

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

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), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The yeas and nays resulted—yeas 55, nays 37, as follows:

[Rollcall Vote No. 226 Ex.]

YEAS—55

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

NAYS—37

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

NOT VOTING—8

Bennet	Harris	Sanders
Booker	Isakson	Warren
Gillibrand	Klobuchar	

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 37.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Wendy Williams Berger, of Florida, to be United States District Judge for the Middle District of Florida.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Brian C. Buescher, of Nebraska, to be United States District Judge for the District of Nebraska.

Mitch McConnell, Roger F. Wicker, Pat Roberts, Chuck Grassley, John Cornyn, Tom Cotton, David Perdue, Ron Johnson, Joni Ernst, Mike Braun, Martha McSally, John Boozman, Richard Burr, Lindsey Graham, Shelley Moore Capito, Johnny Isakson, Thom Tillis.

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

The question is, Is it the sense of the Senate that debate on the nomination of Brian C. Buescher, of Nebraska, to be United States District Judge for the District of Nebraska, 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. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

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), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 52, nays 39, as follows:

[Rollcall Vote No. 227 Ex.]

YEAS—52

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

NAYS—39

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

NOT VOTING—9

Bennet	Harris	Sanders
Booker	Isakson	Warren
Gillibrand	Klobuchar	Whitehouse

The PRESIDING OFFICER. On this vote, the yeas are 52, the nays are 39.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Brian C. Buescher, of Nebraska, to be United States District Judge for the District of Nebraska.

The PRESIDING OFFICER. The Senator from Texas.

BUDGET AGREEMENT

Mr. CORNYN. Mr. President, earlier this week, the administration and House Democrats reached a bipartisan budget deal to deliver on the President's priorities and prevent a funding crisis this fall.

As our Armed Forces continue their global engagements, this agreement importantly secures the funding necessary to maintain readiness and modernize the force. It provides increased defense spending to recover from the depressed military readiness rates of the previous administration. It provides our men and women in uniform with the resources, equipment, and training they need in order to defend our freedoms.

I know Congress deals with a lot of different topics, and all of them, by and large, are important, but there is nothing more important, nor is there anything more quintessentially a Federal Government responsibility than national security.

All other considerations aside, if this bipartisan budget deal did nothing more than fully fund our national security efforts, I would support it, but importantly, it also keeps other important elements of the congressional consensus intact—things like the Hyde amendment, which, as the Presiding Officer knows, since the late 1970s has ensured that no taxpayer dollars can be used to fund abortions. In addition, this agreement prevents our Democratic colleagues from trying to block President Trump from using funds to strengthen border security.

The administration—Secretary Mnuchin—negotiated a tough deal and one that excludes any radical, leftwing poison pills—a difficult task in these times, to be sure.

We know they wanted to use policy riders—nearly 30 of them and counting—to try to implement elements of the Green New Deal to undo the President's regulatory reforms or to rewrite our immigration laws through the back door. Earlier this year, their far-left policy riders led to the longest government shutdown in history and almost prevented the enactment of bipartisan border supplemental funding. I saw the devastating impact that shutdown had on dedicated public servants across the country, especially in Texas. This agreement will prevent another senseless shutdown and ensure that the trains of government run on time.

To be sure, no bipartisan agreement is ever perfect. That is the definition of a negotiation—both sides give a little. It is the nature of compromise, which

is a necessary part of effective governing. There is no doubt that there are other priorities I would have liked to have seen included in the deal. I wish we had done something to reform our entitlement programs, which will continue to outpace inflation and increase our national deficit. Someday, we are going to have to deal with our deficits and debt; I just hope it is not during the time of a national emergency. But as a practical matter, Speaker PELOSI wasn't going to agree with such far-reaching reforms in the context of this spending deal and debt limit provision. Thankfully, the President was able to secure half of the spending cuts he asked for—roughly equal to next year's increase in non-defense spending.

Above all, this deal carries out the most critical responsibilities of the Federal Government, which is to support our national defense and fully fund the government's operation.

Again, I appreciate the President's efforts here and particularly those in his administration who helped negotiate this bipartisan deal—particularly Secretary Mnuchin. I look forward to supporting it.

OPIOID EPIDEMIC

Mr. President, last week, the National Center for Health Statistics released preliminary data showing that drug overdose deaths in America declined by about 5 percent last year. Before anybody begins to applaud, let me point out that drug overdoses killed more than 70,000 Americans the year before. So a 5-percent reduction is welcome, but obviously it is still very alarming. This 5 percent decline is the first national drop in three decades, though, and for communities across the country that continue to battle the opioid epidemic, it is a small indication that our efforts here in Congress are having an impact. We certainly have a long fight ahead of us, but this is an encouraging sign.

If you look closer, the data shows that the decline is due almost entirely to a decrease in prescription opioid-related deaths. Those caused by other opioids—particularly fentanyl and heroin—remain on the rise.

The cruel reality is that the more we step up our efforts to limit prescription opioid diversion, the higher the demand is for other illegal drugs, many of which come across our southern border. We can't limit our efforts to what can be done here at home. In order for our work to be successful and for us to save more lives, we have to stop this poison from entering our country in the first place.

I have the honor of cochairing the Senate Caucus on International Narcotics Control with Senator DIANNE FEINSTEIN of California, where we are working on ways to do exactly that—to slow down the poison coming across our borders.

If you look at many of the challenges we face here at home—whether it is the opioid epidemic, the humanitarian cri-

sis at the border, the criminal gangs on our streets—much of that can be directly traced to the violence that exists in Central America and Mexico.

This morning, I had the pleasure of speaking at the Hudson Institute about my proposal to attack this crisis from every angle, an all-government approach, something we call the New Americas Recommitment to Counternarcotics Operations and Strategy. As the Presiding Officer knows, we love a good acronym here in Washington, DC, so we can simply refer to this initiative as the NARCOS Initiative.

First, it takes aim at the dangerous substances that are crossing our southern border. Customs and Border Protection officers are incredibly well-trained and equipped to find illegal drugs, and seize an average of 5,800 pounds of narcotics each day. By the way, on June 16, Customs and Border Protection seized 20 tons of cocaine—which is the largest seizure in the 230-year history of Customs and Border Protection—with an estimated street value of \$1.3 billion. So good for them. They are extremely professional and well-trained law enforcement officers.

As we know, many of these drugs managed to make their way into the interior of our country and into local communities, causing untold misery and grief. Stopping their production and movement is not a fight we can win alone. It will take a bipartisan, long-term commitment from the Federal Government, as well as our foreign partners. An important step is to strengthen law enforcement cooperation by improving intelligence-sharing and providing training for some of our foreign partners. It is an important force multiplier and a necessary component of our counternarcotics efforts.

In addition to attacking the drugs themselves, the NARCOS Initiative goes after the cartels and transnational criminal organizations that profit from this business. These groups are what I call commodity-agnostic. They really don't care who they hurt or what they ply. The only thing they care about is making money. It is not just narcotics they are dealing; it is human trafficking, migrant smuggling, money laundering, counterfeit goods, public corruption. The list of crimes is long, indeed, and they do all of it.

These transnational criminal organizations turn an enormous profit from their corrupt dealings, and then they have to launder the money they use to finance their operation. We know that one of the most effective ways to suffocate criminal networks is to cut off the money, so that is precisely where we should aim.

The Senate Judiciary Committee recently passed legislation to combat money laundering and other illicit financing, which includes a provision that I offered that has to do with the role of remittances. According to the United Nations, over \$300 billion in illicit transnational crimes proceeds

likely flows through the U.S. financial system. The provision included on remittances requires Treasury to submit an analysis of the use of remittances by drug kingpins and crime syndicates and develop a strategy to prevent them from using that remittance system in order to launder proceeds from criminal enterprises.

It is also time for us to reevaluate our current strategy and to determine how to update the Bank Secrecy Act, which was enacted more than 50 years ago and is the primary money laundering law regulating financial institutions.

In addition to fueling violence and instability, the conditions in Central America serve as a push factor. As human beings, we all understand people fleeing violence and poverty. So encouraging those countries to provide safety and stability for their own people so they can stay in their homes and live their lives ought to be one of the things that we do. Otherwise, these push factors encourage migrants to take the same routes used by cartels and criminal organizations to reach the United States. As we know, some of them simply don't make it. They die in the process. Young girls and women are routinely sexually assaulted. It is a miserable alternative to staying at home and living in safety and security.

We know all of this has contributed to the humanitarian crisis at our southern border. We all know but have not yet had the political will to reform our broken laws and prevent these smugglers and criminal organizations from gaming the system.

I know the Presiding Officer was at the border earlier this week. I have tried to figure out how we crack this nut. How do we take this polarized environment and provide the tools necessary to begin to staunch the flow of humanity coming across our border? They are attracted by the easy access to the United States through our broken laws but also the push factors, like the violence and poverty in their countries.

I am working with a Democratic colleague of mine from Laredo, TX, HENRY CUELLAR. Together, we introduced the HUMANE Act, which made great strides to help fix our broken asylum system in a way that would give legitimate asylees an opportunity to present their case on a timely basis in front of an immigration judge. It would also make sure the conditions of their custody while they are here in the United States are something we can be proud of. Specifically, what this bill does is closes a loophole in the law known as the Flores settlement, which is often used by smugglers to gain entry into the United States. It would streamline the processing of migrants and improve standards of care for individuals in custody.

If we want to restore law and order and make it sustainable, we need to look at ways to invest in economic development to help these countries build

stronger economies. But I share some of the concerns expressed by the President and others. We need some metrics. We need a strategy. We need reliable foreign partners that can work with us.

The one effort I can think of where we actually were successful working with foreign partners and strong leaders to really effect a dramatic change is the nation of Colombia, so-called Plan Colombia. Obviously, Mexico and the region are much more complex, and Plan Colombia doesn't easily fit on top of that region. I think the concept is a sound one, one in which we come together on a bipartisan basis, develop a strategy, help train our foreign partners, and seek out strong leaders who can help us work through these challenges, because there is a multiplicity of challenges, as I have indicated.

One of the things that would help is to ratify the new and improved NAFTA, known as the United States-Mexico-Canada Agreement, or the USMCA. Obviously, a strong economy in Mexico means people don't have to come to the United States in order to provide for their families. The International Trade Commission's analysis of the agreement shows some positive indicators for North American workers, farmers, ranchers, and businesses. About 5 million American jobs depend on the binational trade with Mexico alone, which is some indication of how important this is.

We can strengthen public-private partnerships in other ways to help add to the effort to provide for investment, a clean environment, and a positive relationship with our colleagues in Mexico. One example is the North American Development Bank. For every one NAD Bank dollar that has been invested in a project, it has successfully leveraged \$20 in total infrastructure investment in using both private- and public-sector dollars. To that end, I have introduced legislation with Senator FEINSTEIN, of California, that would authorize the Treasury Department to increase NAD Bank's capital and provide additional authority that is specifically related to port infrastructure.

We know the ports of entry are not only avenues of commercial trade and traffic but are where a lot of the high-end or expensive illegal drugs are smuggled through. We need to modernize those ports of entry. We need to expand the infrastructure and make sure they are adequately staffed, not only to facilitate the flow of legitimate trade and travel but also to stop these drugs from coming through the ports of entry.

I just want to say a few words about this NARCOS Initiative. I believe that we do need an all-government approach that would address the broad range of problems across Central America and Mexico, including with the transnational criminal organizations themselves, with the products and services they provide, as well as with the corruption they fuel and the means

by which they stay in business, but we are going to need responsible partners in this effort.

As our own experience with nation-building in the Middle East has demonstrated, we can't want something for them that they don't want for themselves. That is why it is so important to have a clear understanding about what the strategy is, what the goals are, and to have strong, reliable leaders in those countries who will work with us in a bipartisan way to accomplish our collective goal.

We have both the responsibility and the opportunity to make meaningful changes to stabilize the region, and I believe the time to act was yesterday. I hope our colleagues will join me in supporting this legislation to promote a secure and prosperous Western Hemisphere.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. CASEY. Mr. President, I ask unanimous consent to speak as in morning business.

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

29TH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT

Mr. CASEY. Mr. President, I rise to celebrate one of the seminal moments in American civil rights history. This week marks the 29th anniversary of the signing of the Americans with Disabilities Act. On July 26, 1990, President George H. W. Bush signed a sweeping, bipartisan bill that acknowledged and affirmed the rights of people with disabilities.

The passage of the so-called ADA promised that people with disabilities would be included in the guarantee of fundamental rights—just by way of examples, the right to petition the court when discriminated against; the right to apply for and be considered for a job; the right to have and having the access to vote; the right to economic security; the right to live where you want to live.

Twenty-nine years later, our country is better because we agreed to make the opportunities of our country accessible to all. The ADA changed the lives of 61 million Americans with disabilities and has made our Nation more accessible. The ADA proclaimed that Americans with disabilities must have the right and the means to fully participate in their communities. The ADA offers a path toward a truly accessible nation and elevates the voices of millions of individuals.

One of those voices belongs to Jean Searle from the Commonwealth of Pennsylvania. Jean works at Disability Rights Pennsylvania, where she protects the rights of people with disabilities so they may live the lives they choose—free from abuse, neglect, discrimination, and segregation.

As a child and young adult, Jean was forced to live in an institution. In that institution, she faced many indignities, the worst of which may have been having had her infant child taken from her

without her consent. Simply because Jean lived with a disability, it was often assumed that she was not capable of making her own decisions, but she worked hard to find a way out of that institution. When she finally succeeded, she chose to live independently in her community and has found a fulfilling career in Harrisburg.

The rights affirmed by the ADA and the services and supports Medicaid and other programs have provided have made it possible for Jean to be a full citizen of the Commonwealth of Pennsylvania and, yes, even of the United States of America. Jean has dedicated her life to protecting the rights of people with disabilities.

During this ADA anniversary week, it is also fitting that today is Jean's birthday.

So, Jean, in looking at your picture on my left, I say happy birthday. I know many here would wish the same if you were here in person on the floor with us. I am honored to share your birthday.

Let me pause here.

Almost 30 years after her infant son, whom I referred to earlier, was taken from her, Jean had the opportunity recently to meet him for the first time. Jean often says that to make the world a better place, we need to spend our time listening to people with disabilities and learning from the disability community.

Well said, Jean.

When I listen, I hear about the greatness of the ADA and, at the same time, about much more that still needs to be done. One of those things is to protect what we have. That includes protecting access to healthcare, preventing the repeal of the Affordable Care Act, and ensuring that Medicaid remains intact. We also need to combat threats to people with disabilities.

Over the past 2 years, we have seen a systemic and concerted effort to sabotage supports that are necessary for equality, opportunity, and the full participation of people with disabilities. What this administration has failed to do with legislation it is trying to accomplish through regulation and court cases. Cutting Medicaid is contrary to the ADA's goals, and it makes it difficult—or even potentially impossible—for people with disabilities to work, to go to school, or to be engaged in their communities.

While we protect the hard-fought rights the disability community has earned, we can also build upon the ADA's promises. As we celebrate the ADA's 29th anniversary, we can do at least three things—honor the great advancements that have been made because of the ADA; remain vigilant to attacks on those civil rights; and work to ensure that the ADA's goals are realized for all people with disabilities.

I believe Jean's own words make the point clearer than I can.

We must never go back. We must never forget the struggle that people with disabilities have gone through and are still going through today.

We must never go back, as Jean said. So, as we celebrate the ADA's 29th anniversary, I promise—and I know it is the promise of many Members of Congress—to never forget that struggle. I also promise to stand side by side with the disability community to fully accomplish the ADA's goals.

Mr. BROWN. Will the Senator from Pennsylvania yield?

Mr. CASEY. I yield to Senator BROWN.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Mr. President, I appreciate Senator CASEY's advocacy for disabled Americans and for children especially.

I just want to make a brief comment, for I know he has some other comments to make, on his support for Medicaid and on the efforts that we have made together on the Finance Committee in fighting against President Trump's attacks on Medicaid and the Affordable Care Act.

I know, in my State, the expansion of Medicaid and what came out of that meant that 900,000 more people had insurance, including a whole lot of people who were disabled. I know that Pennsylvania is the same way. So I thank Senator CASEY.

Mr. CASEY. I thank the senior Senator from Ohio, who makes the point broadly about the importance of Medicaid in the context of healthcare but especially with regard to Americans with disabilities. I thank him for his comments, and I thank him for his advocacy.

BORDER SECURITY

Mr. President, my second topic involves a visit that I and a delegation of Senators made just a week ago—it will be a week ago on Friday—to McAllen, TX. I guess there were 13 of us in total. During that visit and throughout the course of the day, we toured DHS detention facilities—DHS is the Department of Homeland Security—including the Border Patrol facility in McAllen, TX, and the processing centers in both Donna and Ursula, TX.

I saw children who needed better care. I saw the overcrowding of adults, who were packed into cages or glass-enclosed rooms, and you couldn't hear the voices of those behind the glass. I saw the need for hygiene products and better access to showers. At the same time, we also saw Catholic Charities—the Respite Center, run by Sister Norma Pimentel, known to so many as just “Sister Norma”—where migrants were welcomed, where migrants were cared for, and where migrants were treated with compassion.

I believe the White House's policies take the opposite approach—that of not welcoming migrants but of pushing them away. I believe several of those policies make it bad not only for the migrants or immigrants but also for the DHS personnel who have to do the work every day. It is also bad for the security of our Nation.

I know, last Friday, that our delegation met a number of dedicated per-

sonnel who work hard and who care about the families, but I cannot say that about all of those who work there. So, when there is mistreatment or when there is abuse, we need to make sure there is full accountability. At the same time, there are folks who work in our government who may not agree with the White House's policy on immigration or asylum or on its migration policy in general but who have difficult work to do. To those who are doing good work and showing compassion and respect, I commend them for that.

Instead of closing the door on asylum seekers who flee terrible violence and persecution, we should adopt policies that are more humane and that will help alleviate instead of exacerbate the humanitarian crisis. We should utilize effective alternatives to detention, like the Family Case Management Program—a pilot program that began in the last administration and pretty much ended in this administration. It had a 99-percent attendance rate—or success rate—at immigration court proceedings. The Family Case Management Program also had 99-percent compliance with ICE's monitoring requirements.

We should ensure that migrant children are cared for by child welfare workers and have their medical needs fully met. We should also work to address the violence, poverty, and persecution that are causing so many to flee. I am a cosponsor of the Central American Reform and Enhancement Act, which is legislation that would address the root causes of migration by increasing aid to the Northern Triangle, creating new options for refugees to apply for entry from Mexico and Central America, and, of course, increasing the number of immigration judges to reduce court backlogs and creating new criminal penalties for the smuggling and defrauding of immigrants.

We know that some of the dollars recently appropriated will help on some of these priorities, but we have to make sure the dollars are spent wisely and appropriately and in full compliance with the law.

We are indeed a nation of laws, and we are also a nation of immigrants. These two principles are intertwined in our values, and they are not—they are not—competing values.

We should be trying over and over again—both parties, both Chambers, and the administration—to pass something comparable to the comprehensive immigration reform bill that this body passed in 2013 that did not get a vote in the House.

Let me conclude this part of my remarks with this: The problem is not that we must choose between principles like being a rule-of-law country and being a nation of immigrants; the problem is that our immigration system is badly broken. If there are suggestions to be made to improve the asylum process, we should be open to that, but pushing immigrants away

and ending or short-circuiting or undermining the asylum process is not in the interest of the country.

It is entirely possible to have an immigration system that both respects the rule of law and treats all individuals with human dignity. I will continue to press the administration and the House and the Senate to work on bipartisan solutions so our immigration system again reflects those American values.

MUELLER REPORT

Mr. President, I will conclude my remarks by raising the third topic, and it is timely for today. I want to do two things with regard to the service and the work of former Special Counsel Robert Mueller but also talk about the report he issued.

There is a reference in a narrative about Robert Mueller's service in Vietnam that I won't add to the RECORD because it is very long, but I will quote from it for just a couple of minutes. This is an account by the publication *Wired*. It is a long account, but I will just briefly read the beginning of it about his service.

Just imagine this: someone who grew up with probably not too many concerns about economic security; someone who had the benefit of a great education and then volunteered to serve in Vietnam.

This particular vignette says:

After [serving] nine months at war, he was finally due—

“He” meaning Robert Mueller—

—for a few short days of R&R outside the battle zone. Mueller had seen intense combat since he last said goodbye to his wife. He'd received the Bronze Star with a distinction for valor for his actions in one battle, and he'd been airlifted out of the jungle during another firefight after being shot in the thigh. [Robert Mueller] and [his wife] Ann had spoken only twice since he had left for South Vietnam.

Then it goes on to say why he wanted to keep serving in the Marine Corps:

I didn't relish the US Marine Corps absent combat.

Then it goes on to talk about his decision to go to law school after being in Vietnam, with the goal of serving his country as a prosecutor. He went on to lead the Criminal Division of the Justice Department and to prosecute a lot of bad guys—my words, not words from the publication—and then “became director of the FBI one week before September 11, 2001, and stayed on to become the bureau's longest-serving director since J. Edgar Hoover. And yet, throughout his five-decade career, that year of combat experience with the Marines has loomed large in Mueller's mind. ‘I'm most proud the Marine Corps deemed me worthy of leading other Marines,’ he [said] in . . . 2009.”

So that is his background—just some of his background: service to his country in Vietnam, service as a Federal prosecutor for many, many years, and then called upon to serve his country again. He is the embodiment of public service. He gives integrity and meaning

and value to what President Kennedy called us all to do—to not ask what our country can do for us but what we can do for our country. Robert Mueller has answered that call over and over again. He is a person of integrity and ability.

For just a few minutes before I yield the floor, I want to talk about some of his work.

One of the points then-Special Counsel Mueller made in a statement I guess back in May was—he first of all outlined how the Russian Federation interfered with our election and pointed to the serious consequences of that, but then he also talked about how—when the second volume of the report deals with obstruction, he reminded us in that statement—at least I took from it, my impression of the statement—of not just the seriousness of what Russia did but the seriousness and the gravity of obstructing that kind of an investigation.

So if someone wanted to read just a portion of the report—the almost 500 pages—if you wanted to just zero in on some key parts of volume II about obstruction, you could start on page 77. That is a section titled “The President’s Efforts to Remove the Special Counsel.” Then there are other instances—several instances of obstruction—alleged obstruction there. So if you read between pages 77 and 120 of volume II, you are going to learn a lot about obstruction. Let me read a couple of the lines that the report sets forth.

When the special counsel walks through the factual predicate of what happened in the first instance where the President calls the White House Counsel, Mr. McGahn, and says some things that the special counsel concluded were a directive to fire or have fired the special counsel, they say in the report on page—this is volume II, page 88:

Substantial evidence, however, supports the conclusion that the President went further and in fact directed McGahn to call Rosenstein to have the Special Counsel removed.

Page 89:

Substantial evidence indicates that by June 17, 2017, the President knew his conduct was under investigation by a federal prosecutor who could present evidence of federal crimes to a grand jury.

It goes on from there in the “Intent” section, where the special counsel has to lay out the evidence to prove intent because if you can’t prove intent, you can’t go much further.

Substantial evidence indicates that the President’s attempts to remove the Special Counsel were linked to the Special Counsel’s oversight on investigations that involved the President’s conduct and, most immediately, to reports that the President was being investigated for potential obstruction of justice.

So those are just three vignettes from pages 88 and 89, operative words there being “substantial evidence.” In other parts of the report, evidence is laid out. Sometimes they say there is not enough evidence, but I think “sub-

stantial evidence” is a compelling part of what we saw.

Let me just quickly—because I know I am over time. I will now move to page 113. This is a separate section. This section is titled “The President Orders McGahn”—White House Counsel McGahn—“to Deny that the President Tried to Fire the Special Counsel,” so referring back to the earlier section, and then, when they go through the evidence, they again get back to the consideration or the weighing of the evidence.

I am looking at volume II, page 118—again, those words:

Substantial evidence supports McGahn’s account that the President had directed him to have the Special Counsel removed, including the timing and context of the President’s directive; the manner in which McGahn reacted; and the fact that the President had been told conflicts were substantial, were being considered by the Department of Justice, and should be raised with the President’s personal counsel rather than brought to McGahn.

So you get the message I am sending. And the last one is on page 120—“Substantial evidence indicates” the following facts.

So I raise all that because there is a lot of discussion about volume II and what the conclusion might have been. The reason I refer to those areas of substantial evidence is that in May of this year, there was a statement by former Federal prosecutors. We were told that as many as 1,000 bipartisan prosecutors from both parties signed a letter, and I will read just one sentence from the letter: “Each of us”—meaning these Republican and Democratic former prosecutors—“believes that the conduct of President Trump described in Special Counsel Robert Mueller’s report would, in the case of any other person not covered by the Office of Legal Counsel’s policy against indicting a sitting President, result in multiple felony charges for obstruction of justice.”

I think those prosecutors—I believe those prosecutors are resting that determination that they each made individually on those areas of the report that begin with the words “substantial evidence indicates.”

I yield the floor.

The PRESIDING OFFICER (Mr. ROMNEY). The Senator from Iowa.

EB-5 PROGRAM

Mr. GRASSLEY. Mr. President, I come to the Senate floor to advise my colleagues about a new rule that the Department of Homeland Security published in the Federal Register this very day to finally bring some needed reform to the EB-5 green card program.

As I mentioned in my remarks on this topic last week, this rule was first proposed in January 2017. Those of us who want to reform the EB-5 program have been waiting 2½ years for this rule to become final, and we have been waiting much, much longer than that for some meaningful reforms to this fraudulent-laden program that we tried to get enacted into law in previous

Congresses and couldn’t get done because of being up against these very powerful, moneyed interests. I think the President and his team deserve a lot of credit for pushing these reforms across the finish line and getting a big win for rural America.

As I have said on numerous occasions, Congress intended for the EB-5 program to help spur investment in rural and high-unemployment areas when this program was established in 1990. Unfortunately, over the last 30 years, big-moneyed interests have been able to gerrymander EB-5 targeted employment areas in a way that redirected investment away from our rural and economically deprived communities and towards major development projects in Manhattan and other big cities. Therefore, instead of providing much needed investment for rural America, as originally intended, EB-5 has become a source of cheap foreign capital for development projects in already prosperous areas of America.

For the first time, this rule will bring much needed change so that condition cannot continue. Under the rule, States will no longer be allowed to game and gerrymander targeted employment areas. Instead, the Department of Homeland Security will make targeted employment area designations directly based on revised requirements that will help to ensure rural and high-unemployment areas get more of the investment they have been deprived of for far too long under this program, as it has been misdirected.

Again, this is a major win for rural America and high-unemployment areas, and I want to sincerely thank President Trump and the people in the administration who worked on this rule for making this happen and looking out for the interests of my constituents in Iowa and other rural States and for areas of high unemployment.

This rule also addresses the minimum investment threshold amounts that are required for the EB-5 projects around the country.

This is the very first time the investment thresholds have been adjusted since the program was created in 1990. Think of the inflation since that time.

For projects that are outside of targeted employment areas, the threshold will be raised from \$1 million to \$1.8 million. For projects in targeted employment areas, the threshold will be raised from \$500,000 to \$900,000. The minimum investment amount will be automatically adjusted for inflation every 5 years.

It is ridiculous that our country’s major green card program for investors has been operating with investment amounts that haven’t been adjusted a single time in 30 years. That makes no sense, and I am glad the President and his team have taken necessary action to restore a little common sense to the EB-5 program.

There is more work that needs to be done on the EB-5 program, and we will

have to do that by legislation, but the President and his administration deserve a lot of credit for finally implementing these first reforms that I and several other colleagues have championed for years.

I, more than most, understand the power and influence that big-moneyed EB-5 interests have historically had in Washington, and how they have used that power and influence to consistently thwart any attempt to reform this program in such an obvious way that it is needed.

Their unrelenting efforts to stymie EB-5 reform over the years absolutely epitomize the swamp culture that so many voters rejected in the last Presidential election, and getting rid of that swamp culture is exactly what the President campaigned on. This is a perfect example of his carrying out a campaign promise.

They are also representative of a culture in Washington that too often disregards the interests of the little guy in rural Iowa in favor of the interests of the rich and the powerful. Again, I applaud the President and his team for standing up to these rich and powerful interests.

I am happy to say that, with the publication of this rule, the little guys in rural America finally got a win in the EB-5 program. I now look forward to working with the President and my colleagues to build off of this win and bring further reform to the EB-5 program in the future. Thank you, President Trump.

BUDGET AGREEMENT

On another subject, for the past week there have been ongoing discussions between congressional leadership and the administration relating to an agreement on budget caps and raising the debt limit. Those discussions produced an agreement that was announced Monday night.

While I understand reaching an agreement was important to ensure the full faith and credit of the United States, I am disappointed the final agreement does not address a subject that has been causing heartache for millions of taxpayers for at least the past 6 months. The subject is what is known around Capitol Hill and Washington, DC, as tax extenders, things that come up every 2 or 3 years that need to be reauthorized.

For decades, Congress has routinely acted on a bipartisan basis to extend a number of expired or expiring provisions. Typically, their extension would be included as part of a larger spending package or budget deal at the end of the year. Unfortunately, this never occurred at the end of last year. Now, here we are almost 7 months into the end of 2018 and 3 months after the close of the regular tax filing season, and taxpayers still have no answers.

The budget and debt limit agreement announced Monday is yet another missed opportunity to provide answers for millions of taxpayers—both individuals and businesses—who are waiting

on Congress so they can finalize their 2018 taxes and, in some cases, it may even mean whether or not they can stay in business.

While Finance Committee Ranking Member WYDEN and I, working as a team, have been ready and willing to address tax extenders since early on in this Congress, the new Democratic majority in the House of Representatives has been reluctant to act. It seems as though the House Democrats are unaware of the historic bipartisan, bicameral nature of tax extenders or how those provisions even apply to taxpayers, to industries, and maybe helping the entire economy. This is evidenced from the characterization of these provisions by some of these Members as “just tax breaks for corporations and businesses.” So I want to tell you how these are not just tax breaks for corporations and businesses.

In fact, the overwhelming majority of the tax extenders either benefit individuals and families directly or they benefit our communities by giving a boost to local businesses that many people directly rely on for jobs and to support their local economies.

For illustration purposes, I have broken the tax provisions that expired in 2017 into four categories: tax relief for individuals, green energy incentives, employment and economic incentives for distressed areas, and general business incentives.

If you look at this chart, you will see that these four categories are broken down by the relative costs of the extension of the tax extender in each category. As you can see, based upon Joint Committee on Taxation estimates—these aren't my estimates, but Joint Committee on Taxation estimates—of a 2-year extension of these provisions for 2018 and 2019, the largest cost associated with extending them is for what is termed “green energy incentives.”

These green energy incentives account for nearly 60 percent of the cost of this extension. These incentives include provisions to encourage the use and production of clean and renewable fuels, to promote electricity generation from certain clean and renewable sources, and tax incentives for more energy efficient buildings and homes.

Here I would have thought the new Democratic majority in the House would be all about what we call green jobs, and reducing our Nation's carbon emissions through alternative energy sources is what we are talking about here. Yet the new Democratic majority has been reluctant to embrace a bipartisan tax package with nearly 60 percent of the cost dedicated to green energy incentives.

The long delay in addressing these provisions is needlessly putting thousands of good-paying green jobs at stake. A couple weeks ago, we saw a biodiesel plant in Nebraska close down, costing about 40 employees their jobs. Just this very day, a renewable energy group announced it is closing a Texas plant due to the uncertainty of the bio-

diesel tax credit. Should we fail to extend the biodiesel tax credit soon, many more will be closed. That would put the 60,000 jobs supported by the biodiesel industry nationwide in jeopardy.

Going to another one, after this green energy proposal which I just discussed, individual provisions represent the second largest component of tax extenders, totaling nearly one-third of the cost. These provisions include relief for homeowners who obtained debt forgiveness on home mortgages, a deduction for mortgage insurance premiums, and a provision that allows college students to deduct tuition and related expenses. In regard to college students, wouldn't you think the new Democratic majority would be interested in helping college students?

They also include incentives for individual consumers to purchase energy-efficient products for their homes, as well as certain types of alternative vehicles.

To highlight just one of these provisions, in 2017, over 1.5 million taxpayers took advantage of the college tuition deduction. You can think of that as over 1.5 million students who have been left dangling for last year and this year as Congress continues to consider whether or not to extend this college tuition deduction. For some, this deduction of up to \$4,000 for education expenses can make the difference between continuing their education or waiting another year to finish a degree and to move up to a better job.

The remaining two categories are small in terms of cost in comparison to the first two. The provisions relating to employment and economic initiatives for distressed areas makes up only 4.1 percent of the overall cost and consists of two provisions. One would be the Indian employment credit, and the other would be the empowerment zone incentives.

Now, this is really odd. It is really hard to believe the new House Democratic majority finds it very objectionable to incentivize employers to hire Native Americans or, for the second part of it, to provide incentives to encourage businesses to locate and bring jobs to low-income areas. I hear the new majority in the other body talking that we don't do enough to help low-income people. What is better than providing them with jobs and doing it through the empowerment zone incentives tax credit so you get capital in there to build jobs up in low-income areas?

If we can't address these two employment and economic incentives, how are we going to deal with two much larger ones that expire at the end of this year—the work opportunity tax credit and the new markets tax credit—all to create jobs?

I guess it must somehow be the final category, which I have termed general business incentives, that the House Democratic majority must find objectionable because it falls into the category that we are only trying to help

big business or big corporations. That is their accusation.

These provisions make a whopping 4.5 percent of the total cost of extending provisions that expired at the end of 2017. Most of these provisions have very minimal cost as they only accelerate when a business may deduct certain deductions and not whether the costs are deductible in the first place.

However, the most costly of what I term general business incentives is also likely the most popular. I am going to show you in just a minute. It is the most popular because it has such an overwhelming number of cosponsors in both bodies. That is the short line tax credit. This provision offers a tax credit to short line railroads for qualified maintenance expenditures. This credit isn't available to the largest railroads, which we call the class 1 railroads. This credit benefits smaller railroads that are critically important for farmers and many manufacturers to get their products to the global markets. For example, in my State of Iowa, according to recent data from the American Short Line and Regional Railroad Association, there are nine short line and regional railroads.

This credit isn't just supported by and important to the railroads themselves; it is also supported by the users of short line railroads who depend on these railroads to get their products to market around the world. For example, Midwest soybean farmers selling to the Asian market typically must ship their crop by rail to the Port of Seattle, and the short line railroads are part of that railroad system and are critical to that transportation network.

The fact is, this provision is far more than some sort of giveaway to business. It is a provision that is important to whole communities. This is probably a big reason why legislation making this short line tax credit permanent currently has 50 cosponsors in this body of the Senate and 228 cosponsors in the House of Representatives.

I hope I have been able to clear up some of the misunderstanding regarding tax extenders for the new Democratic majority in the House, not only on the substance of these tax extenders but also on the fact that extending these tax credits has been both bicameral and bipartisan for at least a couple of decades. Extenders are not just about businesses or corporations. This overwhelmingly benefits individuals—individuals. It benefits green energy and promotes job creation in urban and rural communities alike.

In order to provide certainty—and you need certainty in tax law. If you want to provide certainty to the people who relied on these provisions in 2018 and potentially this year, we should extend them at least through 2019 as quickly as possible. This could have been done as part of the bipartisan agreement on budget and debt limits announced Monday. Unfortunately, I fear a misunderstanding of what extenders really are by the new Members

in the House of Representatives and whom they benefit on the part of the same Democratic House majority contributed to these extenders being left out of the deal announced Monday.

I know there are those who question the need to extend these provisions in perpetuity. It happens that I agree with those points of view. That is why the Finance Committee, which I chair, created a series of task forces to examine these policies for the long term.

The task forces were charged with examining each of these provisions to determine if we can reach a consensus on a long-term resolution so that we don't have to have an extended debate every 2 years about extending extenders or tax credits.

I look forward to receiving the summations of the task forces that I have appointed later this week. Hopefully, these submissions will provide a basis for the Finance Committee to put together an extenders package before the end of the year that includes longer term solutions for as many of these temporary provisions as possible.

This is important so that we can stop the annual exercise of kicking the can down the road. However, in the meantime, I remain committed to acting as soon as possible so that taxpayers who have relied on these provisions in 2018 don't end up feeling like Charlie Brown after Lucy pulls the football away.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

ALLOWING THE DEPUTY ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION ON THE DATE OF ENACTMENT OF THIS ACT TO CONTINUE TO SERVE AS SUCH DEPUTY ADMINISTRATOR

Mr. BARRASSO. Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 2249, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2249) to allow the Deputy Administrator of the Federal Aviation Administration on the date of enactment of this Act to continue to serve as such Deputy Administrator.

There being no objection, the Senate proceeded to consider the bill.

Mr. BARRASSO. 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 (S. 2249) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 2249

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. AUTHORITY FOR CONTINUATION OF SERVICE OF THE DEPUTY ADMINISTRATOR OF THE FEDERAL AVIATION ADMINISTRATION.

(a) IN GENERAL.—An individual serving as Deputy Administrator of the Federal Aviation Administration on the date of enactment of this Act may continue to serve as such Deputy Administrator, without regard to the restrictions specified in the 5th sentence of section 106(d)(1) of title 49, United States Code.

(b) RULE OF CONSTRUCTION.—Nothing in this Act shall be construed as approval by Congress of any future appointments of military persons to the Offices of Administrator and Deputy Administrator of the Federal Aviation Administration.

HEALTHCARE

Mr. BARRASSO. Mr. President, I come to the floor today again, as I have week after week, to highlight the healthcare policy disaster the Democrats have labeled as Medicare for All. This mislabeled, one-size-fits-all approach takes health insurance away—takes it away—from 180 million Americans who have earned and who get their health insurance on the job.

Still, many Democratic Members and many Presidential candidates support this radical proposal, which would actually eliminate on-the-job insurance. Offered originally by Senator SANDERS, this so-called Medicare for All bill would dramatically raise taxes. It would destroy Medicare as we know it, and, of course, it would ration care.

Last week I discussed healthcare rationing in Britain and in Canada. Today my focus is the plan's impact on medical innovation. As a doctor, I continue to remain astonished at how far medical technology has come in the 30 years since I started to practice medicine. Scientific breakthroughs are saving lives all around the world. I know because my wife Bobbi is a breast cancer survivor.

According to the American Cancer Society, the death rate for women with breast cancer has fallen nearly 40 percent. More women are living longer after being diagnosed and treated. The progress is due to earlier detection as well as better treatment. It is a combination.

This is not limited to breast cancer alone. The death rate for all cancer patients has steadily declined. The diagnosis of cancer is no longer considered a death penalty. People survive and thrive. We have made tremendous strides. U.S. brain power has led the way. According to the New York Times, the United States is "home to an outside share of global [healthcare] innovation."

The innovation comes from America. Patients the world over depend upon our medical breakthroughs.

What happens if we put Washington in charge of all of U.S. healthcare? Washington bureaucrats—not you, not your family, not your doctor, not scientists, but Washington bureaucrats—will call the shots.

Let's look again at Britain, which has a government-run system. There was a recent headline in the British