British Canada. Settlement to the region increased dramatically when the “Bloodless Aroostook War” ended peacefully with a treaty in 1842.

Fort Kent's dedication to education began shortly after the town became established. In 1878, the Madawaska Training School was established in Fort Kent, one of the first institutions in Maine dedicated to preparing students for careers as bilingual educators. That school continues today as the University of Maine at Fort Kent, which in 2019 was named for the 14th consecutive year as one of the best

northeastern colleges by the Princeton Review. As the only institution in the United States located at the center of French culture in northern Maine, the University of Maine at Fort Kent offers opportunities for students of all heritages to study and live in a bilingual community.

Today, more than 60 percent of the town's residents speak French, and they continue to uphold the Acadian traditions of great food, music, and dance, and of close-knit families and lasting friendships. The Maine Acadian Heritage Council continues to help preserve these traditions and is working to teach the next generation about the Acadian heritage through programs like the Youth Renaissance.

The can-do spirit of Fort Kent is evident today. It is an agricultural powerhouse, and the potato industry remains an essential part of its economy. The town is home to an Olympic biathlete training center and frequently hosts world-class biathlon competitions. For 26 years, the Can-Am Crown International Sled Dog race has attracted teams from around the world. The International Muskie Fishing Derby highlights the valuable fishing grounds and the pristine environment the people of the community work to preserve. The Fort Kent Ploye Festival celebrates the pancake-like dish that is a staple of Franco-American-Canadian cuisine.

To my Franco-American friends, it is a pleasure to congratulate you on this landmark anniversary. Across the generations, you have worked hard and worked together to create a community that combines your rich heritage with the values that define our State and our Nation.

The celebration of Fort Kent's 150th anniversary is not merely about the passing of time. It is about human accomplishment. We celebrate the people who pulled together, cared for one another, and built a great community. "The Little Town That Can" has a fascinating past and a bright future.

#### ADDITIONAL STATEMENTS

##### REMEMBERING LARRY BURNS

• Ms. CORTEZ MASTO. Madam President, today I honor the memory of a distinguished Nevadan: retired Las Vegas Metropolitan Police Captain Larry Burns. For decades, Captain Burns served his community with distinction, earning the respect of Nevadans from all walks of life.

Captain Burns was raised in Maine and went on to attend Brigham Young University in Utah. It was in college that he met his wife Elizabeth Annie Burns. After college, he served a 2-year mission in Ecuador for the Church of Jesus Christ of Latter-day Saints. This began his life's calling to serve others. In 1980, he moved to Las Vegas and worked in construction before becoming a police officer.

Captain Burns' remarkable career included 27 years as a police officer, where he put his life on the line for Las Vegas. He became the longest serving SWAT commander in metro history, a criminal intelligence section supervisor and a nationally recognized tactical instructor. He also served as captain of the Bolden Area Command. Captain Burns was revered by his colleagues for his extraordinary work ethic, intellect, and devotion to community.

Throughout his career, Captain Burns worked hard to build meaningful relationships with Las Vegas and develop positive ties between community members and law enforcement officers. In his spare time, he could often be found speaking to children at his church about life as a police officer and the proud work of serving our community. He was also committed to the idea that people can change and dedicated himself to helping those working to turn their lives around. He always offered everything he had to support the men and women of law enforcement in making our community a safer place to live and selflessly upheld his promise to protect Nevada's families like he protected his own. From his work to rehabilitate the communities he helped protect to his fierce commitment to the department, Captain Burns was a man with unwavering integrity.

Captain Burns lived a life of many accomplishments, but I have no doubt that he will be remembered most for his commitment to family and lasting contributions to others. He adored his wife Annie and was most proud of their life together and their seven wonderful children, two grandchildren, and their extended family and friends. I know his family will continue his rich legacy of service to others.

All who had the pleasure of knowing Captain Burns will remember him as a dedicated public servant who bravely and tirelessly worked to support our community. Nevada is a safer place because of his commitment. We are very grateful for all of Captain Burns' contributions, and he will be deeply missed.●

##### MESSAGE FROM THE HOUSE

At 12:04 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. 97. An act to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

H.R. 277. An act to adjust collateral requirements under the Small Business Act for disaster loans, and for other purposes.

H.R. 526. An act to promote free and fair elections, political freedoms, and human rights in Cambodia, and for other purposes.

H.R. 1649. An act to amend the Small Business Act to require cyber certification for small business development center counselors, and for other purposes.

H.R. 2037. An act to encourage accountability for the murder of Washington Post columnist Jamal Khashoggi.

H.R. 2142. An act to amend the Small Business Act to require the Small Business and Agriculture Regulatory Enforcement Ombudsman to create a centralized website for compliance guides, and for other purposes.

H.R. 2331. An act to require an annual report on the cybersecurity of the Small Business Administration, and for other purposes.

H.R. 2345. An act to amend the Small Business Act to clarify the intention of Congress that the Administrator of the Small Business Administration is subject to certain requirements with respect to establishing size standards for small business concerns, and for other purposes.

H.R. 2615. An act to support the people of Central America and strengthen United States national security by addressing the root causes of migration from El Salvador, Guatemala, and Honduras.

H.R. 2744. An act to authorize the Administrator of the United States Agency for International Development to prescribe the manner in which programs of the agency are identified overseas, 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. 97. An act to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes; to the Committee on Foreign Relations.

H.R. 277. An act to adjust collateral requirements under the Small Business Act for disaster loans, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 526. An act to promote free and fair elections, political freedoms, and human rights in Cambodia, and for other purposes; to the Committee on Foreign Relations.

H.R. 2037. An act to encourage accountability for the murder of Washington Post columnist Jamal Khashoggi; to the Committee on Foreign Relations.

H.R. 2142. An act to amend the Small Business Act to require the Small Business and Agriculture Regulatory Enforcement Ombudsman to create a centralized website for compliance guides, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 2345. An act to amend the Small Business Act to clarify the intention of Congress that the Administrator of the Small Business Administration is subject to certain requirements with respect to establishing size standards for small business concerns, and for other purposes; to the Committee on Small Business and Entrepreneurship.

H.R. 2615. An act to support the people of Central America and strengthen United States national security by addressing the root causes of migration from El Salvador, Guatemala, and Honduras; to the Committee on Foreign Relations.

H.R. 2744. An act to authorize the Administrator of the United States Agency for International Development to prescribe the manner in which programs of the agency are identified overseas, and for other purposes; to the Committee on Foreign Relations.

#### MEASURES PLACED ON THE CALENDAR

The following bills were read the first and second times by unanimous consent, and placed on the calendar:

H.R. 1649. An act to amend the Small Business Act to require cyber certification for small business development center counselors, and for other purposes.

H.R. 2331. An act to require an annual report on the cybersecurity of the Small Business Administration, and for other purposes.

## MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 1327. To extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2092, 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-1924. A communication from the Secretary of Veterans Affairs, transmitting, pursuant to law, a report relative to a violation of the Antideficiency Act; to the Committee on Appropriations.

EC-1925. A communication from the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the Office of the Comptroller's 2018 Annual Report on Preservation and Promotion of Minority-Owned National Banks and Federal Savings Associations; to the Committee on Banking, Housing, and Urban Affairs.

EC-1926. A communication from the Acting Secretary of the Commission, Bureau of Consumer Protection, Federal Trade Commission, transmitting, pursuant to law, the report of a rule entitled "Military Credit Monitoring" (16 CFR Part 609) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-1927. 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; Arizona; Regional Haze Progress Report" (FRL No. 9996-38-Region 9) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Environment and Public Works.

EC-1928. 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; NC; Emission Control Standards, Open Burning, and Miscellaneous Revisions" (FRL No. 9996-43-Region 4) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Environment and Public Works.

EC-1929. 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; Texas; Revisions to Public Notice for Air Quality Permit Applications" (FRL No. 9995-52-Region 6) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Environment and Public Works.

EC-1930. 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; Maryland; Basic Inspection and Maintenance Program Certification State Implementation Plan for the Baltimore Nonattainment Area Under the 2008 Ozone National Ambient Air Quality

Standard" (FRL No. 9996-28-Region 3) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Environment and Public Works.

EC-1931. 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 State Implementation Plans; Idaho; Regional Haze Progress Report" (FRL No. 9996-57-Region 10) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Environment and Public Works.

EC-1932. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of the Redesignation Request for the Washington, DC-MD-VA 2008 8-Hour Ozone National Ambient Air Quality Standard Nonattainment Area" (FRL No. 9996-72-Region 3) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Environment and Public Works.

EC-1933. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations; Consistency Update for California" (FRL No. 9994-98-Region 9) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Environment and Public Works.

EC-1934. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Outer Continental Shelf Air Regulations; Consistency Update for Maryland" (FRL No. 9995-39-Region 3) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Environment and Public Works.

EC-1935. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Revision of Sheboygan County, Wisconsin Nonattainment Designation for the 1997 and 2008 Ozone Standards and Clean Data Determination for the 2008 Ozone Standards" (FRL No. 9996-18-Region 5) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Environment and Public Works.

EC-1936. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2018 Commercial Accountability Measure and Closure for South Atlantic Red Snapper" (RIN0648-XG594) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1937. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Coastal Migratory Pelagic Resources of the Gulf of Mexico and Atlantic Region; Reopening of the Commercial Sector for King Mackerel in the Gulf of Mexico Western Zone" (RIN0648-XG595) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1938. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fra-

ser River Sockeye Salmon Fisheries; Inseason Orders" (RIN0648-XG594) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1939. A communication from the Deputy Assistant Administrator for Regulatory Programs, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Pacific Halibut Fisheries; Catch Sharing Plan" (RIN0648-B170) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1940. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Atlantic Surfclam and Ocean Quahog Fisheries; 2019 Fishing Quotas for Atlantic Surfclams and Ocean Quahogs; and Suspension of Minimum Atlantic Surfclam Size Limit" (RIN0648-XG418) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1941. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer" (RIN0648-XG552) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1942. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Snapper-Grouper Fishery of the South Atlantic; 2018 Commercial Closure for Hogfish in the Florida Keys/East Florida Area of the South Atlantic" (RIN0648-XG618) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1943. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Snapper-Grouper Fishery of the South Atlantic; 2017 Commercial Accountability Measure and Closure for the South Atlantic Other Jacks Complex (Lesser Amberjack, Almaco Jack, and Branded Rudderfish)" (RIN0648-XF581) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1944. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Snapper-Grouper Fishery of the South Atlantic; 2018 Recreational Accountability Measure and Closure for the South Atlantic Other Jacks Complex" (RIN0648-XG662) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1945. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Snapper-Grouper Fishery of the South Atlantic; 2018 Recreational Accountability Measure and Closure for the South Atlantic Red Grouper" (RIN0648-XG661) received in the Office of the President of the Senate on

July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1946. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2018 Commercial Accountability Measure and Closure for South Atlantic Grey Triggerfish; July Through December Season” (RIN0648-XG592) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1947. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Snapper-Grouper Resources of the South Atlantic; Vermillion Snapper Trip Limit Reduction” (RIN0648-XG569) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1948. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; 2018 Commercial Accountability Measure and Closure for South Atlantic Grey Triggerfish; January Through June Season” (RIN0648-XG286) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1949. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Reef Fish Resources of the Gulf of Mexico; Commercial Reef Fish Fishery of the Gulf of Mexico; 2019 Red Grouper Commercial Quota Retention” (RIN0648-XG564) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1950. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 60 Feet (18.3 Meters) Length Overall Using Hook-and-Line or Pot Gear in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG467) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1951. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Reef Fish Fishery of the Gulf of Mexico; 2018 Commercial Accountability Measure and Closure for Gulf of Mexico Grey Triggerfish” (RIN0648-XG524) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1952. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Non-American Fisheries Act Crab Vessels Operating as Catcher Vessels Using Pot Gear in the Western Regulatory Area of the Gulf of Alaska” (RIN0648-XG672) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1953. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Less Than 50 Feet Length Overall Using Hook-and-Line Gear in the Central Regulatory Area of the Gulf of Alaska” (RIN0648-XG470) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1954. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG648) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1955. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; ‘Other Flatfish’ in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG491) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1956. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Yellowfin Sole for Vessels Participating in the BSAI Trawl Limited Access Fishery in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG472) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1957. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Reallocation of Pacific Cod in the Western Regulatory Area of the Gulf of Alaska” (RIN0648-XG676) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1958. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher/Processors Using Trawl Gear in the Central Regulatory Area of the Gulf of Alaska” (RIN0648-XG639) received during adjournment of the

Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1959. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Shortraker Rockfish in the Central Regulatory Area of the Gulf of Alaska” (RIN0648-XG625) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1960. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Atka Mackerel in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG427) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1961. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Ocean Perch in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG116) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1962. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Several Groundfish Species in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG572) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1963. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Catcher Vessels Greater Than or Equal to 60 Feet Length Overall Using Pot Gear in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XG477) received during adjournment of the Senate in the Office of the President of the Senate on July 3, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1964. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Kamchatka Flounder in the Bering Sea and Aleutian Islands Management Area” (RIN0648-XF594) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1965. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone

Off Alaska; Exchange of Flatfish in the Bering Sea and Aleutian Islands Management Area” (RIN0648–XF808) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1966. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Reapportionment of the 2018 Gulf of Alaska Pacific Halibut Prohibited Species Catch Limits for the Trawl Deep-Water and Shallow-Water Fishery Categories” (RIN0648–XG309) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1967. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Exclusive Economic Zone Off Alaska; Pacific Cod by Pot Catcher/Processors in the Bering Sea and Aleutian Islands Management Area” (RIN0648–XF924) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1968. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General Category Fishery” (RIN0648–XG061) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1969. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648–XG327) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1970. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648–XG391) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1971. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries; General Category Fishery” (RIN0648–XG551) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1972. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648–XG061) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1973. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant

to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648–XG624) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1974. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648–XG489) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1975. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Atlantic Bluefin Tuna Fisheries” (RIN0648–XG651) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1976. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Atlantic Highly Migratory Species; Commercial Blacktip Sharks in the Eastern Gulf of Mexico Sub-Region; Closure” (RIN0648–XG647) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1977. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer” (RIN0648–XG574) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1978. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer” (RIN0648–XG633) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1979. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Summer Flounder Fishery; Quota Transfer” (RIN0648–XG669) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1980. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Scup Fishery; Adjustment to the 2018 Winter II Quota” (RIN0648–XG475) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1981. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United

States; Northeast Multispecies Fishery; Georges Bank Cod Trip Limit Adjustment for the Common Pool Fishery” (RIN0648–XG607) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1982. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Northeastern United States; Small-Mesh Multispecies Fishery; Inseason Adjustment to the Southern Red Hake Possession Limit” (RIN0648–XG674) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1983. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2017–2018 Biennial Specifications and Management Measures; Inseason Adjustments” (RIN0648–BI50) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1984. A communication from the Acting Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Magnuson-Stevens Act Provisions; Fisheries Off West Coast States; Pacific Coast Groundfish Fishery; 2018 Tribal Fishery Allocations for Pacific Whiting; Reapportionment Between Tribal and Non-Tribal Sectors” (RIN0648–XG581) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1985. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries Off West Coast States; Modifications of the West Coast Recreational and Commercial Salmon Fisheries; Inseason Actions No. 12 through No. 37” (RIN0648–XG563) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1986. A communication from the Director of the Office of Sustainable Fisheries, National Marine Fisheries Service, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled “Fisheries of the Caribbean, Gulf of Mexico, and South Atlantic; Re-Opening of Commercial Harvest for South Atlantic Red Snapper” (RIN0648–XG652) received in the Office of the President of the Senate on July 9, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1987. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Drawbridge Operation Regulation; Shrewsbury River, Monmouth County Highway Bridge, Sea Bright, New Jersey” (RIN1625–AA09) (Docket No. USCG–2017–0460) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Commerce, Science, and Transportation.

EC–1988. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled “Anchorage Regulations; Passagassawakeag River, Belfast, ME” (RIN1625–AA01) (Docket No. USCG–2016–0989) received in the Office of

the President of the Senate on July 11, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1989. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Choptank River, Cambridge, MD" ((RIN1625-AA08) (Docket No. USCG-2019-0107)) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1990. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ohio River, Miles 67.5-68.5, Steubenville, OH" ((RIN1625-AA00) (Docket No. USCG-2019-0515)) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Commerce, Science, and Transportation.

EC-1991. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Ohio River, Miles 90.7 to 91.2, Wheeling, WV" ((RIN1625-AA00) (Docket No. USCG-2019-0421)) received in the Office of the President of the Senate on July 11, 2019; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute and an amendment to the title:

S. 1694. A bill to require any Federal agency that issues licenses to conduct activities in outer space to include in the requirements for such licenses an agreement relating to the preservation and protection of the Apollo 11 landing site, and for other purposes.

## 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. KENNEDY (for himself and Mr. MENENDEZ):

S. 2122. A bill to authorize the Administrator of the Federal Emergency Management Agency to terminate certain contracts on the basis of detrimental conduct to the National Flood Insurance Program, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HAWLEY:

S. 2123. A bill to amend the Federal Pell Grant Program to support career training opportunities for young Americans; to the Committee on Health, Education, Labor, and Pensions.

By Mr. HAWLEY:

S. 2124. A bill to amend the Higher Education Act of 1965 to provide for institutional shared responsibility for student loan default; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. FEINSTEIN:

S. 2125. A bill to protect the right of the American public under the First Amendment to the Constitution of the United States to receive news and information from disparate sources by regulating the use of automated software programs intended to impersonate or replicate human activity on social media;

to the Committee on Commerce, Science, and Transportation.

By Mr. SCOTT of South Carolina (for himself and Mr. COONS):

S. 2126. A bill to require the Small Business Administration to report on assistance provided to historically Black colleges or universities, and for other purposes; to the Committee on Small Business and Entrepreneurship.

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

S. 2127. A bill to improve commercialization activities in the SBIR and STTR programs, and for other purposes; to the Committee on Small Business and Entrepreneurship.

By Mr. GRAHAM (for himself, Mrs. FEINSTEIN, Mr. TILLIS, Ms. HIRONO, Mr. CORNYN, Mr. DURBIN, Mrs. BLACKBURN, Mr. BLUMENTHAL, Ms. ERNST, Ms. KLOBUCHAR, and Mr. KENNEDY):

S. 2128. A bill to exempt for an additional 4-year period, from the application of the means-test presumption of abuse under chapter 7 of title 11, United States Code, qualifying members of reserve components of the Armed Forces and members of the National Guard who, after September 11, 2001, are called to active duty or to perform a homeland defense activity for not less than 90 days; to the Committee on the Judiciary.

By Ms. BALDWIN (for herself, Mr. BRAUN, and Mr. CARDIN):

S. 2129. A bill to require the Secretary of Transportation to develop best practices for incorporating resilience into emergency relief projects, and for other purposes; to the Committee on Environment and Public Works.

By Ms. CANTWELL (for herself and Mrs. CAPITO):

S. 2130. A bill to amend chapter 2205 of title 36, United States Code, to ensure equal treatment of athletes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. COONS (for himself, Mr. SCOTT of South Carolina, Mr. GARDNER, and Ms. ROSEN):

S. 2131. A bill to amend the Small Business Act and the Small Business Investment Act of 1958 to increase access to capital for small business concerns that are manufacturers; to the Committee on Small Business and Entrepreneurship.

By Mr. LANKFORD (for himself, Ms. DUCKWORTH, and Mr. GRASSLEY):

S. 2132. A bill to promote security and provide justice for United States victims of international terrorism; to the Committee on the Judiciary.

By Mr. CORNYN (for himself, Ms. ROSEN, Mr. RUBIO, Mr. MURPHY, Mr. HOEVEN, Mrs. GILLIBRAND, Mrs. FISCHER, and Mr. LANKFORD):

S. 2133. A bill to establish an interagency working group for coordination and development of Federal research protection, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. BLUNT (for himself, Ms. KLOBUCHAR, Mr. GARDNER, and Ms. CORTEZ MASTO):

S. 2134. A bill to extend the transfer of Electronic Travel Authorization System fees from the Travel Promotion Fund to the Corporation for Travel Promotion (Brand USA) through fiscal year 2027; to the Committee on Commerce, Science, and Transportation.

By Mr. SCHUMER (for himself, Mr. WYDEN, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BOOKER, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. MURPHY, Mr. MERKLEY, Mr. VAN HOLLEN, and Mr. DURBIN):

S.J. Res. 50. A joint resolution providing for congressional disapproval under chapter 8

of title 5, United States Code, of the rule submitted by the Internal Revenue Service, Department of the Treasury, relating to "Contributions in Exchange for State or Local Tax Credits"; to the Committee on Finance.

## ADDITIONAL COSPONSORS

S. 25

At the request of Mr. CRUZ, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 25, a bill to reserve any amounts forfeited to the United States Government as a result of the criminal prosecution of Joaquin Archivaldo Guzman Loera (commonly known as "El Chapo"), or of other felony convictions involving the transportation of controlled substances into the United States, for security measures along the Southern border, including the completion of a border wall.

S. 159

At the request of Mr. PAUL, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 159, a bill to implement equal protection under the 14th Amendment to the Constitution of the United States for the right to life of each born and preborn human person.

S. 178

At the request of Mr. MENENDEZ, the name of the Senator from New Jersey (Mr. BOOKER) 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. 203

At the request of Mr. CRAPO, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 203, a bill to amend the Internal Revenue Code of 1986 to permanently extend the railroad track maintenance credit, and for other purposes.

S. 206

At the request of Mr. TESTER, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 206, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the "Hello Girls".

S. 225

At the request of Mr. ISAKSON, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 225, a bill to provide for partnerships among State and local governments, regional entities, and the private sector to preserve, conserve, and enhance the visitor experience at nationally significant battlefields of the American Revolution, War of 1812, and Civil War, and for other purposes.

S. 278

At the request of Mr. LEE, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 278, a bill to require the Congressional



Budget Office to make publicly available the fiscal and mathematical models, data, and other details of computations used in cost analysis and scoring.

S. 427

At the request of Mr. MENENDEZ, the names of the Senator from South Dakota (Mr. ROUNDS), the Senator from New Hampshire (Ms. HASSAN) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 427, a bill to amend the Public Health Service Act to enhance activities of the National Institutes of Health with respect to research on autism spectrum disorder and enhance programs relating to autism, and for other purposes.

S. 436

At the request of Mr. VAN HOLLEN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 436, a bill to amend title 49, United States Code, to require the development of public transportation operations safety risk reduction programs, and for other purposes.

S. 473

At the request of Mr. BOOKER, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 473, a bill to amend title 5, United States Code, to include certain Federal positions within the definition of law enforcement officer for retirement purposes, and for other purposes.

S. 479

At the request of Mr. TOOMEY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 514

At the request of Mr. TESTER, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 521

At the request of Mr. BROWN, the name of the Senator from Louisiana (Mr. KENNEDY) 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. 546

At the request of Mr. GARDNER, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 546, a bill to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2090, and for other purposes.

S. 595

At the request of Mr. CASSIDY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 595, a bill to amend title XVIII of the Social Security Act to

provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 598

At the request of Mr. PETERS, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 598, a bill to amend title 38, United States Code, to increase certain funeral benefits for veterans, and for other purposes.

S. 633

At the request of Mr. MORAN, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 633, a bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight".

S. 640

At the request of Mr. KENNEDY, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 640, a bill to amend title XVIII of the Social Security Act to require pharmacy-negotiated price concessions to be included in negotiated prices at the point-of-sale under part D of the Medicare program, and for other purposes.

S. 762

At the request of Mr. MORAN, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 762, a bill to provide for funding from the Airport and Airway Trust Fund for all Federal Aviation Administration activities in the event of a Government shutdown, and for other purposes.

S. 877

At the request of Mr. BOOKER, the names of the Senator from Arkansas (Mr. BOOZMAN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 877, a bill to prohibit the sale of shark fins, and for other purposes.

S. 880

At the request of Ms. STABENOW, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 880, a bill to provide outreach and reporting on comprehensive Alzheimer's disease care planning services furnished under the Medicare program.

S. 947

At the request of Mr. CRAPO, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 947, a bill to amend the Radiation Exposure Compensation Act to improve compensation for workers involved in uranium mining, and for other purposes.

S. 962

At the request of Mr. SANDERS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 962, a bill to provide funding for federally qualified health centers and the National Health Service Corps.

S. 980

At the request of Mr. BURR, the name of the Senator from Nevada (Ms.

ROSEN) was added as a cosponsor of S. 980, a bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes.

S. 988

At the request of Mrs. CAPITO, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of 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.

S. 1013

At the request of Ms. STABENOW, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1013, a bill to amend the Public Health Service Act to reauthorize school-based health centers, and for other purposes.

S. 1025

At the request of Mr. MENENDEZ, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 1025, a bill to provide humanitarian relief to the Venezuelan people and Venezuelan migrants, to advance a constitutional and democratic solution to Venezuela's political crisis, to address Venezuela's economic reconstruction, to combat public corruption, narcotics trafficking, and money laundering, and for other purposes.

S. 1027

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 1027, a bill to clarify the status of the North Country, Ice Age, and New England National Scenic Trails as units of the National Park System, and for other purposes.

S. 1031

At the request of Mr. HAWLEY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 1031, a bill to implement recommendations related to the safety of amphibious passenger vessels, and for other purposes.

S. 1083

At the request of Mr. BOOKER, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 1083, a bill to address the fundamental injustice, cruelty, brutality, and inhumanity of slavery in the United States and the 13 American colonies between 1619 and 1865 and to establish a commission to study and consider a national apology and proposal for reparations for the institution of slavery, its subsequent de jure and de facto racial and economic discrimination against African-Americans, and the impact of these forces on living African-Americans, to make recommendations to the Congress on appropriate remedies, and for other purposes.

S. 1102

At the request of Mr. MENENDEZ, the name of the Senator from Illinois (Mr.



DURBIN) was added as a cosponsor of S. 1102, a bill to promote security and energy partnerships in the Eastern Mediterranean, and for other purposes.

S. 1173

At the request of Mr. CASEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1173, a bill to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children program.

S. 1243

At the request of Mr. BOOKER, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 1243, a bill to provide standards for facilities at which aliens in the custody of the Department of Homeland Security are detained, and for other purposes.

S. 1273

At the request of Mr. KENNEDY, the names of the Senator from North Dakota (Mr. CRAMER) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 1273, a bill to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes.

S. 1438

At the request of Mrs. FEINSTEIN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1438, a bill to amend title 39, United States Code, to extend the authority of the United States Postal Service to issue a semipostal to raise funds for breast cancer research.

S. 1531

At the request of Mr. CASSIDY, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 1531, a bill to amend the Public Health Service Act to provide protections for health insurance consumers from surprise billing.

S. 1564

At the request of Mr. TILLIS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1564, a bill to require the Securities and Exchange Commission and certain Federal agencies to carry out a study relating to accounting standards, and for other purposes.

S. 1585

At the request of Mr. CASEY, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. 1585, a bill to amend the Higher Education Act of 1965 to provide students with disabilities and their families with access to critical information needed to select the right college and succeed once enrolled.

S. 1728

At the request of Mr. MARKEY, the names of the Senator from Alaska (Mr. SULLIVAN), the Senator from Delaware (Mr. COONS) and the Senator from New Jersey (Mr. BOOKER) were added as cosponsors of S. 1728, a bill to require the

United States Postal Service to sell the Alzheimer's semipostal stamp for 6 additional years.

S. 1810

At the request of Mr. TOOMEY, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1810, a bill to amend the Richard B. Russell National School Lunch Act to allow schools that participate in the school lunch program to serve whole milk, and for other purposes.

S. 1895

At the request of Mr. ALEXANDER, the name of the Senator from Iowa (Ms. ERNST) was added as a cosponsor of S. 1895, a bill to lower health care costs.

S. 1906

At the request of Mr. BOOZMAN, the names of the Senator from Montana (Mr. DAINES), the Senator from Delaware (Mr. COONS), the Senator from Arkansas (Mr. COTTON), the Senator from West Virginia (Mrs. CAPITO) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1906, a bill to require the Secretary of Veterans Affairs to provide financial assistance to eligible entities to provide and coordinate the provision of suicide prevention services for veterans at risk of suicide and veteran families through the award of grants to such entities, and for other purposes.

S. 1963

At the request of Mr. BROWN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1963, a bill to require the purchase of domestically made flags of the United States of America for use by the Federal Government.

S. 1979

At the request of Mr. MARKEY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1979, a bill to amend title 49, United States Code, to provide for the minimum size of crews of freight trains, and for other purposes.

S. 1988

At the request of Mr. CARPER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1988, a bill to amend the Internal Revenue Code of 1986 to extend the energy credit for offshore wind facilities.

S. 1996

At the request of Ms. MCSALLY, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 1996, a bill to amend the Internal Revenue Code of 1986 to clarify the application of the net operating loss deduction.

S. 2043

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 2043, a bill to provide incentives for hate crime reporting, provide grants for State-run hate crime hotlines, and establish alternative sentencing for individuals convicted under

the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act.

S. 2045

At the request of Mrs. SHAHEEN, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2045, a bill to reauthorize the SBIR and STTR programs, and for other purposes.

S. 2059

At the request of Mr. TILLIS, the names of the Senator from Louisiana (Mr. KENNEDY) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 2059, a bill to provide a civil remedy for individuals harmed by sanctuary jurisdiction policies, and for other purposes.

S. 2073

At the request of Mr. BOOZMAN, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 2073, a bill to address fees erroneously collected by Department of Veterans Affairs for housing loans, and for other purposes.

S. 2083

At the request of Mrs. FEINSTEIN, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Massachusetts (Mr. MARKEY), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 2083, a bill to amend chapter 2205 of title 36, United States Code, to ensure pay equity for amateur athletes, and for other purposes.

S. RES. 194

At the request of Mr. GRASSLEY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. Res. 194, a resolution designating July 30, 2019, as "National Whistleblower Appreciation Day".

S. RES. 252

At the request of Mrs. FEINSTEIN, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Minnesota (Ms. SMITH), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Mexico (Mr. UDALL) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. Res. 252, a resolution designating September 2019 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

S. RES. 260

At the request of Ms. COLLINS, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. Res. 260, a resolution recognizing the importance of sustained United States leadership to accelerating global progress against maternal and child malnutrition and supporting the commitment of the United States Agency for International Development to global nutrition through the Multi-Sectoral Nutrition Strategy.

STATEMENTS ON INTRODUCED  
BILLS AND JOINT RESOLUTIONS

By Mr. SCHUMER (for himself, Mr. WYDEN, Mr. MENENDEZ, Mrs. GILLIBRAND, Mr. BOOKER, Mr. BLUMENTHAL, Mrs. MURRAY, Mr. MURPHY, Mr. MERKLEY, Mr. VAN HOLLEN, and Mr. DURBIN):

S.J. Res. 50. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Internal Revenue Service, Department of the Treasury, relating to "Contributions in Exchange for State or Local Tax Credits"; to the Committee on Finance.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S.J. RES. 50

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,* That Congress disapproves the rule submitted by the Internal Revenue Service, Department of the Treasury, relating to "Contributions in Exchange for State or Local Tax Credits" (84 Fed. Reg. 27513 (June 13, 2019)), and such rule shall have no force or effect.

AMENDMENTS SUBMITTED AND  
PROPOSED

SA 925. Mr. THUNE (for Mr. PORTMAN) proposed an amendment to the resolution S. Res. 74, marking the fifth anniversary of Ukraine's Revolution of Dignity by honoring the bravery, determination, and sacrifice of the people of Ukraine during and since the Revolution, and condemning continued Russian aggression against Ukraine.

SA 926. Mr. THUNE (for Mr. PORTMAN) proposed an amendment to the resolution S. Res. 74, supra.

## TEXT OF AMENDMENTS

SA 925. Mr. THUNE (for Mr. PORTMAN) proposed an amendment to the resolution S. Res. 74, marking the fifth anniversary of Ukraine's Revolution of Dignity by honoring the bravery, determination, and sacrifice of the people of Ukraine during and since the Revolution, and condemning continued Russian aggression against Ukraine; as follows:

Strike the preamble and insert the following:

Whereas, on November 21, 2013, peaceful protests began on Independence Square (Maidan) in Kyiv against the decision by the government of then-President Viktor Yanukovich to suspend signing the Ukraine-European Union (EU) Association Agreement and instead pursue closer ties with the Russian Federation;

Whereas the Maidan protests, initially referred to as the Euromaidan, quickly drew thousands of people and broadened to become a general demonstration in support of Ukraine's integration with the European Union and against the corrupt Yanukovich regime;

Whereas, on the night of November 30, 2013, Ukrainian police forces surrounded and violently dispersed peaceful protestors on the Maidan;

Whereas the next day, thousands of Euromaidan demonstrators regrouped and resumed the protests for three months, despite facing continuing and increasing violence from the police;

Whereas, on January 16, 2014, anti-protest laws, known as the dictatorship laws, were adopted by the Government of Ukraine, which sought to restrict the actions of the Euromaidan protestors;

Whereas these laws were condemned by Euromaidan protestors as well as Western officials, including then-Secretary of State John Kerry, who called them anti-democratic;

Whereas many of these laws were repealed just 11 days after being signed into law;

Whereas, on the night of February 18, 2014, police assaulted and burned down the Trade Union Building in Kyiv, which had been used as a headquarters for the Euromaidan movement;

Whereas Yanukovich's government forces began using live ammunition against the Euromaidan movement, leading to the deaths of more than a hundred protestors who are now remembered in Ukraine as the Heavenly Hundred;

Whereas, on February 21, 2014, in the face of the ongoing Euromaidan protests demanding his resignation, then-President Viktor Yanukovich fled Kyiv, and then fled Ukraine the next day;

Whereas, on February 22, 2014, the Verkhovna Rada of Ukraine recognized that Yanukovich had ceased his functions as president, voted him from office, and scheduled early presidential elections for May 25, 2014;

Whereas, on February 25, 2014, fulfilling demands of the Maidan, Ukraine's special police force known as the Berkut was dissolved, as it had been heavily involved in the violence against the Euromaidan protestors;

Whereas the Ukrainian government's use of force against activists throughout the Euromaidan protests, including the use of live bullets, was widely condemned by Western governments, including the United States, and ultimately failed to discourage the Euromaidan movement;

Whereas, on September 1, 2017, the Ukraine-EU Association Agreement came into force after its signing by the Government of Ukraine and the EU;

Whereas, in response to Ukraine's Revolution of Dignity, the Russian Federation launched military aggression against Ukraine, illegally occupied Ukraine's Crimean Peninsula, and instigated a war in eastern Ukraine, which is still ongoing and has killed more than 10,000 Ukrainians;

Whereas the Russian Federation's attempted invasion and annexation of Crimea has been widely seen as an effort to stifle pro-democracy developments across Ukraine in 2014 in the wake of the Revolution of Dignity;

Whereas 2019 marks the 25th anniversary of the signing of the Budapest Memorandum, which committed the United States, the United Kingdom, and the Russian Federation to refrain from the threat or use of force against Ukraine's territorial integrity in exchange for Ukraine giving up its nuclear weapons;

Whereas the Russian Federation is a signatory to the 1994 Budapest Memorandum and thus committed to respect the independence, sovereignty, and territorial integrity of Ukraine;

Whereas the Government of the Russian Federation is further obligated to respect the sovereignty of Ukraine pursuant to its commitments as a signatory to the Helsinki Final Act and the Charter of the United Nations;

Whereas, on March 27, 2014, the United Nations General Assembly adopted Resolution 68/262 calling on states and international organizations not to recognize any change in Crimea's status and affirmed the commitment of the United Nations to recognize Crimea as part of Ukraine;

Whereas the United States and European Union have imposed sanctions on individuals and entities who have enabled the attempted invasion, annexation, and occupation of Crimea;

Whereas, pursuant to the Revolution of Dignity's goal of fighting corruption in Ukraine, the Verkhovna Rada of Ukraine adopted the Law On the National Anti-Corruption Bureau (NABU) of Ukraine on October 14, 2014;

Whereas, on June 26, 2018, the Law of Ukraine On the Establishment of the High Anti-Corruption Court was signed into law;

Whereas, on July 5, 2018, the Law on National Security was signed into law, which has strengthened civilian control over the Ukrainian military, increased transparency in the security sector, and more clearly delineated the powers of law enforcement agencies;

Whereas, on January 6, 2019, the Ecumenical Patriarch of Constantinople granted autocephaly to the Ukrainian Orthodox Church, thus establishing the first independent Ukrainian Orthodox Church in over 300 years;

Whereas despite requests by the Government of Ukraine, the Government of the Russian Federation has repeatedly refused to extradite former President of Ukraine Viktor Yanukovich to stand trial in Ukraine;

Whereas, on January 24, 2019, a Ukrainian court found Yanukovich guilty in absentia of high treason and complicity in conducting an aggressive war against Ukraine, and sentenced him to 13 years in prison;

Whereas, in order to help Ukraine preserve its sovereignty in the face of Russian aggression, the United States Government has provided Ukraine with over \$1,000,000,000 in security assistance, including critical defensive items such as Javelin anti-tank missiles and Island-class cutters;

Whereas, in the 115th Congress, both the United States Senate and the United States House of Representatives passed resolutions commemorating the 85th anniversary of the Holodomor, the Soviet Union's manmade famine that it committed against the people of Ukraine in 1932 and 1933;

Whereas, on March 31, 2019 and April 21, 2019, Ukraine held the first and second rounds of its presidential election;

Whereas these elections were widely recognized by international observers as being free, fair, and conducted without serious, widespread irregularities;

Whereas the large turnout and civic activism related to the election highlight the ongoing support of the Ukrainian people for continued Western integration, political, economic, and judicial reform, and renewed anticorruption efforts;

Whereas Volodymyr Zelensky won Ukraine's presidential election and was inaugurated on May 20, 2019, concluding a peaceful transfer of power from former President Petro Poroshenko; and

Whereas parliamentary elections in Ukraine are scheduled for July 21, 2019: Now, therefore, be it

SA 926. Mr. THUNE (for Mr. PORTMAN) proposed an amendment to the resolution S. Res. 74, marking the fifth anniversary of Ukraine's Revolution of Dignity by honoring the bravery, determination, and sacrifice of the

people of Ukraine during and since the Revolution, and condemning continued Russian aggression against Ukraine; as follows:

Strike all after the resolving clause and insert the following: “That the Senate—

(1) remembers the courage and resolve shown by the Ukrainian people in the Revolution of Dignity;

(2) solemnly honors the “Heavenly Hundred” who were killed during the Revolution of Dignity while fighting for the causes of freedom and democracy in Ukraine;

(3) applauds the progress that the Government of Ukraine has made since the Revolution of Dignity in strengthening the rule of law, aligning itself with Euro-Atlantic norms and standards, and improving military combat readiness and interoperability with the North Atlantic Treaty Organization (NATO);

(4) encourages the Government of Ukraine to continue implementing crucial reforms to fight corruption, build strong and free markets, and strengthen democracy and the rule of law;

(5) affirms the United States Government’s unwavering commitment to supporting the continuing efforts of the Government of Ukraine to implement democratic and free market reforms, restoring Ukraine’s territorial integrity, as well as providing additional lethal and non-lethal security assistance to strengthen Ukraine’s defense capabilities on land, sea, and in the air in order to improve deterrence against Russian aggression;

(6) condemns the Russian Federation’s ongoing malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activity that seeks to undermine Ukraine and destabilize the European continent;

(7) declares that nothing in this resolution shall be construed as an authorization for the use of military force;

(8) reiterates its strong condemnation of the provocative actions and unjustified use of military force by the Government of the Russian Federation in the Kerch Strait against the Ukrainian Navy on November 25, 2018, as a blatant violation of the Russian Federation’s commitments under international law and the 2003 Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait;

(9) expresses its support to all Ukrainian political prisoners convicted on fabricated charges and incarcerated by Russian or Russian-controlled authorities, including the Ukrainian sailors seized in the November 25, 2018, attack near the Kerch Strait who are due treatment under the 1949 Geneva Conventions and have been illegally kept in detention in the territory of the Russian Federation, while renewing its strong call on the Kremlin to immediately release these Ukrainian citizens;

(10) affirms the Department of State’s Crimea Declaration, announced on July 25, 2018, that rejects Russia’s attempted annexation of Crimea and pledges to maintain this policy until Ukraine’s territorial integrity is restored;

(11) believes that the Nord Stream 2 pipeline poses a major threat to European security, seeks to further undermine Ukraine’s economic stability, and threatens to increase the country’s vulnerability to further Russian military incursions;

(12) calls upon the United States Government, as well as its international allies and partners, to maintain a strong sanctions regime against the Russian Federation until it upholds its international obligations towards Ukraine, including the Budapest Memo-

randum on Security Assurances and the Minsk Agreements;

(13) congratulates the people of Ukraine on the announcement on January 6, 2019, of autocephaly for an independent Orthodox Church of Ukraine, which has marked an important milestone in Ukraine’s pursuit of its own future free from Russian influence;

(14) congratulates the people of Ukraine on the successful conclusion of free and fair presidential elections in the spring of 2019, and on the inauguration of the new President of Ukraine, Volodymyr Zelensky;

(15) believes that the strengthening of Ukraine’s democracy over the past five years, most visibly displayed in the conduct of the country’s recent presidential election and peaceful transition of power, should serve as a positive example to other post-Soviet countries; and

(16) looks forward to the peaceful, free, and fair conduct of Ukraine’s upcoming parliamentary elections.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. GRASSLEY. Mr. President, I have 9 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 9:30 a.m., to conduct a hearing on the nomination of Mark T. Esper, of Virginia, to be Secretary of Defense.

##### 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, July 16, 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, July 16, 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, July 16, 2019, at 2:30 p.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, July 16, 2019, at 10 a.m., to conduct a hearing on the following nominations: Ann C. Fisher, of the District of Columbia, and Ashley Jay Elizabeth Poling, of North Carolina, both to be a Commissioner of the Postal Regulatory Commission, Catherine Bird, of Texas, to be General Counsel of the Federal Labor Relations Authority, and Rainey R. Brandt, and Shana Frost Matini, both to be an Associate Judge of the Superior Court of the District of Columbia.

##### 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, July 16, 2019, at 2:30 p.m., to conduct a hearing.

##### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 2:30 p.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, July 16, 2019, at 2 p.m., to conduct a closed hearing.

##### SUBCOMMITTEE ON PUBLIC LANDS, FORESTS, AND MINING

The Subcommittee on Public Lands, Forests, and Mining of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, July 16, 2019, at 2:30 p.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. PAUL. Mr. President, I ask unanimous consent that the following interns in my office be granted floor privileges for the remainder of the Congress: Ava Kester, Taylor Ecleberry, Jesse Green, Zach Pennington, Hayden Crosby, Kathleen Dudgeon, and Samuel Grise.

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

#### MARKING THE FIFTH ANNIVERSARY OF UKRAINE’S REVOLUTION OF DIGNITY BY HONORING THE BRAVERY, DETERMINATION, AND SACRIFICE OF THE PEOPLE OF UKRAINE DURING AND SINCE THE REVOLUTION, AND CONDEMNING CONTINUED RUSSIAN AGGRESSION AGAINST UKRAINE

Mr. THUNE. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 103, S. Res. 74.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 74) marking the fifth anniversary of Ukraine’s Revolution of Dignity by honoring the bravery, determination, and sacrifice of the people of Ukraine during and since the Revolution, and condemning continued Russian aggression against Ukraine.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations without amendment and with an amendment to the preamble, as follows:

*Whereas, on November 21, 2013, peaceful protests began on Independence Square (Maidan) in Kyiv against the decision by the government of then-President Viktor Yanukovich to suspend signing the Ukraine-European Union (EU) Association Agreement and instead pursue closer ties with the Russian Federation;*

Whereas the Maidan protests, initially referred to as the Euromaidan, quickly drew thousands of people and broadened to become a general demonstration in support of Ukraine's integration with the European Union and against the corrupt Yanukovich regime;

Whereas, on the night of November 30, 2013, Ukrainian police forces surrounded and violently dispersed peaceful protestors on the Maidan;

Whereas the next day, thousands of Euromaidan demonstrators regrouped and resumed the protests for three months, despite facing continuing and increasing violence from the police;

Whereas, on January 16, 2014, anti-protest laws, known as the "dictatorship laws", were adopted by the Government of Ukraine, which sought to restrict the actions of the Euromaidan protestors;

Whereas these laws were condemned by Euromaidan protestors as well as Western officials, including then-Secretary of State John Kerry, who called them "anti-democratic";

Whereas many of these laws were repealed just 11 days after being signed into law;

Whereas, on the night of February 18, 2014, police assaulted and burned down the Trade Union Building in Kyiv, which had been used as a headquarters for the Euromaidan movement;

Whereas Yanukovich's government forces began using live ammunition against the Euromaidan movement, leading to the deaths of more than a hundred protestors who are now remembered in Ukraine as the "Heavenly Hundred";

Whereas, on February 21, 2014, in the face of the ongoing Euromaidan protests demanding his resignation, then-President Viktor Yanukovich fled Kyiv, and then fled Ukraine the next day;

Whereas, on February 22, 2014, the Verkhovna Rada of Ukraine recognized that Yanukovich had ceased his functions as president, voted him from office, and scheduled early presidential elections for May 25, 2014;

Whereas, on February 25, 2014, fulfilling demands of the Maidan, Ukraine's special police force known as the Berkut was dissolved, as it had been heavily involved in the violence against the Euromaidan protestors;

Whereas the Ukrainian government's use of force against activists throughout the Euromaidan protests, including the use of live bullets, was widely condemned by Western governments, including the United States, and ultimately failed to discourage the Euromaidan movement;

Whereas, on September 1, 2017, the Ukraine-EU Association Agreement came into force after its signing by the Government of Ukraine and the EU;

Whereas, in response to Ukraine's Revolution of Dignity, the Russian Federation launched military aggression against Ukraine, illegally occupied Ukraine's Crimean Peninsula, and instigated a war in eastern Ukraine, which is still ongoing and has killed more than 10,000 Ukrainians;

Whereas the Russian Federation's attempted invasion and annexation of Crimea has been widely seen as an effort to stifle pro-democracy developments across Ukraine in 2014 in the wake of the Revolution of Dignity;

Whereas 2019 marks the 25th anniversary of the signing of the Budapest Memorandum, which committed the United States, the United Kingdom, and the Russian Federation to refrain from the threat or use of force against Ukraine's territorial integrity in exchange for Ukraine giving up its nuclear weapons;

Whereas the Russian Federation is a signatory to the 1994 Budapest Memorandum and thus committed to respect the independence, sovereignty, and territorial integrity of Ukraine;

Whereas the Government of the Russian Federation is further obligated to respect the sovereignty of Ukraine pursuant to its commitments

as a signatory to the Helsinki Final Act and the Charter of the United Nations;

Whereas, on March 27, 2014, the United Nations General Assembly adopted Resolution 68/262 calling on states and international organizations not to recognize any change in Crimea's status and affirmed the commitment of the United Nations to recognize Crimea as part of Ukraine;

Whereas the United States and European Union have imposed sanctions on individuals and entities who have enabled the attempted invasion, annexation, and occupation of Crimea;

Whereas, pursuant to the Revolution of Dignity's goal of fighting corruption in Ukraine, the Verkhovna Rada of Ukraine adopted the Law On the National Anti-Corruption Bureau (NABU) of Ukraine on October 14, 2014;

Whereas, on June 26, 2018, the Law of Ukraine On the Establishment of the High Anti-Corruption Court was signed into law;

Whereas, on July 5, 2018, the Law on National Security was signed into law, which has strengthened civilian control over the Ukrainian military, increased transparency in the security sector, and more clearly delineated the powers of law enforcement agencies;

Whereas, on January 6, 2019, the Ecumenical Patriarch of Constantinople granted autocephaly to the Ukrainian Orthodox Church, thus establishing the first independent Ukrainian Orthodox Church in over 300 years;

Whereas despite requests by the Government of Ukraine, the Government of the Russian Federation has repeatedly refused to extradite former President of Ukraine Viktor Yanukovich to stand trial in Ukraine;

Whereas, on January 24, 2019, a Ukrainian court found Yanukovich guilty in absentia of high treason and complicity in conducting an aggressive war against Ukraine, and sentenced him to 13 years in prison;

Whereas, in order to help Ukraine preserve its sovereignty in the face of Russian aggression, the United States Government has provided Ukraine with over \$1,000,000,000 in security assistance, including critical defensive items such as Javelin anti-tank missiles and Island-class cutters; and

Whereas, in the 115th Congress, both the United States Senate and the United States House of Representatives passed resolutions commemorating the 85th anniversary of the Holodomor, the Soviet Union's manmade famine that it committed against the people of Ukraine in 1932 and 1933: Now, therefore, be it

Resolved, That the Senate—

(1) remembers the courage and resolve shown by the Ukrainian people in the Revolution of Dignity;

(2) solemnly honors the "Heavenly Hundred" who were killed during the Revolution of Dignity while fighting for the causes of freedom and democracy in Ukraine;

(3) applauds the progress that the Government of Ukraine has made since the Revolution of Dignity in strengthening the rule of law, aligning itself with Euro-Atlantic norms and standards, and improving military combat readiness and interoperability with the North Atlantic Treaty Organization (NATO);

(4) encourages the Government of Ukraine to continue implementing crucial reforms to fight corruption, build strong and free markets, and strengthen democracy and the rule of law;

(5) affirms the United States Government's unwavering commitment to supporting the continuing efforts of the Government of Ukraine to implement democratic and free market reforms, restoring Ukraine's territorial integrity, as well as providing additional lethal and non-lethal security assistance to strengthen Ukraine's defense capabilities on land, sea, and in the air in order to improve deterrence against Russian aggression;

(6) condemns the Russian Federation's ongoing malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activity that seeks to undermine Ukraine and destabilize the European continent;

(7) reiterates its strong condemnation of the provocative actions and unjustified use of military force by the Government of the Russian Federation in the Kerch Strait against the Ukrainian Navy on November 25, 2018, as a blatant violation of the Russian Federation's commitments under international law and the 2003 Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait;

(8) expresses its support to all Ukrainian political prisoners convicted on fabricated charges and incarcerated by Russian or Russian-controlled authorities, including the Ukrainian sailors seized in the November 25, 2018, attack near the Kerch Strait who are due treatment under the 1949 Geneva Conventions and have been illegally kept in detention in the territory of the Russian Federation, while renewing its strong call on the Kremlin to immediately release these Ukrainian citizens;

(9) affirms the Department of State's Crimea Declaration, announced on July 25, 2018, that rejects Russia's attempted annexation of Crimea and pledges to maintain this policy until Ukraine's territorial integrity is restored;

(10) believes that the Nord Stream 2 pipeline poses a major threat to European security, seeks to further undermine Ukraine's economic stability, and threatens to increase the country's vulnerability to further Russian military incursions;

(11) calls upon the United States Government, as well as its international allies and partners, to maintain a strong sanctions regime against the Russian Federation until it upholds its international obligations towards Ukraine, including the Budapest Memorandum on Security Assurances and the Minsk Agreements; and

(12) congratulates the people of Ukraine on the announcement on January 6, 2019, of autocephaly for an independent Orthodox Church of Ukraine, which has marked an important milestone in Ukraine's pursuit of its own future free from Russian influence.

Mr. THUNE. Madam President, I ask unanimous consent that the Portman amendment to the resolution at the desk be considered and agreed to.

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

The amendment (No. 926) in the nature of a substitute was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following: "That the Senate—

(1) remembers the courage and resolve shown by the Ukrainian people in the Revolution of Dignity;

(2) solemnly honors the "Heavenly Hundred" who were killed during the Revolution of Dignity while fighting for the causes of freedom and democracy in Ukraine;

(3) applauds the progress that the Government of Ukraine has made since the Revolution of Dignity in strengthening the rule of law, aligning itself with Euro-Atlantic norms and standards, and improving military combat readiness and interoperability with the North Atlantic Treaty Organization (NATO);

(4) encourages the Government of Ukraine to continue implementing crucial reforms to

fight corruption, build strong and free markets, and strengthen democracy and the rule of law;

(5) affirms the United States Government's unwavering commitment to supporting the continuing efforts of the Government of Ukraine to implement democratic and free market reforms, restoring Ukraine's territorial integrity, as well as providing additional lethal and non-lethal security assistance to strengthen Ukraine's defense capabilities on land, sea, and in the air in order to improve deterrence against Russian aggression;

(6) condemns the Russian Federation's ongoing malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activity that seeks to undermine Ukraine and destabilize the European continent;

(7) declares that nothing in this resolution shall be construed as an authorization for the use of military force;

(8) reiterates its strong condemnation of the provocative actions and unjustified use of military force by the Government of the Russian Federation in the Kerch Strait against the Ukrainian Navy on November 25, 2018, as a blatant violation of the Russian Federation's commitments under international law and the 2003 Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait;

(9) expresses its support to all Ukrainian political prisoners convicted on fabricated charges and incarcerated by Russian or Russian-controlled authorities, including the Ukrainian sailors seized in the November 25, 2018, attack near the Kerch Strait who are due treatment under the 1949 Geneva Conventions and have been illegally kept in detention in the territory of the Russian Federation, while renewing its strong call on the Kremlin to immediately release these Ukrainian citizens;

(10) affirms the Department of State's Crimea Declaration, announced on July 25, 2018, that rejects Russia's attempted annexation of Crimea and pledges to maintain this policy until Ukraine's territorial integrity is restored;

(11) believes that the Nord Stream 2 pipeline poses a major threat to European security, seeks to further undermine Ukraine's economic stability, and threatens to increase the country's vulnerability to further Russian military incursions;

(12) calls upon the United States Government, as well as its international allies and partners, to maintain a strong sanctions regime against the Russian Federation until it upholds its international obligations towards Ukraine, including the Budapest Memorandum on Security Assurances and the Minsk Agreements;

(13) congratulates the people of Ukraine on the announcement on January 6, 2019, of autocephaly for an independent Orthodox Church of Ukraine, which has marked an important milestone in Ukraine's pursuit of its own future free from Russian influence;

(14) congratulates the people of Ukraine on the successful conclusion of free and fair presidential elections in the spring of 2019, and on the inauguration of the new President of Ukraine, Volodymyr Zelensky;

(15) believes that the strengthening of Ukraine's democracy over the past five years, most visibly displayed in the conduct of the country's recent presidential election and peaceful transition of power, should serve as a positive example to other post-Soviet countries; and

(16) looks forward to the peaceful, free, and fair conduct of Ukraine's upcoming parliamentary elections.

Mr. THUNE. I know of no further debate on the resolution, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on passage of the resolution.

The resolution, as amended, was agreed to.

Mr. THUNE. Madam President, I further ask unanimous consent that the committee-reported amendment to the preamble be withdrawn; that the Portman amendment to the preamble at the desk be considered and agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The committee-reported amendment to the preamble was withdrawn.

The amendment (No. 925) was agreed to as follows:

(Purpose: To amend the preamble)

Strike the preamble and insert the following:

Whereas, on November 21, 2013, peaceful protests began on Independence Square (Maidan) in Kyiv against the decision by the government of then-President Viktor Yanukovich to suspend signing the Ukraine-European Union (EU) Association Agreement and instead pursue closer ties with the Russian Federation;

Whereas the Maidan protests, initially referred to as the Euromaidan, quickly drew thousands of people and broadened to become a general demonstration in support of Ukraine's integration with the European Union and against the corrupt Yanukovich regime;

Whereas, on the night of November 30, 2013, Ukrainian police forces surrounded and violently dispersed peaceful protestors on the Maidan;

Whereas the next day, thousands of Euromaidan demonstrators regrouped and resumed the protests for three months, despite facing continuing and increasing violence from the police;

Whereas, on January 16, 2014, anti-protest laws, known as the dictatorship laws, were adopted by the Government of Ukraine, which sought to restrict the actions of the Euromaidan protestors;

Whereas these laws were condemned by Euromaidan protestors as well as Western officials, including then-Secretary of State John Kerry, who called them anti-democratic;

Whereas many of these laws were repealed just 11 days after being signed into law;

Whereas, on the night of February 18, 2014, police assaulted and burned down the Trade Union Building in Kyiv, which had been used as a headquarters for the Euromaidan movement;

Whereas Yanukovich's government forces began using live ammunition against the Euromaidan movement, leading to the deaths of more than a hundred protestors who are now remembered in Ukraine as the Heavenly Hundred;

Whereas, on February 21, 2014, in the face of the ongoing Euromaidan protests demanding his resignation, then-President Viktor Yanukovich fled Kyiv, and then fled Ukraine the next day;

Whereas, on February 22, 2014, the Verkhovna Rada of Ukraine recognized that Yanukovich had ceased his functions as president, voted him from office, and scheduled early presidential elections for May 25, 2014;

Whereas, on February 25, 2014, fulfilling demands of the Maidan, Ukraine's special police force known as the Berkut was dissolved, as it had been heavily involved in the violence against the Euromaidan protestors;

Whereas the Ukrainian government's use of force against activists throughout the Euromaidan protests, including the use of live bullets, was widely condemned by Western governments, including the United States, and ultimately failed to discourage the Euromaidan movement;

Whereas, on September 1, 2017, the Ukraine-EU Association Agreement came into force after its signing by the Government of Ukraine and the EU;

Whereas, in response to Ukraine's Revolution of Dignity, the Russian Federation launched military aggression against Ukraine, illegally occupied Ukraine's Crimean Peninsula, and instigated a war in eastern Ukraine, which is still ongoing and has killed more than 10,000 Ukrainians;

Whereas the Russian Federation's attempted invasion and annexation of Crimea has been widely seen as an effort to stifle pro-democracy developments across Ukraine in 2014 in the wake of the Revolution of Dignity;

Whereas 2019 marks the 25th anniversary of the signing of the Budapest Memorandum, which committed the United States, the United Kingdom, and the Russian Federation to refrain from the threat or use of force against Ukraine's territorial integrity in exchange for Ukraine giving up its nuclear weapons;

Whereas the Russian Federation is a signatory to the 1994 Budapest Memorandum and thus committed to respect the independence, sovereignty, and territorial integrity of Ukraine;

Whereas the Government of the Russian Federation is further obligated to respect the sovereignty of Ukraine pursuant to its commitments as a signatory to the Helsinki Final Act and the Charter of the United Nations;

Whereas, on March 27, 2014, the United Nations General Assembly adopted Resolution 68/262 calling on states and international organizations not to recognize any change in Crimea's status and affirmed the commitment of the United Nations to recognize Crimea as part of Ukraine;

Whereas the United States and European Union have imposed sanctions on individuals and entities who have enabled the attempted invasion, annexation, and occupation of Crimea;

Whereas, pursuant to the Revolution of Dignity's goal of fighting corruption in Ukraine, the Verkhovna Rada of Ukraine adopted the Law on the National Anti-Corruption Bureau (NABU) of Ukraine on October 14, 2014;

Whereas, on June 26, 2018, the Law of Ukraine On the Establishment of the High Anti-Corruption Court was signed into law;

Whereas, on July 5, 2018, the Law on National Security was signed into law, which has strengthened civilian control over the Ukrainian military, increased transparency in the security sector, and more clearly delineated the powers of law enforcement agencies;

Whereas, on January 6, 2019, the Ecumenical Patriarch of Constantinople granted autocephaly to the Ukrainian Orthodox Church, thus establishing the first independent Ukrainian Orthodox Church in over 300 years;

Whereas despite requests by the Government of Ukraine, the Government of the Russian Federation has repeatedly refused to extradite former President of Ukraine Viktor Yanukovich to stand trial in Ukraine;

Whereas, on January 24, 2019, a Ukrainian court found Yanukovych guilty in absentia of high treason and complicity in conducting an aggressive war against Ukraine, and sentenced him to 13 years in prison;

Whereas, in order to help Ukraine preserve its sovereignty in the face of Russian aggression, the United States Government has provided Ukraine with over \$1,000,000,000 in security assistance, including critical defensive items such as Javelin anti-tank missiles and Island-class cutters;

Whereas, in the 115th Congress, both the United States Senate and the United States House of Representatives passed resolutions commemorating the 85th anniversary of the Holodomor, the Soviet Union's manmade famine that it committed against the people of Ukraine in 1932 and 1933;

Whereas, on March 31, 2019 and April 21, 2019, Ukraine held the first and second rounds of its presidential election;

Whereas these elections were widely recognized by international observers as being free, fair, and conducted without serious, widespread irregularities;

Whereas the large turnout and civic activism related to the election highlight the ongoing support of the Ukrainian people for continued Western integration, political, economic, and judicial reform, and renewed anticorruption efforts;

Whereas Volodymyr Zelensky won Ukraine's presidential election and was inaugurated on May 20, 2019, concluding a peaceful transfer of power from former President Petro Poroshenko; and

Whereas parliamentary elections in Ukraine are scheduled for July 21, 2019: Now, therefore, be it

The preamble, as amended, was agreed to.

The resolution (S. Res. 74), as amended, and its preamble, as amended, was agreed to as follows:

#### S. RES. 74

Whereas, on November 21, 2013, peaceful protests began on Independence Square (Maidan) in Kyiv against the decision by the government of then-President Viktor Yanukovych to suspend signing the Ukraine-European Union (EU) Association Agreement and instead pursue closer ties with the Russian Federation;

Whereas the Maidan protests, initially referred to as the Euromaidan, quickly drew thousands of people and broadened to become a general demonstration in support of Ukraine's integration with the European Union and against the corrupt Yanukovych regime;

Whereas, on the night of November 30, 2013, Ukrainian police forces surrounded and violently dispersed peaceful protestors on the Maidan;

Whereas the next day, thousands of Euromaidan demonstrators regrouped and resumed the protests for three months, despite facing continuing and increasing violence from the police;

Whereas, on January 16, 2014, anti-protest laws, known as the dictatorship laws, were adopted by the Government of Ukraine, which sought to restrict the actions of the Euromaidan protestors;

Whereas these laws were condemned by Euromaidan protestors as well as Western officials, including then-Secretary of State John Kerry, who called them anti-democratic;

Whereas many of these laws were repealed just 11 days after being signed into law;

Whereas, on the night of February 18, 2014, police assaulted and burned down the Trade Union Building in Kyiv, which had been used as a headquarters for the Euromaidan movement;

Whereas Yanukovych's government forces began using live ammunition against the Euromaidan movement, leading to the deaths of more than a hundred protestors who are now remembered in Ukraine as the Heavenly Hundred;

Whereas, on February 21, 2014, in the face of the ongoing Euromaidan protests demanding his resignation, then-President Viktor Yanukovych fled Kyiv, and then fled Ukraine the next day;

Whereas, on February 22, 2014, the Verkhovna Rada of Ukraine recognized that Yanukovych had ceased his functions as president, voted him from office, and scheduled early presidential elections for May 25, 2014;

Whereas, on February 25, 2014, fulfilling demands of the Maidan, Ukraine's special police force known as the Berkut was dissolved, as it had been heavily involved in the violence against the Euromaidan protestors;

Whereas the Ukrainian government's use of force against activists throughout the Euromaidan protests, including the use of live bullets, was widely condemned by Western governments, including the United States, and ultimately failed to discourage the Euromaidan movement;

Whereas, on September 1, 2017, the Ukraine-EU Association Agreement came into force after its signing by the Government of Ukraine and the EU;

Whereas, in response to Ukraine's Revolution of Dignity, the Russian Federation launched military aggression against Ukraine, illegally occupied Ukraine's Crimean Peninsula, and instigated a war in eastern Ukraine, which is still ongoing and has killed more than 10,000 Ukrainians;

Whereas the Russian Federation's attempted invasion and annexation of Crimea has been widely seen as an effort to stifle pro-democracy developments across Ukraine in 2014 in the wake of the Revolution of Dignity;

Whereas 2019 marks the 25th anniversary of the signing of the Budapest Memorandum, which committed the United States, the United Kingdom, and the Russian Federation to refrain from the threat or use of force against Ukraine's territorial integrity in exchange for Ukraine giving up its nuclear weapons;

Whereas the Russian Federation is a signatory to the 1994 Budapest Memorandum and thus committed to respect the independence, sovereignty, and territorial integrity of Ukraine;

Whereas the Government of the Russian Federation is further obligated to respect the sovereignty of Ukraine pursuant to its commitments as a signatory to the Helsinki Final Act and the Charter of the United Nations;

Whereas, on March 27, 2014, the United Nations General Assembly adopted Resolution 68/262 calling on states and international organizations not to recognize any change in Crimea's status and affirmed the commitment of the United Nations to recognize Crimea as part of Ukraine;

Whereas the United States and European Union have imposed sanctions on individuals and entities who have enabled the attempted invasion, annexation, and occupation of Crimea;

Whereas, pursuant to the Revolution of Dignity's goal of fighting corruption in Ukraine, the Verkhovna Rada of Ukraine adopted the Law On the National Anti-Corruption Bureau (NABU) of Ukraine on October 14, 2014;

Whereas, on June 26, 2018, the Law of Ukraine On the Establishment of the High Anti-Corruption Court was signed into law;

Whereas, on July 5, 2018, the Law on National Security was signed into law, which

has strengthened civilian control over the Ukrainian military, increased transparency in the security sector, and more clearly delineated the powers of law enforcement agencies;

Whereas, on January 6, 2019, the Ecumenical Patriarch of Constantinople granted autocephaly to the Ukrainian Orthodox Church, thus establishing the first independent Ukrainian Orthodox Church in over 300 years;

Whereas despite requests by the Government of Ukraine, the Government of the Russian Federation has repeatedly refused to extradite former President of Ukraine Viktor Yanukovych to stand trial in Ukraine;

Whereas, on January 24, 2019, a Ukrainian court found Yanukovych guilty in absentia of high treason and complicity in conducting an aggressive war against Ukraine, and sentenced him to 13 years in prison;

Whereas, in order to help Ukraine preserve its sovereignty in the face of Russian aggression, the United States Government has provided Ukraine with over \$1,000,000,000 in security assistance, including critical defensive items such as Javelin anti-tank missiles and Island-class cutters;

Whereas, in the 115th Congress, both the United States Senate and the United States House of Representatives passed resolutions commemorating the 85th anniversary of the Holodomor, the Soviet Union's manmade famine that it committed against the people of Ukraine in 1932 and 1933;

Whereas, on March 31, 2019 and April 21, 2019, Ukraine held the first and second rounds of its presidential election;

Whereas these elections were widely recognized by international observers as being free, fair, and conducted without serious, widespread irregularities;

Whereas the large turnout and civic activism related to the election highlight the ongoing support of the Ukrainian people for continued Western integration, political, economic, and judicial reform, and renewed anticorruption efforts;

Whereas Volodymyr Zelensky won Ukraine's presidential election and was inaugurated on May 20, 2019, concluding a peaceful transfer of power from former President Petro Poroshenko; and

Whereas parliamentary elections in Ukraine are scheduled for July 21, 2019: Now, therefore, be it

*Resolved*, That the Senate—

(1) remembers the courage and resolve shown by the Ukrainian people in the Revolution of Dignity;

(2) solemnly honors the "Heavenly Hundred" who were killed during the Revolution of Dignity while fighting for the causes of freedom and democracy in Ukraine;

(3) applauds the progress that the Government of Ukraine has made since the Revolution of Dignity in strengthening the rule of law, aligning itself with Euro-Atlantic norms and standards, and improving military combat readiness and interoperability with the North Atlantic Treaty Organization (NATO);

(4) encourages the Government of Ukraine to continue implementing crucial reforms to fight corruption, build strong and free markets, and strengthen democracy and the rule of law;

(5) affirms the United States Government's unwavering commitment to supporting the continuing efforts of the Government of Ukraine to implement democratic and free market reforms, restoring Ukraine's territorial integrity, as well as providing additional lethal and non-lethal security assistance to strengthen Ukraine's defense capabilities on land, sea, and in the air in order



to improve deterrence against Russian aggression;

(6) condemns the Russian Federation's ongoing malign activities against Ukraine and renews its call on the Government of the Russian Federation to immediately cease all activity that seeks to undermine Ukraine and destabilize the European continent;

(7) declares that nothing in this resolution shall be construed as an authorization for the use of military force;

(8) reiterates its strong condemnation of the provocative actions and unjustified use of military force by the Government of the Russian Federation in the Kerch Strait against the Ukrainian Navy on November 25, 2018, as a blatant violation of the Russian Federation's commitments under international law and the 2003 Treaty Between the Russian Federation and Ukraine on Cooperation in the Use of the Sea of Azov and the Kerch Strait;

(9) expresses its support to all Ukrainian political prisoners convicted on fabricated charges and incarcerated by Russian or Russian-controlled authorities, including the Ukrainian sailors seized in the November 25, 2018, attack near the Kerch Strait who are due treatment under the 1949 Geneva Conventions and have been illegally kept in detention in the territory of the Russian Federation, while renewing its strong call on the Kremlin to immediately release these Ukrainian citizens;

(10) affirms the Department of State's Crimea Declaration, announced on July 25, 2018, that rejects Russia's attempted annexation of Crimea and pledges to maintain this policy until Ukraine's territorial integrity is restored;

(11) believes that the Nord Stream 2 pipeline poses a major threat to European security, seeks to further undermine Ukraine's economic stability, and threatens to increase the country's vulnerability to further Russian military incursions;

(12) calls upon the United States Government, as well as its international allies and partners, to maintain a strong sanctions regime against the Russian Federation until it upholds its international obligations towards Ukraine, including the Budapest Memorandum on Security Assurances and the Minsk Agreements;

(13) congratulates the people of Ukraine on the announcement on January 6, 2019, of autocephaly for an independent Orthodox Church of Ukraine, which has marked an important milestone in Ukraine's pursuit of its own future free from Russian influence;

(14) congratulates the people of Ukraine on the successful conclusion of free and fair presidential elections in the spring of 2019, and on the inauguration of the new President of Ukraine, Volodymyr Zelensky;

(15) believes that the strengthening of Ukraine's democracy over the past five years, most visibly displayed in the conduct of the country's recent presidential election and peaceful transition of power, should serve as a positive example to other post-Soviet countries; and

(16) looks forward to the peaceful, free, and fair conduct of Ukraine's upcoming parliamentary elections.

#### PAYMENT INTEGRITY INFORMATION ACT OF 2019

Mr. THUNE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 76, S. 375.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 375) to improve efforts to identify and reduce Governmentwide improper payments, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. THUNE. Madam President, I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 375

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Payment Integrity Information Act of 2019".

#### SEC. 2. IMPROPER PAYMENTS.

(a) IN GENERAL.—Chapter 33 of title 31, United States Code, is amended by adding at the end the following:

##### "Subchapter IV—Improper Payments

##### "§ 3351. Definitions

"In this subchapter:

"(1) ANNUAL FINANCIAL STATEMENT.—The term 'annual financial statement' means the annual financial statement required under section 3515 of this title or similar provision of law.

"(2) COMPLIANCE.—The term 'compliance' means that an executive agency—

"(A) has—

"(i) published improper payments information with the annual financial statement of the executive agency for the most recent fiscal year; and

"(ii) posted on the website of the executive agency that statement and any accompanying materials required under guidance of the Office of Management and Budget;

"(B) if required, has conducted a program specific risk assessment for each program or activity that conforms with the requirements under section 3352(a);

"(C) if required, publishes improper payments estimates for all programs and activities identified under section 3352(a) in the accompanying materials to the annual financial statement;

"(D) publishes programmatic corrective action plans prepared under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement;

"(E) publishes improper payments reduction targets established under section 3352(d) that the executive agency may have in the accompanying materials to the annual financial statement for each program or activity assessed to be at risk, and has demonstrated improvements and developed a plan to meet the reduction targets; and

"(F) has reported an improper payment rate of less than 10 percent for each program and activity for which an estimate was published under section 3352(c).

"(3) DO NOT PAY INITIATIVE.—The term 'Do Not Pay Initiative' means the initiative described in section 3354(b).

"(4) IMPROPER PAYMENT.—The term 'improper payment'—

"(A) means any payment that should not have been made or that was made in an incorrect amount, including an overpayment or underpayment, under a statutory, contractual, administrative, or other legally applicable requirement; and

"(B) includes—

"(i) any payment to an ineligible recipient;

"(ii) any payment for an ineligible good or service;

"(iii) any duplicate payment;

"(iv) any payment for a good or service not received, except for those payments where authorized by law; and

"(v) any payment that does not account for credit for applicable discounts.

"(5) PAYMENT.—The term 'payment' means any transfer or commitment for future transfer of Federal funds such as cash, securities, loans, loan guarantees, and insurance subsidies to any non-Federal person or entity or a Federal employee, that is made by a Federal agency, a Federal contractor, a Federal grantee, or a governmental or other organization administering a Federal program or activity.

"(6) PAYMENT FOR AN INELIGIBLE GOOD OR SERVICE.—The term 'payment for an ineligible good or service' includes a payment for any good or service that is rejected under any provision of any contract, grant, lease, cooperative agreement, or other funding mechanism.

"(7) RECOVERY AUDIT.—The term 'recovery audit' means a recovery audit described in section 3352(i).

"(8) STATE.—The term 'State' means each State of the United States, the District of Columbia, each territory or possession of the United States, and each Federally recognized Indian tribe.

#### "§ 3352. Estimates of improper payments and reports on actions to reduce improper payments

"(a) IDENTIFICATION OF SUSCEPTIBLE PROGRAMS AND ACTIVITIES.—

"(1) IN GENERAL.—The head of each executive agency shall, in accordance with guidance prescribed by the Director of the Office of Management and Budget—

"(A) periodically review all programs and activities that the head of the executive agency administers; and

"(B) identify all programs and activities with outlays exceeding the statutory threshold dollar amount described in paragraph (3)(A)(i) that may be susceptible to significant improper payments.

"(2) FREQUENCY.—A review under paragraph (1) shall be performed for each program and activity that the head of an executive agency administers not less frequently than once every 3 fiscal years.

"(3) RISK ASSESSMENTS.—

"(A) DEFINITION OF SIGNIFICANT.—In this paragraph, the term 'significant' means that, in the preceding fiscal year, the sum of a program or activity's improper payments and payments whose propriety cannot be determined by the executive agency due to lacking or insufficient documentation may have exceeded—

"(i) \$10,000,000 of all reported program or activity payments of the executive agency made during that fiscal year and 1.5 percent of program outlays; or

"(ii) \$100,000,000.

"(B) SCOPE.—In conducting a review under paragraph (1), the head of each executive agency shall take into account those risk factors that are likely to contribute to a susceptibility to significant improper payments, such as—

"(i) whether the program or activity reviewed is new to the executive agency;

"(ii) the complexity of the program or activity reviewed;

"(iii) the volume of payments made through the program or activity reviewed;

"(iv) whether payments or payment eligibility decisions are made outside of the executive agency, such as by a State or local government;

"(v) recent major changes in program funding, authorities, practices, or procedures;



“(vi) the level, experience, and quality of training for personnel responsible for making program eligibility determinations or certifying that payments are accurate;

“(vii) significant deficiencies in the audit report of the executive agency or other relevant management findings that might hinder accurate payment certification;

“(viii) similarities to other programs or activities that have reported improper payment estimates or been deemed susceptible to significant improper payments;

“(ix) the accuracy and reliability of improper payment estimates previously reported for the program or activity, or other indicator of potential susceptibility to improper payments identified by the Inspector General of the executive agency, the Government Accountability Office, other audits performed by or on behalf of the Federal, State, or local government, disclosures by the executive agency, or any other means;

“(x) whether the program or activity lacks information or data systems to confirm eligibility or provide for other payment integrity needs; and

“(xi) the risk of fraud as assessed by the executive agency under the Standards for Internal Control in the Federal Government published by the Government Accountability Office (commonly known as the ‘Green Book’).

“(C) ANNUAL REPORT.—Each executive agency shall publish an annual report that includes—

“(i) a listing of each program or activity identified under paragraph (1), including the date on which the program or activity was most recently assessed for risk under paragraph (1); and

“(ii) a listing of any program or activity for which the executive agency makes any substantial changes to the methodologies of the reviews conducted under paragraph (1).

“(b) IMPROVING THE DETERMINATION OF IMPROPER PAYMENTS.—

“(1) IN GENERAL.—The Director of the Office of Management and Budget shall on an annual basis—

“(A) identify a list of high-priority Federal programs for greater levels of oversight and review—

“(i) in which the highest dollar value or highest rate of improper payments occur; or

“(ii) for which there is a higher risk of improper payments; and

“(B) in coordination with the executive agency responsible for administering a high-priority program identified under subparagraph (A), establish annual targets and semi-annual or quarterly actions for reducing improper payments associated with the high-priority program.

“(2) REPORT ON HIGH-PRIORITY IMPROPER PAYMENTS.—

“(A) IN GENERAL.—Subject to Federal privacy policies and to the extent permitted by law, each executive agency with a program identified under paragraph (1)(A) shall on an annual basis submit to the Inspector General of the executive agency and the Office of Management and Budget, and make available to the public, including through a website, a report on that program.

“(B) CONTENTS.—Each report submitted under subparagraph (A)—

“(i) shall describe any action the executive agency—

“(I) has taken or plans to take to recover improper payments; and

“(II) intends to take to prevent future improper payments; and

“(ii) shall not include—

“(I) any referrals the executive agency made or anticipates making to the Department of Justice; or

“(II) any information provided in connection with a referral described in subclause (I).

“(C) PUBLIC AVAILABILITY ON CENTRAL WEBSITE.—The Office of Management and Budget shall make each report submitted under subparagraph (A) available on a central website.

“(D) AVAILABILITY OF INFORMATION TO INSPECTOR GENERAL.—Subparagraph (B)(ii) shall not prohibit any referral or information being made available to an Inspector General as otherwise provided by law.

“(E) ASSESSMENT AND RECOMMENDATIONS.—The Inspector General of each executive agency that submits a report under subparagraph (A) shall, for each program of the executive agency that is identified under paragraph (1)(A)—

“(i) review—

“(I) the assessment of the level of risk associated with the program and the quality of the improper payment estimates and methodology of the executive agency relating to the program; and

“(II) the oversight or financial controls to identify and prevent improper payments under the program; and

“(ii) submit to the appropriate authorizing and appropriations committees of Congress recommendations, which may be included in another report submitted by the Inspector General to Congress, for modifying any plans of the executive agency relating to the program, including improvements for improper payments determination and estimation methodology.

“(F) ANNUAL MEETING.—Not less frequently than once every year, the head of each executive agency with a program identified under paragraph (1)(A), or a designee of the head of the executive agency, shall meet with the Director of the Office of Management and Budget, or a designee of the Director, to report on actions taken during the preceding year and planned actions to prevent improper payments.

“(c) ESTIMATION OF IMPROPER PAYMENTS.—

“(1) ESTIMATION.—With respect to each program and activity identified under subsection (a)(1), the head of the relevant executive agency shall—

“(A) produce a statistically valid estimate, or an estimate that is otherwise appropriate using a methodology approved by the Director of the Office of Management and Budget, of the improper payments made under the program or activity; and

“(B) include the estimates described in subparagraph (A) in the accompanying materials to the annual financial statement of the executive agency and as required in applicable guidance of the Office of Management and Budget.

“(2) LACKING OR INSUFFICIENT DOCUMENTATION.—

“(A) IN GENERAL.—For the purpose of producing an estimate under paragraph (1), when the executive agency cannot determine, due to lacking or insufficient documentation, whether a payment is proper or not, the payment shall be treated as an improper payment.

“(B) SEPARATE REPORT.—The head of an executive agency may report separately on what portion of the improper payments estimate for a program or activity of the executive agency under paragraph (1) is attributable to lacking or insufficient documentation.

“(d) REPORTS ON ACTIONS TO REDUCE IMPROPER PAYMENTS.—With respect to any program or activity of an executive agency with estimated improper payments under subsection (c), the head of the executive agency shall provide with the estimate required under subsection (c) a report on what actions

the executive agency is taking to reduce improper payments, including—

“(1) a description of the causes of the improper payments, actions planned or taken to correct those causes, and the planned or actual completion date of the actions taken to address those causes;

“(2) in order to reduce improper payments to a level below which further expenditures to reduce improper payments would cost more than the amount those expenditures would save in prevented or recovered improper payments, a statement of whether the executive agency has what is needed with respect to—

“(A) internal controls;

“(B) human capital; and

“(C) information systems and other infrastructure;

“(3) if the executive agency does not have sufficient resources to establish and maintain effective internal controls as described in paragraph (2)(A), a description of the resources the executive agency has requested in the budget submission of the executive agency to establish and maintain those internal controls;

“(4) program-specific and activity-specific improper payments reduction targets that have been approved by the Director of the Office of Management and Budget;

“(5) a description of the steps the executive agency has taken to ensure that executive agency managers, programs, and, where appropriate, States and local governments are held accountable through annual performance appraisal criteria for—

“(A) meeting applicable improper payments reduction targets; and

“(B) establishing and maintaining sufficient internal controls, including an appropriate control environment, that effectively—

“(i) prevent improper payments from being made; and

“(ii) promptly detect and recover improper payments that are made; and

“(6) a description of how the level of planned or completed actions by the executive agency to address the causes of the improper payments matches the level of improper payments, including a breakdown by category of improper payment and specific timelines for completion of those actions.

“(e) REPORTS ON ACTIONS TO RECOVER IMPROPER PAYMENTS.—With respect to improper payments identified in a recovery audit, the head of the executive agency shall provide with the estimate required under subsection (c) a report on all actions the executive agency is taking to recover the improper payments, including—

“(1) a discussion of the methods used by the executive agency to recover improper payments;

“(2) the amounts recovered, outstanding, and determined to not be collectable, including the percent those amounts represent of the total improper payments of the executive agency;

“(3) if a determination has been made that certain improper payments are not collectable, a justification of that determination;

“(4) an aging schedule of the amounts outstanding;

“(5) a summary of how recovered amounts have been disposed of;

“(6) a discussion of any conditions giving rise to improper payments and how those conditions are being resolved; and

“(7) if the executive agency has determined under subsection (i) that performing recovery audits for any applicable program or activity is not cost-effective, a justification for that determination.

“(f) GOVERNMENTWIDE REPORTING OF IMPROPER PAYMENTS AND ACTIONS TO RECOVER IMPROPER PAYMENTS.—

“(1) REPORT.—Each fiscal year, the Director of the Office of Management and Budget shall submit a report with respect to the preceding fiscal year on actions that executive agencies have taken to report information regarding improper payments and actions to recover improper payments to—

“(A) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(B) the Committee on Oversight and Reform of the House of Representatives; and

“(C) the Comptroller General of the United States.

“(2) CONTENTS.—Each report required under paragraph (1) shall include—

“(A) a summary of the reports of each executive agency on improper payments and recovery actions submitted under this section;

“(B) an identification of the compliance status of each executive agency, as determined by the Inspector General of the executive agency under section 3353, to which this section applies;

“(C) Governmentwide improper payment reduction targets;

“(D) a Governmentwide estimate of improper payments; and

“(E) a discussion of progress made towards meeting Governmentwide improper payment reduction targets.

“(g) GUIDANCE BY THE OFFICE OF MANAGEMENT AND BUDGET.—

“(1) IN GENERAL.—Not later than 1 year after the date of enactment of this section, the Director of the Office of Management and Budget shall prescribe guidance for executive agencies to implement the requirements of this section, which shall not include any exemptions to those requirements that are not specifically authorized by this section.

“(2) CONTENTS.—The guidance under paragraph (1) shall prescribe—

“(A) the form of the reports on actions to reduce improper payments, recovery actions, and Governmentwide reporting; and

“(B) strategies for addressing risks and establishing appropriate prepayment and postpayment internal controls.

“(h) DETERMINATIONS OF AGENCY READINESS FOR OPINION ON INTERNAL CONTROL.—The criteria required to be developed under section 2(g) of the Improper Payments Elimination and Recovery Act of 2010, as in effect on the day before the date of enactment of this section—

“(1) shall continue to be in effect on and after the date of enactment of this section; and

“(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

“(i) RECOVERY AUDITS.—

“(1) IN GENERAL.—

“(A) CONDUCT OF AUDITS.—Except as provided under paragraph (3) and if not prohibited under any other provision of law, the head of each executive agency shall conduct recovery audits with respect to each program and activity of the executive agency that expends \$1,000,000 or more annually if conducting the audits would be cost effective.

“(B) PROCEDURES.—In conducting a recovery audit under this subsection, the head of an executive agency—

“(i) shall give priority to the most recent payments and to payments made in any program identified as susceptible to significant improper payments under subsection (a);

“(ii) shall implement this subsection in a manner designed to ensure the greatest financial benefit to the Federal Government; and

“(iii) may conduct the recovery audit directly, by using other departments and agencies of the United States, or by procuring

performance of recovery audits by private sector sources by contract, subject to the availability of appropriations, or by any combination thereof.

“(C) RECOVERY AUDIT CONTRACTS.—With respect to a recovery audit procured by an executive agency by contract—

“(i) subject to subparagraph (B)(iii), and except to the extent such actions are outside the authority of the executive agency under section 7103 of title 41, the head of the executive agency may authorize the contractor to—

“(I) notify entities, including individuals, of potential overpayments made to those entities;

“(II) respond to questions concerning potential overpayments; and

“(III) take other administrative actions with respect to an overpayment claim made or to be made by the executive agency; and

“(ii) the contractor shall not have the authority to make a final determination relating to whether any overpayment occurred or whether to compromise, settle, or terminate an overpayment claim.

“(D) CONTRACT TERMS AND CONDITIONS.—

“(1) IN GENERAL.—The executive agency shall include in each contract for procurement of performance of a recovery audit a requirement that the contractor shall—

“(I) provide to the executive agency periodic reports on conditions giving rise to overpayments identified by the contractor and any recommendations on how to mitigate those conditions;

“(II) notify the executive agency of any overpayments identified by the contractor pertaining to the executive agency or to any other executive agency that are beyond the scope of the contract; and

“(III) report to the executive agency credible evidence of fraud or vulnerabilities to fraud and conduct appropriate training of personnel of the contractor on identification of fraud.

“(ii) REPORTS ON ACTIONS TAKEN.—Each executive agency shall, on an annual basis, include in annual financial statement of the executive agency a report on actions taken by the executive agency during the preceding fiscal year to address the recommendations described in clause (i)(I).

“(E) AGENCY ACTION FOLLOWING NOTIFICATION.—Each executive agency shall—

“(i) take prompt and appropriate action in response to a report or notification by a contractor under subclause (I) or (II) of subparagraph (D)(i) to collect an overpayment; and

“(ii) forward to other executive agencies any information that applies to that executive agency.

“(2) DISPOSITION OF AMOUNTS RECOVERED.—

“(A) IN GENERAL.—Amounts collected by executive agencies each fiscal year through recovery audits shall be treated in accordance with this paragraph.

“(B) DISTRIBUTION.—The head of an executive agency shall determine the distribution of collected amounts described in subparagraph (A), less amounts needed to fulfill the purposes of section 3562(a) of this title, in accordance with subparagraphs (C), (D), and (E).

“(C) USE FOR FINANCIAL MANAGEMENT IMPROVEMENT PROGRAM.—Not more than 25 percent of the amounts collected by an executive agency through recovery audits—

“(i) shall be available to the head of the executive agency to carry out the financial management improvement program of the executive agency under paragraph (3);

“(ii) may be credited, if applicable, for the purpose described in clause (i) by the head of an executive agency to any executive agency appropriations and funds that are available for obligation at the time of collection; and

“(iii) shall be used to supplement and not supplant any other amounts available for the purpose described in clause (i) and shall remain available until expended.

“(D) USE FOR ORIGINAL PURPOSE.—Not more than 25 percent of the amounts collected by an executive agency through recovery audits—

“(i) shall be credited to the appropriation or fund, if any, available for obligation at the time of collection for the same general purposes as the appropriation or fund from which the overpayment was made;

“(ii) shall remain available for the same period and purposes as the appropriation or fund to which credited; and

“(iii) if the appropriation from which an overpayment was made has expired—

“(I) in the case of recoveries of overpayments that are made from a trust or special fund account, shall revert to that account; and

“(II) in the case of other recoveries of overpayments—

“(aa) for amounts that are recovered more than 5 fiscal years from the last fiscal year in which the funds were available for obligation, shall be deposited in the Treasury as miscellaneous receipts; and

“(bb) for other amounts, shall be newly available for the same time period as the funds were originally available for obligation.

“(E) USE FOR INSPECTOR GENERAL ACTIVITIES.—Not more than 5 percent of the amounts collected by an executive agency through recovery audits—

“(i) shall be available to the Inspector General of that executive agency for—

“(I) the Inspector General to carry out this Act; or

“(II) any other activities of the Inspector General relating to investigating improper payments or auditing internal controls associated with payments; and

“(ii) shall remain available for the same period and purposes as the appropriation or fund to which credited.

“(F) REMAINDER.—Amounts collected that are not applied in accordance with subparagraph (B), (C), (D), or (E) shall be deposited in the Treasury as miscellaneous receipts, except that in the case of recoveries of overpayments that are made from trust or special fund accounts, those amounts shall revert to those accounts.

“(G) DISCRETIONARY AMOUNTS.—This paragraph shall apply only to recoveries of overpayments that are made from discretionary appropriations, as defined in section 250(c)(7) of the Balanced Budget and Emergency Deficit Control Act of 1985 (2 U.S.C. 900(c)(7)), and shall not apply to recoveries of overpayments that are made from discretionary amounts that were appropriated before the date of enactment of the Improper Payments Elimination and Recovery Act of 2010, as in effect on the day before the date of enactment of this section.

“(H) APPLICATION.—This paragraph shall not apply to the recovery of an overpayment if the appropriation from which the overpayment was made has not expired.

“(3) FINANCIAL MANAGEMENT IMPROVEMENT PROGRAM.—

“(A) REQUIREMENT.—The head of each executive agency shall conduct a financial management improvement program consistent with rules prescribed by the Director of the Office of Management and Budget.

“(B) PROGRAM FEATURES.—In conducting a program described in subparagraph (A), the head of an executive agency—

“(i) shall, as the first priority of the program, address problems that contribute directly to executive agency improper payments; and

“(ii) may seek to reduce errors and waste in other executive agency programs and operations.

“(4) **PRIVACY PROTECTIONS.**—Any non-governmental entity that, in the course of recovery auditing or recovery activity under this subsection, obtains information that identifies an individual or with respect to which there is a reasonable basis to believe that the information can be used to identify an individual, may not disclose the information for any purpose other than the recovery auditing or recovery activity and governmental oversight of the activity, unless disclosure for that other purpose is authorized by the individual to the executive agency that contracted for the performance of the recovery auditing or recovery activity.

“(5) **RULE OF CONSTRUCTION.**—Except as provided under paragraph (4), nothing in this subsection shall be construed as terminating or in any way limiting authorities that are otherwise available to executive agencies under existing provisions of law to recover improper payments and use recovered amounts.

#### “§ 3353. Compliance

“(a) **ANNUAL COMPLIANCE REPORT BY INSPECTORS GENERAL OF EXECUTIVE AGENCIES.**—

“(1) **IN GENERAL.**—Each fiscal year, the Inspector General of each executive agency shall—

“(A) determine whether the executive agency is in compliance; and

“(B) submit a report on the determination made under subparagraph (A) to—

“(i) the head of the executive agency;

“(ii) the Committee on Homeland Security and Governmental Affairs of the Senate;

“(iii) the Committee on Oversight and Reform of the House of Representatives; and

“(iv) the Comptroller General of the United States.

“(2) **DEVELOPMENT OR USE OF A CENTRAL WEBSITE.**—The Council of the Inspectors General on Integrity and Efficiency (in this subsection referred to as the ‘Council’) shall develop a public central website, or make use of a public central website in existence on the date of enactment of this section, to contain individual compliance determination reports issued by Inspectors General under paragraph (1)(B) and such additional information as determined by the Council.

“(3) **OMB GUIDANCE.**—Not later than 180 days after the date of enactment of this section, the Director of the Office of Management and Budget, in consultation with the Council and with consideration given to the available resources and independence of individual Offices of Inspectors General, shall develop and promulgate guidance for the compliance determination reports issued by the Inspectors General under paragraph (1)(B), which shall require that—

“(A) the reporting format used by the Inspectors General is consistent;

“(B) Inspectors General evaluate and take into account the adequacy of executive agency risk assessments, improper payment estimates methodology, and executive agency action plans to address the causes of improper payments;

“(C) Inspectors General take into account whether the executive agency has correctly identified the causes of improper payments and whether the actions of the executive agency to address those causes are adequate and effective;

“(D) Inspectors General evaluate the adequacy of executive agency action plans on how the executive agency addresses the causes of improper payments; and

“(E) as part of the report, Inspectors General include an evaluation of executive agency efforts to prevent and reduce improper

payments and any recommendations for actions to further improve that prevention and reduction.

“(4) **CIGIE GUIDANCE.**—Not later than 180 days after the date of enactment of this section, the Council shall, with consideration given to the available resources and independence of individual Offices of Inspectors General, develop and promulgate guidance that specifies procedures for compliance determinations made by the Inspectors General under paragraph (1)(A), which shall describe procedures for Inspectors General—

“(A) to make the determinations consistent regarding compliance; and

“(B) to evaluate—

“(i) for compliance with the requirement described in section 3351(2)(B), the risk assessment methodology of the executive agency, including whether the audits, examinations, and legal actions of the Inspector General indicate a higher risk of improper payments or actual improper payments that were not included in the risk assessments of the executive agency conducted under section 3352(a);

“(ii) for compliance with the requirement described in section 3351(2)(C), the accuracy of the rate estimates and whether the sampling and estimation plan used is appropriate given program characteristics;

“(iii) for compliance with the requirement described in section 3351(2)(D), the corrective action plans and whether the plans are adequate and focused on the true causes of improper payments, including whether the corrective action plans are—

“(I) reducing improper payments;

“(II) effectively implemented; and

“(III) prioritized within the executive agency;

“(iv) the adequacy of executive agency action plans to address the causes of improper payments;

“(v) executive agency efforts to prevent and reduce improper payments, and any recommendations for actions to further improve; and

“(vi) whether an executive agency has published an annual financial statement in accordance with the requirement described in section 3351(2)(A).

“(b) **REMEDATION.**—

“(1) **NONCOMPLIANCE.**—

“(A) **IN GENERAL.**—If an executive agency is determined by the Inspector General of that executive agency not to be in compliance under subsection (a) in a fiscal year with respect to a program or activity, the head of the executive agency shall submit to the appropriate authorizing and appropriations committees of Congress a plan describing the actions that the executive agency will take to come into compliance.

“(B) **PLAN.**—The plan described in subparagraph (A) shall include—

“(i) measurable milestones to be accomplished in order to achieve compliance for each program or activity;

“(ii) the designation of a senior executive agency official who shall be accountable for the progress of the executive agency in coming into compliance for each program or activity; and

“(iii) the establishment of an accountability mechanism, such as a performance agreement, with appropriate incentives and consequences tied to the success of the official designated under clause (ii) in leading the efforts of the executive agency to come into compliance for each program or activity.

“(2) **NONCOMPLIANCE FOR 2 FISCAL YEARS.**—

“(A) **IN GENERAL.**—If an executive agency is determined by the Inspector General of that executive agency not to be in compliance under subsection (a) for 2 consecutive fiscal years for the same program or activity, the

executive agency shall propose to the Director of the Office of Management and Budget additional program integrity proposals that would help the executive agency come into compliance.

“(B) **ADDITIONAL FUNDING.**—

“(i) **IN GENERAL.**—If the Director of the Office of Management and Budget determines that additional funding would help an executive agency described in subparagraph (A) come into compliance, the head of the executive agency shall obligate additional funding, in an amount determined by the Director, to intensified compliance efforts.

“(ii) **REPROGRAMMING OR TRANSFER AUTHORITY.**—In providing additional funding under clause (i)—

“(I) the head of an executive agency shall use any reprogramming or transfer authority available to the executive agency; and

“(II) if after exercising the reprogramming or transfer authority described in subclause (I), additional funding is necessary to obligate the full level of funding determined by the Director of the Office of Management and Budget under clause (i), the executive agency shall submit a request to Congress for additional reprogramming or transfer authority.

“(3) **REAUTHORIZATION AND STATUTORY PROPOSALS.**—If an executive agency is determined by the Inspector General of that executive agency not to be in compliance under subsection (a) for 3 consecutive fiscal years for the same program or activity, the head of the executive agency shall, not later than 30 days after the date of that determination, submit to the appropriate authorizing and appropriations committees of Congress and the Comptroller General of the United States—

“(A)(i) reauthorization proposals for each program or activity that has not been in compliance for 3 or more consecutive fiscal years; and

“(ii) proposed statutory changes necessary to bring the program or activity into compliance; or

“(B) if the head of the executive agency determines that clauses (i) and (ii) of subparagraph (A) will not bring the program or activity into compliance, a description of the actions that the executive agency is undertaking to bring the program or activity into compliance and a timeline of when the compliance will be achieved.

“(4) **PLAN AND TIMELINE FOR COMPLIANCE.**—If an executive agency is determined by the Inspector General of that executive agency not to be in compliance under subsection (a) for 4 or more consecutive fiscal years for the same program or activity, the head of the executive agency shall, not later than 30 days after such determination, submit to the appropriate authorizing and appropriations committees of Congress a report that includes—

“(A) the activities taken to comply with the requirements for 1, 2, 3, 4, or more years of noncompliance;

“(B) a description of any requirements that were fulfilled for 1, 2, or 3 consecutive years of noncompliance that are still relevant and being pursued as a means to bring the program or activity into compliance and prevent and reduce improper payments;

“(C) a description of any new corrective actions; and

“(D) a timeline for when the program or activity will achieve compliance based on the actions described within the report.

“(5) **ANNUAL REPORT.**—Each executive agency shall submit to the appropriate authorizing and appropriations committees of Congress and the Comptroller General of the United States—

“(A) a list of each program or activity that was determined to not be in compliance under paragraph (1), (2), (3), or (4); and

“(B) actions that are planned to bring the program or activity into compliance.

“(C) COMPLIANCE ENFORCEMENT PILOT PROGRAMS.—The Director of the Office of Management and Budget may establish 1 or more pilot programs that shall test potential accountability mechanisms with appropriate incentives and consequences tied to success in ensuring compliance with this section and eliminating improper payments.

“(d) IMPROVED ESTIMATES GUIDANCE.—The guidance required to be provided under section 3(b) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

“(1) shall continue to be in effect on and after the date of enactment of this section; and

“(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

#### “§ 3354. Do Not Pay Initiative

“(a) PREPAYMENT AND PREAWARD PROCEDURES.—

“(1) IN GENERAL.—Each executive agency shall review prepayment and preaward procedures and ensure that a thorough review of available databases with relevant information on eligibility occurs to determine program or award eligibility and prevent improper payments before the release of any Federal funds.

“(2) DATABASES.—At a minimum and before issuing any payment or award, each executive agency shall review as appropriate the following databases to verify eligibility of the payment and award:

“(A) The death records maintained by the Commissioner of Social Security.

“(B) The System for Award Management Exclusion Records, formerly known as the Excluded Parties List System, of the General Services Administration.

“(C) The Debt Check Database of the Department of the Treasury.

“(D) The Credit Alert System or Credit Alert Interactive Voice Response System of the Department of Housing and Urban Development.

“(E) The List of Excluded Individuals/Entities of the Office of Inspector General of the Department of Health and Human Services.

“(F) Information regarding incarcerated individuals maintained by the Commissioner of Social Security under sections 202(x) and 1611(e) of the Social Security Act (42 U.S.C. 402(x), 1382(e)).

“(b) DO NOT PAY INITIATIVE.—

“(1) IN GENERAL.—There is the Do Not Pay Initiative, which shall include—

“(A) use of the databases described in subsection (a)(2); and

“(B) use of other databases designated by the Director of the Office of Management and Budget, or the designee of the Director, in consultation with executive agencies and in accordance with paragraph (2).

“(2) OTHER DATABASES.—In making designations of other databases under paragraph (1)(B), the Director of the Office of Management and Budget, or the head of any executive agency designated by the Director, shall—

“(A) consider any database that substantially assists in preventing improper payments; and

“(B) provide public notice and an opportunity for comment before designating a database under paragraph (1)(B).

“(3) ACCESS AND REVIEW.—

“(A) IN GENERAL.—For purposes of identifying and preventing improper payments, each executive agency shall have access to,

and use of, the Do Not Pay Initiative to verify payment or award eligibility in accordance with subsection (a).

“(B) MATCHING PROGRAMS.—

“(1) IN GENERAL.—The head of the agency operating the Working System may, in consultation with the Office of Management and Budget, waive the requirements of section 552a(o) of title 5 in any case or class of cases for computer matching activities conducted under this section.

“(ii) GUIDANCE.—The Director of the Office of Management and Budget may issue guidance that establishes requirements governing waivers under clause (i).

“(C) OTHER ENTITIES.—Each State and any contractor, subcontractor, or agent of a State, including a State auditor or State program responsible for reducing improper payments of a federally funded State-administered program, and the judicial and legislative branches of the United States, as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18, shall have access to, and use of, the Do Not Pay Initiative for the purpose of verifying payment or award eligibility for payments.

“(D) CONSISTENCY WITH PRIVACY ACT OF 1974.—To ensure consistency with the principles of section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’), the Director of the Office of Management and Budget may issue guidance that establishes privacy and other requirements that shall be incorporated into Do Not Pay Initiative access agreements with States, including any contractor, subcontractor, or agent of a State, and the judicial and legislative branches of the United States, as defined in paragraphs (2) and (3), respectively, of section 202(e) of title 18.

“(4) PAYMENT OTHERWISE REQUIRED.—When using the Do Not Pay Initiative, an executive agency shall recognize that there may be circumstances under which the law requires a payment or award to be made to a recipient, regardless of whether that recipient is identified as potentially ineligible under the Do Not Pay Initiative.

“(5) ANNUAL REPORT.—The Director of the Office of Management and Budget shall submit to Congress an annual report, which may be included as part of another report submitted to Congress by the Director, regarding the operation of the Do Not Pay Initiative, which shall—

“(A) include an evaluation of whether the Do Not Pay Initiative has reduced improper payments or improper awards; and

“(B) provide the frequency of corrections or identification of incorrect information.

“(c) INITIAL WORKING SYSTEM.—The working system required to be established under section 5(d) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

“(1) shall continue to be in effect on and after the date of enactment of this section; and

“(2) shall require each executive agency to review all payments and awards for all programs and activities of that executive agency through the working system.

“(d) FACILITATING DATA ACCESS BY FEDERAL AGENCIES AND OFFICES OF INSPECTORS GENERAL FOR PURPOSES OF PROGRAM INTEGRITY.—

“(1) COMPUTER MATCHING BY EXECUTIVE AGENCIES FOR PURPOSES OF INVESTIGATION AND PREVENTION OF IMPROPER PAYMENTS AND FRAUD.—

“(A) IN GENERAL.—Except as provided in this paragraph, in accordance with section 552a of title 5 (commonly known as the ‘Privacy Act of 1974’), the head of each executive agency may enter into computer matching agreements with other heads of executive

agencies that allow ongoing data matching, which shall include automated data matching, in order to assist in the detection and prevention of improper payments.

“(B) REVIEW.—Not later than 60 days after the date on which a proposal for an agreement under subparagraph (A) has been presented to a Data Integrity Board established under section 552a(u) of title 5 for consideration, the Data Integrity Board shall respond to the proposal.

“(C) TERMINATION DATE.—An agreement described in subparagraph (A)—

“(i) shall have a termination date of less than 3 years; and

“(ii) during the 3-month period ending on the date on which the agreement is scheduled to terminate, may be renewed by the executive agencies entering the agreement for not more than 3 years.

“(D) MULTIPLE AGENCIES.—For purposes of this paragraph, section 552a(o)(1) of title 5 shall be applied by substituting ‘between the source agency and the recipient agency or non-Federal agency or an agreement governing multiple agencies’ for ‘between the source agency and the recipient agency or non-Federal agency’ in the matter preceding subparagraph (A).

“(E) COST-BENEFIT ANALYSIS.—A justification under section 552a(o)(1)(B) of title 5 relating to an agreement under subparagraph (A) is not required to contain a specific estimate of any savings under the computer matching agreement.

“(2) GUIDANCE AND PROCEDURES BY THE OFFICE OF MANAGEMENT AND BUDGET.—The guidance, rules, and procedures required to be issued, clarified, and established under paragraphs (3) and (4) of section 5(e) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

“(A) shall continue to be in effect on and after the date of enactment of this section; and

“(B) may be modified as determined appropriate by the Director of the Office of Management and Budget.

“(3) COMPLIANCE.—The head of each executive agency, in consultation with the Inspector General of the executive agency, shall ensure that any information provided to an individual or entity under this subsection is provided in accordance with protocols established under this subsection.

“(4) RULE OF CONSTRUCTION.—Nothing in this subsection shall be construed—

“(A) to affect the rights of an individual under section 552a(p) of title 5; or

“(B) to impede the exercise of an exemption provided to Inspectors General or by an executive agency in coordination with an Inspector General under section 6(j) of the Inspector General Act of 1978 (5 U.S.C. App.).

“(e) PLAN TO CURB FEDERAL IMPROPER PAYMENTS TO DECEASED INDIVIDUALS BY IMPROVING THE QUALITY AND USE BY FEDERAL AGENCIES OF THE SOCIAL SECURITY ADMINISTRATION DEATH MASTER FILE AND OTHER DEATH DATA.—

“(1) ESTABLISHMENT.—In conjunction with the Commissioner of Social Security and in consultation with relevant stakeholders that have an interest in or responsibility for providing the data, and each State, the Director of the Office of Management and Budget shall conduct a study and update the plan required to be established under section 5(g) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section, for improving the quality, accuracy, and timeliness of death data maintained by the Social Security Administration, including death information reported

to the Commissioner under section 205(r) of the Social Security Act (42 U.S.C. 405(r)).

“(2) ADDITIONAL ACTIONS UNDER PLAN.—The plan described in this subsection shall include recommended actions by executive agencies to—

“(A) increase the quality and frequency of access to the Death Master File and other death data;

“(B) achieve a goal of at least daily access as appropriate;

“(C) provide for all States and other data providers to use improved and electronic means for providing data;

“(D) identify improved methods by executive agencies for determining ineligible payments due to the death of a recipient through proactive verification means; and

“(E) address improper payments made by executive agencies to deceased individuals as part of Federal retirement programs.

“(3) REPORT.—Not later than 120 days after the date of enactment of this section, the Director of the Office of Management and Budget shall submit a report to Congress on the plan described in this subsection, including recommended legislation.

#### “§ 3355. Improving recovery of improper payments

“The Director of the Office of Management and Budget shall determine—

“(1) current and historical rates and amounts of recovery of improper payments, or, in cases in which improper payments are identified solely on the basis of a sample, recovery rates and amounts estimated on the basis of the applicable sample, including a list of executive agency recovery audit contract programs and specific information of amounts and payments recovered by recovery audit contractors; and

“(2) targets for recovering improper payments, including specific information on amounts and payments recovered by recovery audit contractors.

#### “§ 3356. Improving the use of data by executive agencies for curbing improper payments

“(a) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF STATE AND THE DEPARTMENT OF DEFENSE.—The procedure required to be established under section 7(a) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

“(1) shall continue to be in effect on and after the date of enactment of this section; and

“(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

“(b) PROMPT REPORTING OF DEATH INFORMATION BY THE DEPARTMENT OF VETERANS AFFAIRS AND THE OFFICE OF PERSONNEL MANAGEMENT.—Not later than 1 year after the date of enactment of this section, the Secretary of Veterans Affairs and the Director of the Office of Personnel Management shall establish a procedure under which the Secretary and the Director—

“(1) shall promptly and on a regular basis submit information relating to the deaths of individuals, including stopped payments data as applicable, to each executive agency for which the Director of the Office of Management and Budget determines receiving and using such information would be relevant and necessary; and

“(2) to facilitate the centralized access of death data for the use of reducing improper payments, may identify additional Federal sources of death data and direct the data owner to provide that data to 1 or more executive agencies for that purpose.

“(c) GUIDANCE TO EXECUTIVE AGENCIES REGARDING DATA ACCESS AND USE FOR IMPROPER

PAYMENTS PURPOSES.—The guidance required to be issued under section 7(b) of the Improper Payments Elimination and Recovery Improvement Act of 2012, as in effect on the day before the date of enactment of this section—

“(1) shall continue to be in effect on and after the date of enactment of this section; and

“(2) may be modified as determined appropriate by the Director of the Office of Management and Budget.

#### “§ 3357. Financial and administrative controls relating to fraud and improper payments

“(a) DEFINITION.—In this section, the term ‘agency’ has the meaning given the term in section 551 of title 5.

“(b) GUIDELINES.—The guidelines required to be established under section 3(a) of the Fraud Reduction and Data Analytics Act of 2015, as in effect on the day before the date of enactment of this section—

“(1) shall continue to be in effect on and after the date of enactment of this section; and

“(2) may be periodically modified by the Director of the Office of Management and Budget, in consultation with the Comptroller General of the United States, as the Director and Comptroller General may determine necessary.

“(c) REQUIREMENTS FOR CONTROLS.—The guidelines described in subsection (b) shall include—

“(1) conducting an evaluation of fraud risks and using a risk-based approach to design and implement financial and administrative control activities to mitigate identified fraud risks;

“(2) collecting and analyzing data from reporting mechanisms on detected fraud to monitor fraud trends and using that data and information to continuously improve fraud prevention controls; and

“(3) using the results of monitoring, evaluation, audits, and investigations to improve fraud prevention, detection, and response.

“(d) REPORT.—For each of fiscal years 2019 and 2020, each agency shall submit to Congress, as part of the annual financial report of the agency, a report of the agency on—

“(1) implementing—

“(A) the financial and administrative controls described in subsection (b);

“(B) the fraud risk principle in the Standards for Internal Control in the Federal Government published by the Government Accountability Office (commonly known as the ‘Green Book’); and

“(C) Office of Management and Budget Circular A-123, or any successor thereto, with respect to the leading practices for managing fraud risk;

“(2) identifying risks and vulnerabilities to fraud, including with respect to payroll, beneficiary payments, grants, large contracts, and purchase and travel cards; and

“(3) establishing strategies, procedures, and other steps to curb fraud.

#### “§ 3358. Interagency working group for Governmentwide payment integrity improvement

“(a) WORKING GROUP.—

“(1) ESTABLISHMENT.—Not later than 90 days after the date of enactment of this section, there is established an interagency working group on payment integrity—

“(A) to improve—

“(i) State-administered Federal programs to determine eligibility processes and data sharing practices;

“(ii) the guidelines described in section 3357(b) and other best practices and techniques for detecting, preventing, and responding to improper payments, including improper payments that are the result of fraud; and

“(iii) the sharing and development of data analytics techniques to help prevent and identify potential improper payments, including those that are the result of fraud; and

“(B) to identify any additional activities that will improve payment integrity of Federal programs.

“(2) COMPOSITION.—The interagency working group established under paragraph (1) shall be composed of—

“(A) the Director of the Office of Management and Budget;

“(B) 1 representative from each of the agencies described in paragraphs (1) and (2) of section 901(b) of this title; and

“(C) any other representatives of other executive agencies determined appropriate by the Director of the Office of Management and Budget, which may include the Chief Information Officer, the Chief Procurement Officer, the Chief Risk Officer, or the Chief Operating Officer of an executive agency.

“(b) CONSULTATION.—The working group established under subsection (a)(1) may consult with Offices of Inspectors General and Federal and non-Federal experts on fraud risk assessments, administrative controls over payment integrity, financial controls, and other relevant matters.

“(c) MEETINGS.—The working group established under subsection (a)(1) shall hold not fewer than 4 meetings per year.

“(d) REPORT.—Not later than 240 days after the date of enactment of this section, the working group established under subsection (a)(1) shall submit to Congress a report that includes—

“(1) a plan containing tangible solutions to prevent and reduce improper payments; and

“(2) a plan for State agencies to work with Federal agencies to regularly review lists of beneficiaries of State-managed Federal programs for duplicate enrollment between States, including how the Do Not Pay Business Center and the data analytics initiative of the Department of the Treasury could aid in the detection of duplicate enrollment.”.

(b) TECHNICAL AND CONFORMING AMENDMENT.—The table of sections for chapter 33 of title 31, United States Code, is amended by adding at the end the following:

#### “SUBCHAPTER IV—IMPROPER PAYMENTS

“3351. Definitions.

“3352. Estimates of improper payments and reports on actions to reduce improper payments.

“3353. Compliance.

“3354. Do Not Pay Initiative.

“3355. Improving recovery of improper payments.

“3356. Improving the use of data by executive agencies for curbing improper payments.

“3357. Financial and administrative controls relating to fraud and improper payments.

“3358. Interagency working group for Governmentwide payment integrity improvement.”.

#### SEC. 3. REPEALS.

(a) IN GENERAL.—

(1) IMPROPER PAYMENTS INFORMATION ACT OF 2002.—The Improper Payments Information Act of 2002 (31 U.S.C. 3321 note) is repealed.

(2) IMPROPER PAYMENTS ELIMINATION AND RECOVERY ACT OF 2010.—The Improper Payments Elimination and Recovery Act of 2010 (Public Law 114-204; 124 Stat. 2224) is repealed.

(3) IMPROPER PAYMENTS ELIMINATION AND RECOVERY IMPROVEMENT ACT OF 2012.—The Improper Payments Elimination and Recovery Improvement Act of 2012 (31 U.S.C. 3321 note) is repealed.

(4) FRAUD REDUCTION AND DATA ANALYTICS ACT OF 2015.—The Fraud Reduction and Data

Analytics Act of 2015 (31 U.S.C. 3321 note) is repealed.

(b) TECHNICAL AND CONFORMING AMENDMENTS.—

(1) GOVERNMENT CHARGE CARD ABUSE PREVENTION ACT OF 2012.—Section 6(a) of the Government Charge Card Abuse Prevention Act of 2012 (5 U.S.C. 5701 note) is amended by striking “section 3512 of title 31, United States Code, or in the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note)” and inserting “section 3512 or subchapter IV of chapter 33 of title 31, United States Code”.

(2) HOMELAND SECURITY ACT OF 2002.—Section 2022(a) of the Homeland Security Act of 2002 (6 U.S.C. 612(a)) is amended—

(A) in paragraph (1)(C), by striking “Consistent with the Improper Payments Information Act of 2002 (31 U.S.C. 3321 note)” and inserting “Consistent with subchapter IV of chapter 33 of title 31, United States Code”; and

(B) in paragraph (5), by striking “section 2(h) of the Improper Payments Elimination and Recovery Act of 2010 (31 U.S.C. 3321 note)” and inserting “section 3352(i) of title 31, United States Code”.

(3) SOCIAL SECURITY ACT.—Section 2105 of the Social Security Act (42 U.S.C. 1397ee(c)) is amended by striking “Improper Payments Information Act of 2002” each place that term appears and inserting “subchapter IV of chapter 33 of title 31, United States Code”.

(4) TITLE 31.—Section 3562(a) of title 31, United States Code, is amended—

(A) in the matter preceding paragraph (1)—

(i) by striking “section 3561” and inserting “section 3352(i)”;

(ii) by striking “agency for the following purposes:” and all that follows through “To reimburse” and inserting “agency to reimburse”; and

(B) by striking paragraph (2).

## CONDEMNING BRUNEI'S DRAMATIC HUMAN RIGHTS BACKSLIDING

Mr. THUNE. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 139, S. Res. 198.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 198) condemning Brunei's dramatic human rights backsliding.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic, and with an amendment to strike the preamble and insert the part printed in italic, as follows:

*Whereas Brunei has been led since 1967 by one of the world's longest-reigning monarchs, Sultan Haji Hassanal Bolkiah;*

*Whereas Brunei gained independence in 1984;*

*Whereas emergency powers in place in Brunei since 1962 allow the sultan to govern with few limitations to his authority;*

*Whereas, according to the United States Department of State 2018 Human Rights Report, human rights issues in Brunei included censorship, interferences with the rights of peaceful assembly and freedom of association, crimes involving violence or threats targeting homosexuality, and exploitation of foreign workers, including through forced labor;*

*Whereas Brunei's media are neither free nor diverse, with broadcasting dominated by the*

*state and private media owned or controlled by the royal family;*

*Whereas homosexuality has been illegal in Brunei, carrying a punishment of up to ten years in prison;*

*Whereas in 2013, the Government of Brunei announced it was imposing a revised penal code that included harsher punishments of death by stoning for adultery and homosexual relations;*

*Whereas international condemnation resulted in a delay in carrying out the provisions;*

*Whereas, in March 2019, the Government of Brunei announced it was going forward with the penal code to take effect April 3, 2019;*

*Whereas the penal code includes, among other things, death by stoning for male same-sex relations, adultery, and blasphemy, amputation of limbs for theft, whipping for female same-sex relations, and criminalization of exposure of children to the beliefs and practices of differing religions;*

*Whereas, on April 2, 2019, the Department of State said Brunei's new penal code and associated penalties run “counter to its international human rights obligations including with respect to torture or other cruel, inhuman or degrading treatment or punishment”;*

*Whereas, on April 18, 2019, the European Parliament adopted a resolution strongly condemning Brunei for introducing “retrograde” laws, calling for their immediate repeal, urging that Brunei uphold its international obligations under “international human rights instruments, including with regard to sexual minorities, religious minorities and non-believers,” and suggesting visa bans and asset freezes should the penal code not be repealed;*

*Whereas the United Nations and international human rights organizations have denounced the penal code, arguing it amounts to torture and a violation of human rights;*

*Whereas United Nations High Commissioner for Human Rights Michelle Bachelet urged Brunei to repeal the penal code, noting the punishments proscribed as “cruel, inhuman, and degrading” and calling the code a “serious setback for human rights protections”;*

*Whereas Human Rights Watch stated, “Brunei's new penal code is barbaric to the core, imposing archaic punishments for acts that shouldn't even be crimes. . . . Sultan Hassanal should immediately suspend amputations, stoning, and all other rights-abusing provisions and punishments.”;*

*Whereas Amnesty International stated, “Brunei's Penal Code is a deeply flawed piece of legislation containing a range of provisions that violate human rights. . . . As well as imposing cruel, inhuman and degrading punishments, it blatantly restricts the rights to freedom of expression, religion and belief, and codifies discrimination against women and girls.”;* and

*Whereas the Joint United Nations Program on HIV/AIDS (UNAIDS) Executive Director Michel Sidibé stated that the implementation of this discriminatory penal code will “drive people underground and out of reach of life-saving HIV treatment and prevention services,” and UNAIDS and the United Nations Population Fund noted these kinds of laws “increase stigma, and give license to discrimination, violence, and harassment”;* Now, therefore, be it

Resolved, That the Senate—

(1) condemns the Government of Brunei's further criminalization and barbaric punishments regarding sexual orientation, adultery, and relations between persons of the same sex;

(2) calls on the Government of Brunei to expeditiously repeal the 2013 penal code; and

(3) supports the withdrawal and denial of United States visas for any Brunei official responsible for passage or implementation of such penal code and related laws until they are repealed.

Mr. THUNE. I further ask that the committee-reported substitute amendment to the resolution be agreed to;

that the resolution, as amended, be agreed to; that the committee-reported amendment to the preamble be agreed to; that the preamble, as amended, 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. Without objection, it is so ordered.

The committee-reported amendment, in the nature of a substitute, was agreed to.

The resolution, as amended, was agreed to.

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution (S. Res. 198), as amended, and the preamble, as amended, were agreed to.

## MEASURE READ THE FIRST TIME—H.R. 1327

Mr. THUNE. Madam 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 title of the bill for the first time.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1327) to extend authorization for the September 11th Victim Compensation Fund of 2001 through fiscal year 2092, and for other purposes.

Mr. THUNE. 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 receive a second reading on the next legislative day.

## ORDERS FOR WEDNESDAY, JULY 17, 2019

Mr. THUNE. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Wednesday, July 17; 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 to resume consideration of Treaties Calendar No. 2, Treaty Document No. 112-1.

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

## ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. THUNE. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 6:39 p.m., adjourned until Wednesday, July 17, 2019, at 10 a.m.

## CONFIRMATION

Executive nomination confirmed by the Senate July 16, 2019:

### THE JUDICIARY

PETER JOSEPH PHIPPS, OF PENNSYLVANIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE THIRD CIRCUIT.