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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.

Eternal God, who judges justly our Nation and world, we honor Your Name. You are so patient with us. Cleanse our eyes, that we may see more clearly. Open our hearts, that we may love You more dearly. Lord, we confess that sometimes injustice seems to prevail. Avenge injustice, O God, and cause the godly to rejoice. Deliver us from those who seek to set an ambush for freedom.

Lord, give our lawmakers the wisdom to look to You for safety, for You are our strength and salvation.

We pray in Your loving 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 (Mr. CRAMER). The Senator from Iowa.

Mr. GRASSLEY. I ask unanimous consent to address the Senate for 30 seconds.

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

### HONORING MERLE DAVID HAY

Mr. GRASSLEY. Mr. President, I would like to share some real Iowa history this morning.

Merle David Hay from Glidden, IA, was the first Iowa serviceman to die in World War I. Hay enlisted on May 9, 1917, with his father's blessing, as he was too young to be drafted. He was assigned to the 1st Infantry Division, Company F.

In the early hours of November 3, 1917, while posted in the trenches near the French village of Artois, the Imperial German Army attacked, and Merle Hay was killed. Hay's father said: "I am proud of my boy if he has given up his life for his country."

Merle Hay Road in Des Moines, IA, is a constant memory of this person's sacrifice.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### REMEMBERING DAVID JONES, SR.

Mr. McCONNELL. Mr. President, I would like to take a moment this morning to mourn the passing of a devoted son of Louisville, KY, and someone I was lucky to call a very dear friend.

I can say without exaggeration that David Jones, Sr., was the single most influential friend and mentor I have had in my entire career. I have never forgotten something he told me when I was starting out in Jefferson County. He said: "The most important word in the English language is 'focus.'"

David used his extraordinary focus and many other talents to build an extraordinary American business and to better his community. Whenever a local need had somebody—almost everybody, actually—stumped, David always seemed to end up in the thick of it, forging a path to success.

In the days ahead, many will rightly pay tribute to David's brilliance and his determination, but he was also one of the kindest, most decent, most generous individuals I have ever met. I will sorely miss his friendship, and Kentuckians will miss his extraordinary leadership.

### APPROPRIATIONS

Mr. McCONNELL. Mr. President, on an entirely different matter, today the Senate will have an opportunity to take the first procedural step toward keeping the Federal Government funded and open.

At the end of July, the White House and the Speaker of the House reached an agreement to guide the appropriations process. Both parties, both Chambers, and both sides of Pennsylvania Avenue agreed to the terms. We laid out top-line funding targets for defense and nondefense; we swore off poison pill policy riders; and, unlike the past several budget deals, which took a full year to negotiate while appropriations languished, we finished this year's deal much earlier to ensure we had enough time to move the appropriations bills.

In other words, congressional leaders and the President laid the ground for a sensible, bipartisan funding process, but instead, over the past week and a half, we have seen our Democratic colleagues suggest that they may try to shoehorn their longstanding disagreements with President Trump into this appropriations process. Even though we all agreed not to insist on poison pills or change existing Presidential authorities, Democrats are threatening to filibuster Chairman SHELBY's clean Defense bill over their disagreements with the President on immigration policy.

I sure hope that doesn't happen. I hope our Democratic friends will allow the process to move forward when we vote later today. The stakes are high. We are talking about critical resources for the missions of the Department of Defense. Our military commanders have told us that this funding is vital to keeping peace with Putin's Russia, China, and all their efforts to harm America's interests. Just days ago, Saudi Arabian energy facilities literally went up in flames after what appears to be a massive, coordinated attack by Iran.

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



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In a world this dangerous, uncertain funding and continuing resolutions will not cut it for our national defense. Our men and women in uniform do not deserve to have the funding for their tools, their training, and their own pay raise, by the way—pay raise—used as leverage by Senate Democrats to try to extract concessions from the White House.

So, look, I would urge each of our colleagues to join me today in taking the first step toward fulfilling our obligation to keep this country safe and secure.

#### ENERGY INDEPENDENCE

Mr. MCCONNELL. Mr. President, on another matter, we are closely monitoring events in the Middle East following that provocative and dangerous Iranian attack on Saudi energy facilities, which included the largest oil processing facility in the entire world.

As I said on Monday, Iran's reckless behavior is not just a threat to the region but to the entire global economy, and it must be met with swift consequences from the international community.

As the United States and our allies continue to learn more and weigh our options, there has already been one positive lesson that should not go unnoticed. While the attack has shaken global energy markets, to be sure, the United States is in a much better position to weather the storm than we might have been in past decades.

For years and years, an international attack of this magnitude would have been virtually guaranteed to roil the U.S. economy and send gas prices soaring for Americans at the pumps, but so far, this time around, analysts don't expect this event to yield the significant impacts we would have seen back in the seventies or even in the nineties. Why is that? The answer is three words: American domestic energy.

Over the last decade and often over the strenuous, strenuous objections of Democrats, our Nation has made incredible strides toward energy independence. We have explored new technologies, new methods, and new ways to fuel America's prosperity right here at home, and it is paying off big time. By 2015, our production had become so robust that I led the charge to lift the outdated ban on crude oil exports. Late last year, thanks in part to Republican policies, the United States became a net exporter of oil for the first time in decades.

Get this: Across all forms of energy, the Department of Energy projects that next year our Nation will export more energy than we import for the first time since 1953. Let me say that again. Thanks largely to Republican policies, our Nation is poised to become a net energy exporter for the first time since the Eisenhower administration.

That is huge progress, not just for our economy but, as we have just been reminded, for our national security as

well. You would think the country would be united in celebration, but not everyone is happy. Oh, no. Last week, just days before this massive disruption in the Middle East, House Democrats sent us several bills designed to limit domestic energy development and literally tie America's hands. One of those bills would have shut off exploration in a small portion of ANWR in remote Alaska. They want to reverse something that had been sought for 40 years until Republicans secured it in 2017.

So, as far as I can tell from the bills the House keeps sending us, the socialists who are calling the shots over there have never seen a pipeline they didn't want to cancel. They have never seen a pipeline they didn't want to cancel, a responsible development they didn't want to kill, or a step toward American energy independence they didn't want to reverse.

Along with the Democratic House, this also seems to describe their party's Presidential candidates. Almost all of them have endorsed the radical idea of ending oil and gas exploration on Federal lands not only offshore but onshore, too. Let me say that again. Almost all of them have endorsed the radical idea of ending oil and gas exploration on Federal lands, not only offshore but onshore, too. That is today's Democratic Party. This ideology has consequences for American prosperity, but it also weakens our Nation's footing in the world.

Just days after these Democratic votes, we were offered a sobering reminder of just how important American energy really is.

So here is the good news: This Republican Senate is on the job, and we won't let Democrats take us backward. We won't let them reduce our prosperity or make us more vulnerable to overseas chaos. Republicans will keep working to help our Nation thrive.

#### 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 Robert A. Destro, of Virginia, to be Assistant Secretary of State for Democracy, Human Rights, and Labor.

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

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

#### APPROPRIATIONS

Mr. THUNE. Mr. President, defense funding is always an imperative. There are always going to be bad actors who threaten our country, whether they are major powers like China or Russia or terrorist organizations like ISIS or al-Qaida. We have to be prepared to counter those threats.

In the United States, we are used to having the most outstanding military in the world. In fact, we have come to rely on it. We assume our military will always be the best because it has been the best for as long as we can remember, but we can't forget that our military preeminence is the result of sustained investment. While our soldiers, sailors, airmen, and marines constitute the most advanced and proficient fighting force in the world, they can't do their jobs or maintain our military superiority without adequate resources. That includes funding, not just the weapons, equipment, and technology of today, but also the weapons, equipment, and technology of the future. It is too late to modernize our military when the threat has reached us. We need to invest in the equipment and technology of the future now so that when the threats of tomorrow materialize, we will be ready. This means delivering platforms like the future B-21 bomber on schedule and making robust investments in the cyber and space domains.

Right now, our military is rebuilding after years of underfunding and the strains in the war on terror. Here in the Senate, Members of both parties have worked together over the past couple of years to meet our military's funding and rebuilding needs. I hope that trend will continue.

In November 2018, the bipartisan National Defense Strategy Commission released a report that warned that our readiness had eroded to the point at which we might struggle to win a war against a major power like Russia or China, and the Commission noted that we would be especially vulnerable if we were ever called on to fight a war on two fronts. That is a dangerous situation for our country to be in, and we need to keep working to rebuild our military so that we are not trailing behind other nations.

Other countries are certainly not holding back when it comes to military preparedness. Russia and China are busy investing in their militaries as we speak, and they have recently conducted joint military exercises. As the leader noted on the floor on Monday, military spending in China over the

last decade has nearly doubled. Meanwhile, these countries have continued to flex their military power outside the borders of their countries, underscoring the need for other nations to be prepared to deter their aggressions. Of course, while we may be in a new era of great power competition, we still face threats from rogue states and terrorist organizations. We need to be prepared to meet multiple threats on multiple fronts if we want to ensure the security of our Nation.

Later today, the leader is planning to have the Senate vote to begin debate on a package of appropriations bills, including this year's Defense appropriations bill. Less than 2 months ago, the Democrats in both the House and the Senate agreed on an increased funding level for our military, which is reflected in the Defense appropriations bill.

The Defense appropriations measure funds current military priorities and invests in the research our men and women in uniform need to be prepared for the future. It also provides for a 3.1-percent pay increase for our military, which is the largest pay increase in a decade. So it would be very disappointing if the Democrats chose now to play politics and put their personal political agenda over the security of our country and the welfare of our men and women in uniform.

The military needs to be funded through regular order appropriations bills, not through temporary funding measures that leave the military in doubt about funding levels and unable to start essential new projects. So I hope that our Democratic colleagues will honor the commitment they just made and will work with the Republicans to pass the Defense appropriations package before the end of the fiscal year.

Likewise, I hope the Senate Democrats will resist the temptation to play politics over this year's national defense authorization bill and will work with us to initiate a conference with the House to resolve our differences. Our colleagues have the opportunity to take both of these important steps this week.

RECOGNIZING THE U.S. AIR FORCE AND SOUTH DAKOTA AIR NATIONAL GUARD

Mr. President, before I close, I wish a happy 72nd birthday today to the U.S. Air Force, most especially to the airmen of Ellsworth Air Force Base in South Dakota.

I also wish a happy birthday to the South Dakota Air National Guard, which celebrates the 73rd anniversary of its establishment on Friday.

The Guard's 114th Fighter Wing recently had a change of command. Col. Mark Morrell assumed command from Col. Nathan Alholinna on September 7.

I wish the Fighting Lobos continued success under its new leadership, and I wish Colonel Alholinna the best and thank him for his many years of service.

While investing in equipment and technology that are essential to our

Nation's defense, as always, our greatest strength is found in the men and women of the U.S. military. It is, first and foremost, because of their dedication and sacrifice that all of us live in freedom.

I hope the men and women of Ellsworth Air Force Base and the South Dakota Air National Guard enjoy their celebrations this week. They are well deserved.

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

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

E-CIGARETTES

Mr. DURBIN. Mr. President, it started sounding too familiar to me. For a long time on Capitol Hill, I have been involved in public policy debates about Big Tobacco, about nicotine and cigarettes, and about the public health consequences of smoking. It is a personal issue, of course, for me and for so many of us.

Our families have been touched by tobacco-related disease and death. I lost my father to lung cancer. He was 53 years old. He smoked two packs of Camels a day. I stood by his bedside when I was just a high school student and saw what tobacco could do.

When I was elected to Congress, I decided to try to take on Big Tobacco. It was not an easy task. Those in Big Tobacco had very many friends in high places, and they made it clear in both political parties in the House of Representatives that tobacco was untouchable.

I offered an amendment, quite a few years ago now, to ban smoking on airplanes. It was really because of my irritation and strong feelings that the people who were on the plane who were nonsmokers shouldn't have to breathe in secondhand smoke. To my surprise, we passed it in the House by a handful of votes even though the leadership of both political parties opposed it. Then it came over here, and Senator Frank Lautenberg, of New Jersey, passed it as well. It became the law of the land.

Neither Frank nor I could have predicted what would happen next, but as the American people noticed that secondhand smoke was taken off of airplanes, they started asking a lot of these questions about why you wouldn't take it off of trains and buses and out of offices, hospitals, restaurants, and on and on. The net result was that of a change across America when it came to standards for smoking and tobacco cigarettes.

Then I enlisted a group that was showing extraordinary leadership in Washington. It was called the Campaign for Tobacco-Free Kids. Matt Myers, the director, still works for that organization. We went to the

heart of the issue, and that was the fact that Big Tobacco was doing its best to make teenagers its customers. It had to. It was losing too many of its best customers because they were dying from Big Tobacco's product.

It tried to addict children, and it was successful with ad campaigns. The Joe Camel ads, the Marlboro cowboy, and all sorts of cartoon figures were really appealing to children. It worked. It was able to replenish its smokers with kids who started smoking at earlier and earlier ages.

We went after them. Eventually, there was a national lawsuit against the tobacco companies. We changed the standards for selling tobacco in America. We made it much more difficult for kids to get their hands on cigarettes, and, over time, we reduced the percentage of kids who were using these tobacco products.

The tobacco companies faced a dilemma. They were losing their best customers—the kids. What were they going to do to maintain their profits?

Several years ago, it became pretty obvious that they had found an alternative product called e-cigarettes and vaping. What was good about this was they could make health claims about e-cigarettes and vaping. They could argue that since you were taking tobacco out of the equation, merely sucking in some form of nicotine vapor was preferable from a health perspective. Yet, when it came right down to it, there was no proof of that whatsoever.

JUUL is the biggest e-cigarette/e-vapor device maker in America. Its full-page ads in newspaper after newspaper have made these health claims that, in fact, e-vaping is a healthy alternative to tobacco cigarettes. Yet there is no proof—none.

Then something else started happening. We started noticing that all across America, kids—the same kids who once used to be the targets of Big Tobacco—were now the targets of Big Vaping. Vaping targets kids. The numbers tell the story. As of 2 years ago, 11 percent of high school students in America were vaping. A year later, there were 20 percent, and there are 27 percent today. More than one out of four high school students is using e-cigarettes and vaping today. Even worse, 10 percent of middle school students—10-, 11-, and 12-year-olds—are vaping.

The numbers are growing, and you wonder why. The people in the vaping industry know how to target kids. They target them with flavors that are designed just for kids—Razzleberry, Gummy Bears, Bubble Gum, Unicorn Milk. How many 50-year-old chain smokers can't wait to get Unicorn Milk flavoring for their vaping devices? It is all about kids. The vaping industry, despite all of its public denials, has targeted these kids and has, effectively, recruited our children to be the next generation of vaporers for life.

How much nicotine is in that little vaping device, the one that looks like

it is a flash drive for your computer? There is an equivalent amount of nicotine in vaping as in a total pack of cigarettes. You get 20 cigarettes in one hit on a vaping device. Nicotine is a very addictive chemical. I know from my family experience, and we all know, from those who try for long, long times to quit using tobacco cigarettes, that the nicotine draws them back time and again.

This addiction was underway, and I started writing letters, which Senators do. I protested to the Food and Drug Administration, to the Surgeon General, and to anyone else who would listen that this vaping epidemic was dangerous—dangerous for our kids and dangerous for our future. It took the longest time to get their attention. In fact, with those in this new Trump administration, they initially postponed any action against vaping until the year 2022, which would be beyond the President's first term.

Well, I went to Dr. Gottlieb, who then was head of the FDA, and said: You can't wait 4 years. You have to do something right now about vaping.

He resisted for a while, but then he came around. He held a press conference, and do you know what he called this vaping situation? An epidemic. The head of the Food and Drug Administration, a medical doctor, Dr. Gottlieb, called it an epidemic.

So then he left for family reasons, and he had a successor, Dr. Ned Sharpless, Acting Commissioner of the Food and Drug Administration. I appealed to him, saying: Do something. You have the power right now to take all of these children's flavors off of the market for vaping. You could do it today.

Secondly, you could ban most of the vaping devices, which have never been approved by the government. He didn't want to do it. He dragged his feet. It went on for months.

I will have to say, in all candor and honesty, last week there was a breakthrough. Last week, the Trump administration addressed this issue directly.

Last Monday, the Food and Drug Administration said to JUUL, the major manufacturer: Stop making health claims you can't prove. Stop telling people your product is a healthy alternative to tobacco cigarettes. There are no clinical trials. There is no proof, no credible medical study you can point to, to make that claim, so stop saying it.

Then, just a couple days later, they went even further, banning the use of these flavors that have enticed children into vaping and e-cigarettes. They have announced that probably within 30 days, as their estimate, these are all going to have to come off the market, and in May of next year, the companies that make them can apply to bring them back on the market if they can prove they are good for public health.

Well, Senator LISA MURKOWSKI of Alaska, a Republican, and I have had a bill for several months now on this

issue. I thank her for her bipartisan cooperation in this effort. It is great to have her by my side. She is a terrific ally.

She and I believe none of these flavors should come back on the market until it is proven they are not dangerous to children and that they in fact do help adults stop smoking and can show positive results. I think that is a hard measure, a hard standard for them to meet, and it should be because the alternative is unacceptable—more children addicted to e-cigarettes and vaping.

There may be a place for e-cigarettes at some point in the future. I am not sure where it will be, but as long as they are endangering our children with their products and their flavors, I am going to continue to fight their efforts.

I want to say something else. Even in the midst of my battles against Big Tobacco, I still remember what my dad went through when he tried to stop smoking—dying of lung cancer, trying to stop smoking. It was so hard and painful, and I watched him as a young boy and saw the struggle he went through.

I have always said we have to show some caring and compassion for the people who were once tobacco users and want to quit, and today we have to show the same level of caring when it comes to all of these high school students—5 million American high school students—who are vaping and using e-cigarettes and should quit. We need to give them a path, a recommendation.

I wrote to the Surgeon General last week and asked him to come up with a plan, an educational approach, to allow these young people to get off this nicotine addiction before it is too late.

What has happened in the past, sadly, is that many of the high schoolers who were using e-cigarettes didn't quit completely from anything; they moved to tobacco cigarettes with the nicotine they were seeking in a different form.

So that is the challenge we face. After years of inaction and a lot of telephone calls and letters and meetings, the Food and Drug Administration has done the right thing. I hope by the end of this year, these flavors will be off the shelf, and I hope the Food and Drug Administration truly enforces what they announced last week.

It has been 10 years since Congress gave the Food and Drug Administration the legal authority to regulate all tobacco products, including e-cigarettes. There is no doubt about their legal authority.

Last year, 4 million children under the age of 18 were vaping in America. As I mentioned, today the number is 5 million.

Over the last 2 years, we have seen a 135-percent increase in America's children using e-cigarettes.

Ask any public health official what this means. If we didn't do something, the numbers would continue to grow unchecked. Schools are taking doors off of toilet stalls so kids can't sneak

in and use e-cigarettes and vape between classes. Some kids are bold enough to try to do it in class.

We have now linked e-cigarettes and vaping to over 380 cases of confirmed and severe respiratory illness nationwide. As of last night, in California, the seventh young person has died from vaping.

We have 52 confirmed cases and 1 reported death in Illinois, but I can tell you that on Monday morning, one of my friends, a doctor in Chicago, told me in private that he had visited a major hospital, and three young people who had been vaping were hanging on by a thread to life. Kids as young as 15 have been hospitalized.

There is no specific device or substance that has been linked to all of these cases, but the one common denominator is e-cigarettes.

This nicotine addiction and what it leads to—especially JUUL's devices, which are extraordinarily popular, with the highest levels of nicotine we have seen in products legally sold in America.

Nicotine is both toxic and highly addictive. It raises blood pressure, spikes adrenaline, and increases the risk of heart disease. It can have short- and long-term negative health impacts on the developing brain, particularly, including increased risk of addiction, mood disorder, and permanent lowering of impulse control.

Kids who use e-cigarettes are three times more likely than their peers to transition to traditional tobacco cigarettes, and they, of course, kill almost half a million Americans a year.

So that is our problem. That is our challenge.

I would add, too, that it is time for us to start taxing this product. For years, I have been sounding the alarm that the vaping industry is following Big Tobacco's playbook when it comes to appealing to our children.

I have learned over the years, in all my battles against Big Tobacco, that the single most effective tool to prevent children from starting the use of tobacco cigarettes is to price it out of their range.

That is why we passed cigarette taxes years ago—and many States and localities followed suit—and why later this week I will be introducing the Tobacco Tax Equity Act. This legislation will establish the first Federal e-cigarette tax. It will close loopholes exploited by Big Tobacco to avoid the taxes, and it will double the Federal Government tax rate and peg it to inflation so it remains an effective public health tool in the future.

Studies have shown that even a 10-percent tax lowers tobacco use by as much as 5 percent. The Surgeon General and World Health Organization have called it the most effective way to reduce tobacco use. I think the same will be true for e-cigarettes.

The FDA's flavor ban announcement was an important first step. Now we need to make sure the ban is implemented quickly and that it is enforced strictly.

We need the FDA to better regulate e-cigarette devices, many of which are easily tampered with and being used in conjunction with adulterated and counterfeit products.

We need the Surgeon General to come up with a plan to help the millions of kids who are now addicted, and we need to start taxing e-cigarette companies who have created today's youth vaping epidemic.

A movie we have seen before of Big Tobacco exploiting kids, finally—finally—resulted in public action against those tobacco companies, and the rate of teen tobacco cigarette smoking went down dramatically. Let's not sit through that same movie again.

When it comes to vaping and e-cigarettes, let's move quickly to protect our children.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

Mr. SCHUMER. Mr. President, I ask unanimous consent to speak in leader time.

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

#### APPROPRIATIONS

Mr. SCHUMER. Mr. President, the appropriations process demands that Republicans and Democrats work together. If one party decides to go it alone, it can wreck the spirit of bipartisanship necessary to responsibly fund the government. Unfortunately, Republicans elected to depart from a bipartisan path early in the appropriations process this year.

We had a bipartisan deal on the budget caps—the 302(a), the defense-non-defense side. We were working on allocations to the 12 subcommittees when the Republicans decided, without consulting any Democrat, to divert funds from medical research, opioid treatment, and our military and their families so they could appease the President's wish to spend up to \$12 billion extra for a border wall—a wall, by the way, that the President promised Mexico would pay for.

Leader MCCONNELL and Chairman SHELBY knew it would not fly with Democrats, and this ruse—this stunt, as the Republican leader is fond of calling things that can't pass—puts the entire appropriations process in jeopardy.

Somehow, in the wake of all of this, the Republican leader has been accusing Democrats of threatening to block military funding. That is an absurd statement, if there ever was one. We are simply trying to stop Republicans from stealing the money from our military and putting it into the wall, which he said Mexico would pay for.

The outcome of the upcoming vote to proceed to defense approps is not in doubt. Leader MCCONNELL knows that Democrats, as well as several Republicans, oppose moving funds to the President's border wall that have been duly allocated by Congress for other important purposes, all military. The fact that Leader MCCONNELL has scheduled this vote, knowing it would fail, makes it nothing more than a partisan stunt. My friend the leader reminds us all the time that the Senate is the place to make laws, not engage in political theater. With the vote, Leader MCCONNELL will shatter his own rule.

At the same time, Republicans are considering having a vote tomorrow to instruct the NDAA conferees to backfill some of the money they want to divert for the President's wall. The House already voted this down. Democrats—myself, Speaker PELOSI, Chairman LOWEY, and Ranking Member LEAHY—have been crystal clear. We are not going to bless the President's stealing money from the military by backfilling it later. This would render Congress toothless and the appropriations process meaningless. If the President is allowed to take money from where Congress allocates it and puts it wherever he wants and we just give it back to him, what is the point? Democrats won't vote for that ridiculous precedent.

Let's remember what this is all about. The President pledged to build a border wall that he promised Mexico would pay for. He then broke that promise and demanded Congress appropriate taxpayer dollars for the wall instead. When Congress declined to do that, the President declared a legally dubious national emergency to divert already allocated military funds to his wall. Now he is trying yet again to appropriate taxpayer money for the wall, which is the same strategy that failed when he tried it a year ago and then threw a temper tantrum and promised the famous Trump shutdown.

I know my Republican friends want to wiggle out of this, but there is only one way to return the money to our troops, where it belongs: Republicans and Democrats join together in voting to terminate the President's emergency declaration.

#### ELECTION SECURITY

Mr. President, in the Appropriations Committee markup tomorrow, there will be a vote on an amendment to increase election security funding for the coming year. Senate Republicans blocked a similar amount last year, and, since then, Leader MCCONNELL has stonewalled election security legislation, even the most bipartisan, sensible compromises.

While we still greatly desire to move that legislation and believe it to be essential, additional funding for States to harden their election infrastructure and prevent Russian or Chinese or Iranian interference is what this amendment provides tomorrow and is a no-brainer.

On the Senate floor yesterday, Leader MCCONNELL said: "As partisanship bogs us down here in Washington, Moscow and Beijing are not exactly slowing down to wait for us." I agree. Foreign adversaries are lining up to do what Putin did in 2016.

With the Presidential campaign set to begin in earnest next year, the time is now to safeguard our elections from foreign interference. The country will be watching how Senate Republicans vote on the election security amendment tomorrow.

#### ENVIRONMENTAL PROTECTION AGENCY

Mr. President, it has been reported that the Trump administration is planning to finalize a rule that would block any State from getting ahead of the Federal Government to deal with carbon pollution from cars. That includes revoking a waiver granted to California that allows the State to place more stringent limits on carbon pollution than the Federal Government. In the Trump era, we are frequently confronted with the absurd, but this is beyond ridiculous.

The President is the leader of the self-proclaimed party of States' rights. Yet he is blocking States from setting their own standards. This President has repeatedly said that "we have the cleanest air, the cleanest water," almost like a mantra. Yet he is trying to prevent California and other States from cleaning up their air pollution. The President's position is, very simply put, this: No, California, I insist you pollute more. That is in effect what the President is saying.

Congress has spoken on this matter. The Clean Air Act says, in no uncertain terms, that California can go further than the EPA to reduce pollution from cars. So this is a terrible idea by the EPA, a terrible idea by the Trump administration, full of hypocrisy and contradiction, clearly illegal, and I am confident that it will be struck down.

#### NOMINATION OF ROBERT A. DESTRO

Mr. President, on one final issue, the Destro nomination, today the Senate will vote on the confirmation of Robert Destro to serve as the Assistant Secretary of State for Democracy, Human Rights, and Labor, responsible for the State Department's promotion of democracy, civil rights, and fair working standards across the world. Typical of the Trump administration, they have nominated someone whose record is diametrically opposed to the mission of the job to which he is nominated.

Mr. Destro has vocally opposed the movement for LGBTQ equality and has been a staunch supporter of State-level religious freedom laws that have acted as backdoors to discriminate against LGBTQ Americans. He has a long record of opposition to a woman's constitutional right to make her own healthcare decisions. When asked about the requirement that insurance plans cover contraception, his response was "the idea that you're entitled to have someone pay for your birth control pill is kind of ridiculous."

If confirmed, Mr. Destro—this very same Mr. Destro who is opposed to the rights of women, who is opposed to the rights of LGBTQ people—will be in charge of promoting civil rights around the world. What message would that send to women and members of the LGBTQ community who struggle under intolerant and oppressive governments? The answer is obvious. That is why yesterday every single Democrat, and even one Republican, voted against proceeding to his confirmation. I urge my Republican colleagues to study Mr. Destro's record, consider the job he is supposed to do, and join us in voting no on his nomination.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE).

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 49, nays 44, as follows:

[Rollcall Vote No. 289 Ex.]

YEAS—49

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

NAYS—44

Baldwin	Cortez Masto	Kaine
Bennet	Duckworth	King
Blumenthal	Durbin	Leahy
Brown	Feinstein	Manchin
Cantwell	Gillibrand	Markey
Cardin	Harris	Menendez
Carper	Hassan	Merkley
Casey	Heinrich	Murphy
Collins	Hirono	Murray
Coons	Jones	Peters

Reed	Sinema	Van Hollen
Rosen	Smith	Warner
Schatz	Stabenow	Whitehouse
Schumer	Tester	Wyden
Shaheen	Udall	

NOT VOTING—7

Alexander	Roberts	Warren
Booker	Rounds	
Klobuchar	Sanders	

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the next nomination.

The bill clerk read the nomination of Brent James McIntosh, of Michigan, to be an Under Secretary of the Treasury.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the McIntosh nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting: the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

The PRESIDING OFFICER (Mr. LANKFORD). Are there any other Senators in the Chamber wishing to vote or to change their vote?

The result was announced—yeas 54, nays 38, as follows:

[Rollcall Vote No. 290 Ex.]

YEAS—54

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

NAYS—38

Baldwin	Durbin	Markey
Blumenthal	Feinstein	Menendez
Brown	Gillibrand	Merkley
Cantwell	Harris	Murray
Cardin	Hassan	Peters
Carper	Heinrich	Reed
Casey	Hirono	Rosen
Coons	Kaine	Schatz
Cortez Masto	King	Schumer
Duckworth	Leahy	Shaheen

Smith	Udall	Whitehouse
Stabenow	Van Hollen	Wyden
Tester	Warner	

NOT VOTING—8

Alexander	Klobuchar	Sanders
Bennet	Roberts	Warren
Booker	Rounds	

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Brian Callanan, of New Jersey, to be General Counsel for the Department of the Treasury.

The PRESIDING OFFICER. The question is, Will the Senate advise and consent to the Callanan nomination?

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Tennessee (Mr. ALEXANDER), the Senator from Kansas (Mr. ROBERTS), and the Senator from South Dakota (Mr. ROUNDS).

Further, if present and voting, the Senator from Tennessee (Mr. ALEXANDER) would have voted "yea."

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), 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 55, nays 39, as follows:

[Rollcall Vote No. 291 Ex.]

YEAS—55

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

NAYS—39

Baldwin	Harris	Peters
Bennet	Hassan	Reed
Blumenthal	Heinrich	Rosen
Brown	Hirono	Schatz
Cantwell	Kaine	Schumer
Casey	King	Shaheen
Coons	Leahy	Smith
Cortez Masto	Markey	Stabenow
Duckworth	Menendez	Tester
Durbin	Merkley	
Feinstein	Murray	
Gillibrand	Paul	

Udall	Warner	Whitehouse
Van Hollen	Warren	Wyden

## NOT VOTING—6

Alexander	Klobuchar	Rounds
Booker	Roberts	Sanders

The nomination was confirmed.

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

The PRESIDING OFFICER. The Senator from Texas.

## ORDER OF BUSINESS

Mr. CORNYN. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the Senate proceed to legislative session to resume consideration of the motion to proceed to H.R. 2740; further, that at 2:20 p.m., there be up to 20 minutes of debate equally divided between the chairman and ranking member; and that following the use or yielding back of that time, the Senate vote on the cloture motion on the motion to proceed to H.R. 2740, with the mandatory quorum call being waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## LEGISLATIVE SESSION

LABOR, HEALTH AND HUMAN SERVICES, EDUCATION, DEFENSE, STATE, FOREIGN OPERATIONS, AND ENERGY AND WATER DEVELOPMENT APPROPRIATIONS ACT, 2020—Motion to Proceed

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to legislative session to resume consideration of the motion to proceed to H.R. 2740, which the clerk will report.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 140, H.R. 2740, making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

## GUN CONTROL MEASURES

Mr. CORNYN. Mr. President, one of most poignant moments of my life—and certainly of my career here in the Senate—came in 2017, when a gunman opened fire on a Sunday service at the little Baptist Church right outside of Sutherland Springs, TX.

Twenty-six lives were lost that day; 20 people were injured; and the entire community—that small, little community outside of San Antonio—was shaken to its core by this hateful act.

It didn't take us too long to learn about the shooter—a man with a record of domestic violence, animal cruelty, and mental illness. He had been court-martialed by the Air Force and con-

victed of serious domestic abuse, which is a felony.

By law, the shooter should have been prevented from purchasing or even possessing a firearm, but he wasn't because the critically important information about his criminal background had not been uploaded into the relevant background check databases maintained by the FBI, even though a Federal statute clearly states that all Federal agencies are required to do so. As a result, the gunman was able to unlawfully purchase four firearms, three of which he used to carry out this despicable act.

In the wake of any tragedy like this, you can't help but ask: What if?

In this instance, it was our sad duty to ask those questions, but we knew the answer. If his criminal record had been uploaded into the FBI background check system, the shooter would have been prevented from purchasing these firearms that he used in the attack.

It was the worst kind of system failure. I searched my conscience, and I searched the record to try to figure out exactly what we might be able to do to prevent acts like this from occurring in the future.

Ten days after the shooting, I introduced a bill called the Fix NICS Act. Now, it is a little bit confusing. NICS is the National Instant Criminal Background Check System. But it was clear that we needed to fix the National Instant Criminal Background Check System—hence, the name Fix NICS Act, which is now law.

That law broadened the background check system to prevent violent criminals who shouldn't be able to purchase firearms from being able to do so. It was actually one of the good things that came out of this terrible tragedy. At a time when division and partisanship were much more common than working together, we actually were able to overcome that partisan divide and division to pass this commonsense solution to a real problem, which I am convinced will save lives in the future. This is the kind of thing our constituents expect us to do and what we need to do more of.

It has been 2 years since the shooting in Sutherland Springs. Unfortunately, that was not the last mass violence episode experienced by the State of Texas. On August 3 of this year, a gunman stormed the El Paso Walmart, killing 22 people and wounding two dozen others. Less than a month later, on August 31, a man went on a shooting rampage in Midland and Odessa, killing 7 people and wounding 25.

I visited each of these cities in the days following the shootings to pay my respects to those who had lost loved ones, to visit those who were still recovering in hospital rooms, and also to thank the law enforcement officers who I believe saved lives that would have otherwise been lost but for their quick and professional response.

In those early days, we were still gathering information and working to

get to the bottom of how these shootings happened. Now that we have a pretty good idea about what happened and what didn't happen that should have happened, it is time to work on solutions to help prevent these types of episodes of mass violence in the future.

Over the weekend, the minority leader here in the Senate and the House Speaker said that any proposal that does not include the House-passed universal background check legislation “will not get the job done.” But I would say to them that there is simply no evidence that if the House bill was law, it would have prevented any of these recent acts of violence.

I have to ask: If the solution that you proposed would not have prevented these acts from occurring, what is the point? Is this about making a statement? Is this about virtue signaling? Is this about politics? Or is this about trying to come up with solutions to the problem?

We also know that the President has repeatedly issued a veto threat on that particular bill, and we know there is zero—zero chance—that it will ever become law. That is not what I call getting the job done.

Some of the folks who don't believe in the Second Amendment are using these tragedies to advance an agenda rather than to try to solve a problem. That is not good enough, and this is not what the American people deserve.

I am not interested in introducing legislation just because we are being urged to “do something.” I am interested in trying to solve a problem and save lives in the process. That is what we did with the Fix NICS legislation, and that is exactly what we need to do by coming together once again.

In the wake of the shootings in El Paso, Midland, and Odessa, I have been working on some ideas that I believe can, once again, help to unite Congress so we can pass laws that will have a real impact, and not just “do something.”

One of the most important ways to intervene as early as possible is to improve access to mental health services. Assisted outpatient treatment programs, otherwise known as AOTs, were under the 21st Century Cures Act, as part of a bill I introduced back then called the Mental Health and Safe Communities Act.

What is so important about assisted outpatient treatment programs is the alternatives available to a family member. When your son or daughter or your spouse or your parent or your brother or your sister becomes mentally ill and is suffering a crisis, your options are extraordinarily limited. The assistant outpatient treatment programs provide alternatives to allow a family member to help somebody undergoing a mental health crisis who otherwise might be a danger to themselves and others.

We know that the most common cause of gun-related deaths are suicides. If we could somehow get people

the mental health treatment they need early, before they even think about taking their own life, we would save many lives. If we can get people—like Adam Lanza, for example, in Sandy Hook—mental health treatment, so he does not become violent to others as well, I think we have a very realistic opportunity to actually save lives going forward.

The Mental Health and Safe Communities Act also increased resources and training for law enforcement and first responders to identify those with mental illness and respond with treatment-based alternatives. By strengthening and expanding these programs and prioritizing a strong mental health workforce, I believe we can avert potential crises before they happen—not all of them, but I think we can make some real progress.

Additionally, I think there are things we could do to build on the success of Fix NICS by enforcing current law and improving the existing background check system.

We know we need to take decisive action against individuals who are violating current law by selling and manufacturing large numbers of firearms without a Federal firearms license. It is clearly Congress's intent to make sure that if you are in the business of buying and selling firearms in a commercial enterprise, you should be licensed by the Bureau of Alcohol and Tobacco, Firearms and Explosives, or the ATF.

For example, the shooter in Odessa attempted to purchase a firearm from a licensed dealer, but because licensed dealers must perform background checks, he flunked it. He managed to circumvent the background check requirement by later purchasing his weapon from an individual who was obviously in the business of manufacturing and selling firearms, but who never registered as a firearms dealer. Thus, the shooter evaded a background check, because, as I said, all federally licensed firearms dealers are required to do that.

We know that, under current law, it can be difficult to prosecute individuals who are circumventing Federal law when they fail to register as a federally licensed firearms dealer. I believe Congress has a role—and there is a pretty clear path forward—to clarify existing law so that unlicensed dealers can be prosecuted and more people in the business of selling firearms will become federally licensed firearms dealers and, thus, by definition, end up doing more background checks when they are in the business of doing so.

As we have learned as well, it is also important for us to take additional steps to harden soft targets like schools. We know that people don't generally try to shoot up a police station. They go to the soft targets, where these cowards know they will not be met with much resistance. We need to improve intervention and threat assessment at schools and share informa-

tion more broadly between teachers, parents, and counselors so we can identify potential acts of violence before they occur.

My point is that we need to focus on things that could actually work. In the case of the Fix NICS Act, it was able to become law because it had the support of both Republicans and Democrats here in Congress, as well as the President. That is precisely what we need to do again.

The sorts of things I mentioned are real and meaningful changes we can make here to prevent more communities from grieving from additional tragedies. I hope we rise to the occasion and once again work together and come up with consensus legislation. I, as one Senator, am willing to work with anyone on either side of the aisle to build consensus and to pass legislation that will make our country and our communities safer.

BRETT KAVANAUGH

Mr. President, briefly on another matter, Justice Brett Kavanaugh was confirmed almost a year ago, but that hasn't stopped the partisans on the left from carrying out their fact-devoid smear campaign.

About this time last year, the confirmation hearing for an exceptionally well-qualified nominee to the Supreme Court was turned into a media circus over uncorroborated and unsubstantiated allegations. I had hoped that we had moved beyond this embarrassing chapter for the Senate and for the country, but the circus has somehow returned.

This time, the wild accusations didn't play out here in the Senate but rather in the New York Times. That newspaper ran a story over the weekend that publicized more unsubstantiated allegations against the Justice from way back when he was in college.

The authors and editors managed to leave out the most critical detail of the entire story. The woman at the center of this reported alleged event declined to be interviewed by the journalists, and her friends say she doesn't even recall such an event from occurring. But the New York Times printed it anyway.

Well, the reaction was predictable and immediate. As members of the media began pointing out this glaring hole in the story, some Democrats saw an opportunity to continue their smear campaign against this good man. They pounced on these unsubstantiated claims as evidence of wrongdoing by Justice Kavanaugh and began calling for his impeachment.

Once the paper issued its colossal correction, none of these folks backed down or apologized for calling for the impeachment of this good judge, this good man, even though the newspaper admitted their error.

This isn't about the allegations or an investigation, or even Justice Kavanaugh, for that matter. This is just the latest assault on the independence of the Federal judiciary by a

party that is struggling to come to grips with reality.

From alarming court-packing calls to baseless allegations against a sitting Supreme Court Justice, I am not anxious to see what sort of reprehensible allegations and attacks they come up with next.

I would like to reiterate the commitment made by the majority leader earlier this week. As long as we remain in the Senate, we will prevent this type of mob rule and this sort of media circus and fight to preserve the rule of law and the independence of our judiciary.

I yield the floor.

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

APPROPRIATIONS

Mr. BLUNT. Mr. President, later in the day—certainly today or tomorrow—we will have a vote on whether we want to move forward on this year's appropriations process. The vote would allow us to move forward. Frankly, it would and should allow every Member to make any amendment they want and to debate this bill on the floor, as bills should be debated. If they don't like the House bill that we will take up—and many of us would not like the House bill—they have a chance to substitute that with another bill or make amendments on that bill. I would like to see this process get started.

A significant part of the House bill was the Labor, Health and Human Services, and Education portion. I chair that bill in the Senate. It is after the Defense bill, which would also be part of this bill, which, by the way, has the biggest pay increase for those who defend us, in a decade in it. After the Defense bill, the Labor, Health and Human Services, and Education bill is about 30 percent of all the money left. So just those two bills together is a significant amount of all Federal spending.

It would be great if we could get this done on time again this year, as we did for 70 percent of the spending last year.

I am disappointed in the bill that we actually made public as part of an alternative today. For the first time in 4 years, we weren't able to work with our friends on the other side and have a bipartisan bill. This was a bill that was designed not to bring a lot of controversial legislating into the appropriating process but to do the appropriating, to leave the language in the bills that had been there before that may have been controversial at one time but has long become part of the bill but not add new things.

We agreed to and the President signed a bipartisan agreement that reiterated that principle and set a total amount of money to be spent. In retrospect, it might have been better if we had also allocated that money between the 12 committees. We didn't do that. We basically allocated the defense part and the nondefense part. Because of that, we were not able to reach an agreement with the minority to mark up this bill the way I would have liked

to and I think, frankly, they would have liked to. Certainly, the ranking member and her staff have been an important part of this discussion.

This bill—the bill that would be our alternative today—includes funding that they would like and I like. There is a new suicide initiative. It increases early childhood care and education programs. There are new mental health workforce programs involved here. We invest in homeless youth education in the way that I think the Senate ultimately will. Those are all things that we have tried to move forward on in a way that I am confident the minority is not opposed to. I think they will find little to criticize, frankly, in the bill.

We didn't engage in a lot of new language. Some of the Republicans Members, including me, would like to see some further defining language in the bill, but that really gets to authorizing and not appropriating. That gets to passing legislation that should go through other committees and not just deciding how much money we are going to spend on those activities that the Federal Government has to participate in, is authorized to participate in, starting with the Constitution itself, the principal authorization to defend the country.

In the Labor-HHS bill, we moved forward with things we have worked together on now for 4 years—a \$3 billion increase in our Federal investment in NIH, the National Institutes of Health; opioid treatment and recovery that follows on our earlier commitments and moves that number to \$3.9 billion. We strengthened the workforce in this bill, particularly the apprenticeships, with the idea that sooner rather than later, people should get a sense of the kind of job they would like to do and understand the pathway to work, which for some people involves a college education and for lots of people does not.

I think 50 percent of the people who graduated from college are working at jobs that don't have anything to do with their college degrees. That doesn't mean the college degree was bad; it just means it is not the universal pathway that I think for almost a generation now we have talked about—how that was going to lead to better incomes and stronger families and all of that. What leads to better incomes and stronger families is a good job. It is doing things. You get out of high school and get a job and get married. If you can do it in that order, you are much more likely to not have concerns about poverty than if you try to skip any of those or do it some other way.

For a long time, this bill has been one of the most difficult bills to negotiate. It has many of the hot-button issues that the country and the Congress deal with. Again, for the last 3 years—and that was for the first time in a decade—we have had a bipartisan bill. I think at the end of the day, we will have a bipartisan agreement again, but unfortunately our friends on the minority have—I think in their frustra-

tion about the allocation of money—decided: Well, even though we have agreed not to fight about new issues—adding things to the appropriations bill that haven't been there before—we are going to fight about that. We are going to say what the President can do about this, and we are going to say what doctors can do about that.

That is not what this bill does or is designed to do.

As I mentioned earlier, one of the things we have done is one of my top priorities as chairman, which is to move forward at this unbelievably important time with health research. I can't help but point out that 4 years ago, NIH hadn't had a penny increase, not an inflationary increase, not any increase for 12 years. This was basically the same 12 years in which we began to figure out how important it was that we now understood the human genome. This was the same 12 years that cancer researchers were looking at immunotherapy. This was the same 12 years that people were beginning to talk about, well, maybe you can do some editing with CRISPR technology that will prevent a future thing from occurring, that you could look at that genetic makeup and know it is going to occur. There was not a penny increase.

Four years ago, the research community said they were 22 percent below—in research buying power—where they had been 12 years earlier. We caught up on that. If we are able to move forward with the \$3 billion increase, we will have had a 40-percent increase over five budgets. Now we are probably talking about really new money beyond where NIH was a dozen years ago. This 40-percent increase matters.

The House and Senate have worked together. Congresswoman DELAURO and Congressman COLE have worked together with Senator MURRAY and me to make this a priority. I think we want to do that again. I think the facts will show that.

Why should it be a priority? The most expensive disease in America right now is Alzheimer's. The cost to treat Alzheimer's patients is anticipated to rise to \$1.1 trillion by 2050 if we don't find some way to get what is happening headed in a different direction. And \$1.1 trillion, by the way, is essentially double the defense budget. I don't know about you—I don't have a very good sense of how much \$1.1 trillion is, but I have a good sense of what we spend all over the world, as Americans, to defend the country and help defend the world. We will be spending twice that amount in today's dollars—taxpayers—on Alzheimer's and dementia treatment in 2050 if we don't find a solution. So I think quadrupling the amount of money that we spend in this area would make more sense. We are spending a little more than 2 percent on research, of the tax dollars we are spending on treatment right now, and, again, that only gets to be a bigger problem.

Further, the bill increases funding for the BRAIN Initiative, to map the human brain, to \$500 million.

I had somebody in my office this morning saying that pediatric brain cancer is now a bigger threat to kids than leukemia. We made a real effort on leukemia. We are now moving to another area that is now attacking the lives and ending the lives, perhaps, of more juveniles than leukemia has.

We have an investment for the first time in new ways of helping caregivers of patients with Alzheimer's. The anticipation is that for every government dollar spent—and today that would be about \$600 billion a year—for every government dollar spent, there are two private dollars spent, almost never insured. A lot of that is somebody deciding in their family that they are going to give up part or all of their work to take care of somebody they care about.

We are fully funding the administration's request to end the HIV epidemic in the next 10 years. We have confidence in NIH that this is possible. We have that in sight. If we could end that as a life-threatening epidemic, it would be a big thing.

We are moving forward with combating the opioid epidemic. Our committee was a little bit ahead of the authorizers in realizing this is a huge problem for so many people in the country today.

We are making an additional \$100 million national commitment in mental health. NIH says that one in four or one in five adult Americans has a diagnosable and almost always treatable behavioral health issue.

Those are just some of the many things this bill does.

There is \$5 million requested by the minority to train professionals to provide mental health and substance abuse counseling. If you didn't have a behavioral health issue before you got addicted, you will definitely have a behavioral health issue once you have been addicted. This doesn't just end by saying we can give you something to get you off the opioid or the drug addiction you have; you have to mentally get away from that addiction as well.

We also focus on education. There are workforce initiatives to prepare younger people for jobs that are out there and prepare our entire workforce for the jobs that come next. We shouldn't be in the business of defending just any job; we want to defend viable jobs that are going to be viable today and hopefully part of the future. We want to ensure that workers are ready for the next job.

It maintains funding for campus-based student aid for people who are likely the first people in their families to ever attend college—I was the first person in my family to graduate from college—and the TRIO Programs, to get high school kids thinking about the fact that they can go to college as one of their options and what it would mean to them if they do that, to do things that help people stay in college

and do things that get people ready for real jobs that are out there.

One of the things I have noticed in the last year is how many people in their late twenties are still trying to decide what to do. I call it the lost decade. I have had so many conversations that went something like this: Well, I went to college for a semester or a year, and then I was an Uber driver for a while, and I did some landscaping. I was in retail at the lowest level. I was a bartender. Finally, it just occurred to me that this is not working. I have no retirement plan. I have no benefits. I don't make enough money to have the kind of family I would like to have.

If you missed that decade, you are lucky to ever get it back. A few people can somehow recover from that economically and replace that lost decade. But the quicker you become part of an economy that you want to be part of, the better off you will be.

In this bill, we are increasing elementary and secondary education support programs, like the Individuals with Disabilities Education Act, and there is a Pell increase for the third year in a row for people who have Pell assistance when they go to school.

We prioritized programs that benefit the country. We tried hard not to do that in a partisan way. I believe that at the end of the day, if Democrats look at this bill, they might argue about the amount of money available, but I think they would have a hard time arguing that it is not a bill that tries to really meet the challenges we face as a country.

I would like to see us move with this bill and all four of the House bills in the package we vote on today and hope to see that happen when that vote occurs.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SCOTT of Florida). Without objection, it is so ordered.

#### REMEMBERING CHIEF STANDING BEAR

Mrs. FISCHER. Mr. President, I rise today to celebrate the life and legacy of Chief Standing Bear. In about an hour, Members of the Nebraska congressional delegation, Governor Ricketts, and House and Senate leaders will gather in Statuary Hall to dedicate a statue in his honor. I am proud that the State of Nebraska put forth his statue because America needs to hear his story.

When Joe Starita, a professor at the University of Nebraska-Lincoln and esteemed author, speaks on Chief Standing Bear's life, he often begins with reciting a quote from novelist, poet, and farmer Wendell Berry. Wendell Berry once wrote: If you do not understand where you are, you do not understand who you are.

If you live in Nebraska, you understand this fully. This knowledge doesn't come from maps or directions. It springs from a true love of the land—working on it, cultivating it, raising a family, building strong communities, taking pride in your life's work, and the sweat and tears that generations of your family put into it. It means enduring its disasters and enjoying those cool peaceful nights full of stars. Chief Standing Bear and the Ponca Tribe understood this.

Imagine his surprise when on a cold January day in 1877, he and his Tribe were told to leave their beloved land. His Tribe had lived on their reservation for more than 200 years, and now they were being forced to travel nearly 600 miles to the south to Indian territory in Oklahoma.

Under the threat of bayonets, the young and old, men, women, and children packed up their possessions and began to walk. By the time the Tribe reached the territory, they were enduring the scorching months of summer.

Harvest season had passed, and the Tribe could not grow crops for the winter months. Starvation was rampant, and mosquitoes swarmed the reservation with malaria. After a year and a half, the Ponca lost over one-third of their Tribe, including Chief Standing Bear's son.

In the final moments of his life, his son made him promise that he would be buried in the Ponca Tribe's homeland in Nebraska.

To give his son the sacred burial he wanted, Chief Standing Bear led a 600-mile quest back to Nebraska, but with only an estimated 2 days of travel left ahead, he was stopped by the U.S. Cavalry and arrested. Chief Standing Bear was thrown in prison and was forced to prove that he had God-given rights as a human being.

During this time, word began to spread throughout communities about his journey. Suddenly, people began to rally around this devoted father's story. Eventually, cries for justice resulted in a historic trial in the U.S. District Court in Omaha.

The lawyers made their arguments. Then the judge granted Chief Standing Bear the opportunity to speak. The Chief rose and stood in silence while the packed courtroom anxiously waited. What followed was one of the greatest speeches in American history.

Turning to face the judge, he held up his hand and said:

This hand is not the color of yours, but if I pierce it, I shall feel pain. If you pierce your hand, you also feel pain. The blood that will flow from mine will be of the same color as yours. I am a man. The same God made us both.

Reports tell us that when Chief Standing Bear was finished speaking, the courtroom was filled with sounds of sobbing. A local Omaha World Herald reporter recounted that he saw tears on the judge's face. GEN George Crook, the defendant in the case, was one of the first in the sea of people to shake

the Chief's hand. Days later, the judge ruled in favor of Chief Standing Bear.

At long last, the landmark decision extended "equal justice under law" to Native Americans.

Nearly 75 years later, a courageous woman carried a similar message of equality in Montgomery, AL. Rosa Parks, whose statue is also in Statuary Hall, knew that standing strong for her God-given dignity was worth risking everything she had.

Months after her arrest, she said she "would have to know for once and for all what rights I had as a human being and a citizen."

I will close with this. The room we will gather in later for the dedication ceremony is known as Statuary Hall. Until 1857, the House of Representatives met there, and their business was overseen by another statue, Clio—the muse of history. She was the source of inspiration for the political leaders at the time and served as a reminder that they were part of history.

She is still there above the door leading to the Rotunda, keeping notes, documenting who we are now and where we are going. Today she will turn a new page.

In Statuary Hall, the very room where she observed Congress shamefully passing the Indian Removal Act, we will dedicate a statue to honor the life of Chief Standing Bear. It is another important lesson in our Nation's story that in the end, with bravery, determination, and empathy, human freedom will always prevail.

It is a great honor to celebrate the life and contributions of Chief Standing Bear. I know his statue will inspire millions of visitors who visit the U.S. Capitol every year. I am proud that Chief Standing Bear's legacy and the message of equality lives on in our great cathedral of democracy.

I yield the floor.

The PRESIDING OFFICER. The Senator from Iowa.

#### CONSTITUTION DAY

Ms. ERNST. Mr. President, it is typically tradition to exchange gifts on anniversaries, but yesterday we celebrated the anniversary of a truly remarkable gift given to each of us as Americans: the Constitution.

On September 17, 1787, our Founding Fathers concluded the Constitutional Convention by proposing a new form of government based upon inalienable rights and self-determination of the American people. The Founders of our great Nation devoted incredible foresight to the very structure on which our country is built, with the goal of protecting our rights as citizens for generations to come.

Folks, we celebrate Constitution Day with gratitude—gratitude for the unprecedented freedoms this document guarantees, freedoms which have endured more than 230 years. As the world's oldest working national Constitution, the U.S. Constitution continues to withstand the test of time and remains among the most important documents ever to be written. It

not only established our government institutions such as Congress, the Presidency, and the courts, but it also limited the power of each to protect against tyranny.

As constructed, our government can only exercise the limited powers specifically outlined in the Constitution, but the freedoms that all of us cherish deeply and that are so often taken for granted are forever guaranteed by the Constitution and its Bill of Rights.

These include the freedom of religion, so we may worship freely what we know to be true in our hearts; freedom of speech, to debate and openly discuss as we endlessly seek to become that “more perfect Union”; a free press, to share information with every citizen from north to south, from coast to coast, and to and from my home in Iowa; the right to peacefully assemble and enact change; due process, to ensure justice for every individual and protection against cruel and unusual punishment to those who are convicted; and the right of law-abiding citizens to bear arms.

Folks, the words of this Constitution, our sacred Constitution, have endured because they work. The Constitution sets the stage for the generations that follow to continue to expand its “Blessings of Liberty,” including: The 13th Amendment that abolished slavery, the 15th Amendment which guaranteed African Americans the right to vote, and the 19th Amendment, which was approved by Congress 100 years ago this past July, granting women the right to vote.

The Constitution does more to protect liberty than any political document ever composed. It actively guarantees life, liberty, and the pursuit of happiness that our Founders merely hoped for at the drafting of the Declaration of Independence.

To tamper with any of the rights promised to us at the founding of our Nation is to weaken the structure upon which our liberty was promised. Even in polarized times, these principles continue to ring true and unite us as Americans.

Before each of us in this Chamber began our service to the people of our own great States, we first swore an oath to support and defend the Constitution of the United States. Every man and woman who enlists in our Nation’s Armed Forces, as I have, begins their service by swearing a similar oath.

Folks, the political winds may blow left, and they may blow right, but we can rest assured that no one can take away these guaranteed freedoms. With every new bill we consider, we must always pause to ensure that it is adhering to the rights outlined in our Constitution.

There is nowhere in the world that enjoys the constitutional freedoms that American citizens do today. Those rights and freedoms apply to each one of us equally. No one is above the law, and no one is beneath it.

The Constitution is a guidepost for justice and democracy and encompasses the bedrock of our ideals as Americans. Most importantly, the Constitution keeps a promise that power shall forever remain with “We the People.”

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. PERDUE). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

Mr. DAINES. Mr. President, I rise in commemoration of Constitution Day, celebrated nationwide yesterday, the date, September 17.

Two hundred thirty-two years ago, our Founding Fathers gathered at Independence Hall in Philadelphia and signed a document that remains the supreme law of the land today. In those 232 years, the United States has become the most powerful, the most prosperous Nation in the history of the world, and that success has come as a result of the framework set by our Constitution.

The genius of the Framers was their determination to maximize the freedom of the individual while recognizing the need for a central government limited in size by our Constitution. The Founders understood the nature of man. The Founders understood that power corrupts.

Under the framework of federalism, we created a divide between the States and the Federal Government, allowing for powers to be shared. In fact, the 10th Amendment states:

The powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively, or to the people.

At the Federal level, we established three coequal branches of government, which established a system of checks and balances to offset the concentration of power. To complement the laws established, our Founders put in place the Bill of Rights as a safeguard to protect the individual from the threat of government tyranny. Our sacred rights and freedoms endowed by our Creator are recognized as inherent and untouchable because of our Bill of Rights.

As the Father of our Constitution, James Madison, stated:

In Europe, charters of liberty have been granted by power. America has set the example . . . of charters of power granted by liberty.

Our constitutional system of government is the envy of the world and has served as a model for countries worldwide that are seeking to create representative governments. That is why it is so important for us to observe days like Constitution Day. Americans of all ages should be learning and should be studying our Constitution. They should be taking in what makes

our Constitution so uniquely successful in nurturing a free and a prosperous society. Our grand experiment has stood the test of time, yet we must continue to be vigilant in the preservation of this most important part of our American legacy.

So, today, I encourage every Montanan and every American to read the Constitution. Discuss it at the dinner table. Discuss it with your family members. Discuss it in your classrooms. Discuss it with your friends. Discuss it with your neighbors.

As the preamble states, “We the People” established our Constitution, and it remains up to “We the People” to ensure its success.

May God continue to bless this great Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, on September 17, 1787, this great experiment was finalized to try to form what they considered a more perfect Union, and the birth of our Constitution happened. This was a radical experiment in self-government, and most of the rest of the world at the time stared at those whom we now call our Founding Fathers and thought, that will never work.

It wasn’t a parliamentary system. It wasn’t a monarchy. It was a representative republic, and it was pulling something out of the thoughts and the hearts of people to say: This is inherently what we think would work.

It began with the simple concept of checks and balances—that one person would check another person who would check another person. They were able to put that into a governmental structure that had three coequal branches—an executive, a legislative, and judicial branch—so that we don’t have one over the other. The three stand on equal footing. Each of them watches the other.

It was a unique system of putting a legislative branch together that had one body made up of the House of Representatives that would be large, boisterous, and up for election every two years.

The most painful parts of government—that are required of government—are put into the hands of the people who are closest to the people. Those are the power of impeachment, the power of the purse, and the power of things that need to be done by government but can be done only by people who are closest to the government.

Then they were able to create a Senate with longer terms, closer to the States, and a larger perspective on how we would structure together to make sure that we protect the rights of the individual States and the uniqueness of, at that time, those 13 States all joining together. It was a radical idea and a complete shift from where we had just been.

As Americans, occasionally we forget that this wasn’t our first time to try to

put a government together. Prior to 1787, we had Articles of Confederation that basically had 13 different States that were very loosely connected to each other, that continued to spar with each other, and that didn't cooperate together. Eventually, they determined that we had to do something different.

After our practice round of the Articles of Confederation, we put together this Constitution. But even after the Constitution was put into place, when the very first Congress came into session, they immediately began work on 12 amendments that, at that time, they called the Bill of Rights. That is right; there were 12 amendments. We are so used to hearing about the 10 amendments in the Bill of Rights, but they started with 12. They debated and they edited and they worked it through, and those 12 ended up becoming 10. Those 10 amendments were added as our Bill of Rights, but we continue to be able to edit and to be able to work together as a country.

Eventually, we fought a civil war—one of the most tragic parts of the entire history of our Nation. Yet this Constitution still kept us together at the end, and we still function together.

Since the original 10 Bill of Rights, we have added 17 different amendments to the Constitution. This enduring document, after more than two centuries, continues to be the foundation of every single law in the United States. It is unlike many parts of the world even still today.

In much of the world, they change constitutions every time their Monarch changes. They change constitutions every time their government changes. And when an executive branch decides they don't particularly like what is happening in the legislative branch, they just demand a new constitution and shift the laws of the entire country.

We don't. We started with a Constitution and started with the simple principle that the law matters. We continue to build on that basic law. When our preferences change, the law still exceeds our preferences. And if there is a change that we need to make in law, we agree together to make a change in law.

We still continue to respect the uniqueness of, now, all 50 States and of local authorities. We still have counties and cities and parishes and municipalities. They oversee school boards. They make day-to-day decisions. They provide local first responders, garbage collection, recycling, public transportation, parks and recreation. They manage utilities. They decide street names, deal with local roads, street signs, and zoning laws. It is all done locally; it is not done federally. The Federal Government has nothing to do with that.

Then, larger than the local municipalities, we have the States. They establish local governments. They establish public schools, issue teaching certificates, and licenses for professionals

like doctors, lawyers, psychiatrists—as many types of professions as they choose. They decide the time, manner, and places of elections because those are the responsibilities of the States. They determine motor vehicle registrations, driver's licenses, marriage licenses, business licenses. They regulate commerce within their State.

Our simple system is not only broken up into three different branches of government, but it is also broken up into local governments, State governments, and unique responsibilities for the Federal Government. That begins with our national defense, which is uniquely a role that we can do together as a Federal Government. Then there are interstate commerce and managing treaties with foreign entities. It is the responsibility of the larger government.

This unique experiment that was radical in its day is still the envy of the world to this day, and there is a reason we pause each year in September and remember Constitution Day.

I think about how often we celebrate the Declaration of Independence every Fourth of July and think about Thomas Jefferson—his writing and all of the editing that then happened with his document after he wrote it. We sometimes lose track of a day in September when we can pause and think of that second document in our founding after the Declaration—the U.S. Constitution—that remains the foundation of every law that we still continue with today. We could not be more grateful for a stable foundation for our Nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Mr. President, I join my two colleagues who were just here and spoke while I was here—my friend from Montana and my friend from Oklahoma—to talk about, really, the uniqueness of the government we have and of the unbelievable coming together of ideas in Philadelphia in 1787. They were ideas, frankly, that nobody had ever thought of in quite the same way before, starting with the first three words. This was the only document that had ever been devised up until that time that had suggested that the source of government was the source of government that the Constitution recognizes immediately.

When the Magna Carta talked about the relationship between the King and the barons of England, that was even a big step in a new direction because, up until then, under monarchies, there was only one source of government, which was God. God's ordained, chosen Monarch was viewed by country, after country, after country as the way this should be done, and there would be a succession, and it would be understood. It had, really, nothing to do with you or me or anybody else. It was all some greater plan that was left up to somebody else.

The Articles of Confederation that Mr. LANKFORD mentioned was a weak form of government that just simply,

after a little more than a decade, had been proven not to work. It was just not a workable structure. Yet it looked to the States. It was sort of "we the States of the United States enter into this agreement as States."

Yet it was this brand new concept in the Constitution that was put on paper at least for the first time—that of "we the people." In 1787—in reality, when the Constitution was adopted and the government was formed in 1789—the people became the source of government. The people became the responsible party. The people became the party by which, if the government weren't doing what you wanted it to do, it was up to you to do something about it because the government was only there because of you.

Now, is "we the people" a totally inclusive, perfect document or was it even a perfect idea in 1787? Not at all. In fact, the Constitution goes on to read that we are doing this to form a more perfect union. It doesn't even suggest the forming of a perfect Union. It just suggests forming a more perfect Union with the understanding of a range of vision of what might happen. There were people who were advocating for women to be able to vote as Abigail Adams had advocated during the Revolution itself. There were people advocating that slavery be ended. There were many things that were evidenced in that room as part of the debate that didn't happen, but they didn't wait to have a perfect Union. They said they were going to form a more perfect Union, and you have to believe they assumed it would get more perfect as time went on.

Here we are 200-some years later. Is it perfect yet? No, but it is, hopefully, more perfect than it has been and is less perfect than it will be because we the people are going to come together in this Convention and then, later, adopt it in a bigger setting to form a more perfect Union. That more perfect Union would include ideas that nobody had ever thought about before.

If the people are forming the government, what kind of controls do you put on the government? Not too many controls.

I remember, with the Bicentennial of the Constitution, Warren Burger was the Chairman of the Bicentennial Commission and the Chief Justice of the United States. He said, when he was a boy, you measured the value of a horse by how little harness you could put it on and still get it to do the work you wanted done. You didn't totally handicap the horse by piling all kinds of harnesses and all kinds of reins and all kinds of bits. A valuable horse was a horse that didn't need to take all kinds of structure but had all the structure it needed. That is what the Constitution tried to put together, not a government that would overwhelm itself but a government that had enough to control itself.

They came up with this idea of a balance of power. As all of us would believe, they started describing the most

important part of the government in article I. That is why it was article I that set up the Congress—the House and the Senate. They then came up with an executive who would execute the will of the article I body—the body that decided how to spend the money and the body that would decide what laws could get on the President's desk and the body that had the ability, if the President didn't sign the law, to override the President's decision not to sign the law.

All of that was there in that balance of power. It was where the Congress had strengths, where the executive had strengths, and where even the Court comes in to serve often as a referee between the two. It is sometimes to tell the President what the President can do and what the Congress can't do. Sometimes it is just the opposite and says: No, you can't do this. You can appropriate the money, but you can't appropriate it conditionally. You can't appropriate the money and say, to get the money, the President has to do things that don't have anything to do with the appropriations process. We just want the President to behave differently. We can't do that, and the President shouldn't be able to do it either. The courts are often the group that decides that.

Again, in not having too many obligations in the Constitution, what does the Constitution say about the courts? It does not say a lot.

It reads there will be a Supreme Court and such other courts as the Congress decides are necessary. That is not a very complex structure. It doesn't say how many people are going to be on the Supreme Court. There have been different numbers over time. It doesn't say how many other courts there will be. Yet the courts are there, and the judges serve for life. Outside of the normal concerns that they might have that one of the other groups would decide whether they could continue to serve or not, that may be their greatest power—that they are there no matter what they decide unless their decisions are so extraordinary that somehow the other power decides to remove them.

So here we are. It is a living document. It is amendable. It is a living document through its amendments, not through its interpretation.

The Founders and those who believe the Constitution continues to serve a constitutional purpose never thought, well, we will decide later what the Founders would have thought that sentence meant. This has divided our country, by the way, for a while. Many people, along with me, think the Constitution means what it says it means and what you would have thought it would have meant in the context of the time. If you want to change that, there is a process to change it. The amendment process works beyond just the first 10 amendments and the other amendments that Senator LANKFORD talked about, and it is still there to do that.

Here we are, celebrating this unique moment when people came together with ideas that were put on paper and were approved. Even if they had been talked about before, they had never formed the basis for a government before. Yet here we are—well over 200 years beyond 1787 and the first year of the government, 1789. The Constitution has been the model for all kinds of constitutions by all kinds of countries. Interestingly, many of them have almost the same Constitution we have, but they have just not been able to figure out how to live with it or to let the balance of power or the power of people work.

Again, the most important part is that of the first three words—the most important in understanding the forming of a more perfect Union. It has not yet been accomplished and maybe never will be accomplished, but it always gives us a goal for things to be better than they have been. In our country, we have the opportunity to live under the Constitution, which provides a unique set of liberties and freedoms that others can only hope for.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

H.R. 2740

Mr. LEAHY. Mr. President, later today, we are going to vote on whether to invoke cloture on the motion to proceed to H.R. 2740, the House Labor, Health and Human Services, Education, Defense, State, Foreign Operations, and Energy and Water Development Appropriations Act. I must say I have to strongly urge Senators to vote no.

I am not urging a “no” vote because the House bills are not good bills. The underlying House bills are good bills. If we were going to vote just to consider these bills, that would be easy. I and practically everybody in this Chamber would vote yes, but that is not what we are doing.

Senator MCCONNELL has made it very clear that he will bring up H.R. 2740 not to vote on the bills that have been passed by the House of Representatives but for the consideration of the Senate's Defense appropriations bill, which was a partisan bill that was reported along party lines out of the Appropriations Committee. He is going to offer that as a substitute once we proceed to the underlying bills.

On top of taking a totally partisan bill as a substitute for legislation that could have easily passed, as part of the substitute, Leader MCCONNELL is going to offer the Energy and Water Appropriations bill as well as the State, Foreign Operations, and Labor-HHS and Education bills. Now, those last two bills have never been considered by the committee. They have not been voted on by the subcommittees, and they have not been voted on by the full committee. They were pulled from the committee markup last week because the Republicans were afraid to vote on amendments that would have received

the support of both Republicans and Democrats.

Is that how we operate? Just because things get complicated and difficult, do we just skip parts of the legislative process? Do we say, “Oh, my goodness gracious, I am afraid to have to vote on something either yes or no”? That is no way to proceed.

Not one Democrat on the Appropriations Committee voted for the Defense bill—not one—including me, and I have voted for more money for the Department of Defense than any Senator who is serving in this body today.

The way the Defense bill was written, it does nothing to prevent the President from stealing billions of dollars more from our troops to pay for his cynical campaign promise of building a gigantic wall across our southern border. He will steal this money from our troops and their families even though he promised us that Mexico would pay for it.

In fiscal year 2019 alone, the President has already raided \$6.1 billion from the Department of Defense's accounts for his border wall. He did that without having congressional approval. He first diverted \$2.5 billion from the fiscal year 2019 Defense Appropriations Act for the wall by using standard transfer authority. We provide this authority to the Department of Defense to ensure that the DOD has the flexibility it requires to meet the needs of the troops in an evolving threat environment. It is not intended to be used by the President as a piggy bank for a campaign promise or for a pet project that Congress has refused to support.

He took \$3.6 billion more from military construction projects for a southern border wall. This was the wall he gave his word that Mexico would pay for. He, instead, is taking the money from projects like military schools, childcare centers, and improved training facilities that would improve the lives of our troops and their families to pay for his wall. We cannot let that happen again.

I offered an amendment during committee markup of the Defense appropriations bill that would protect the money we appropriated for our troops by prohibiting the President from using it to build a border wall, but that amendment was defeated on a party-line vote.

Now the Republican leader accuses Democrats of not standing with the troops by voting against this bill, but it is exactly the opposite.

We are the ones saying we want funds that should go to support the troops and their families to go to them, and we should not allow the President to take the money from the troops and their families for the wall.

Taking that money is tantamount to telling military families: You may serve loyally, but we care more about a failed campaign promise—a wall in the middle of the desert that the President promised Mexico would pay for—than we do about providing schools and

daycare for their children or weapons training or a fire station. I am not going to sign up for that.

We have to stand up for the Constitution. The President has contorted the law beyond all recognition by raiding defense dollars for his wall. He has undone congressional funding decisions by fiat. If we let that go unanswered, we are surrendering Congress's constitutional power of the purse.

Last year, we were able to move appropriations bills on the floor because the leaders agreed that only bills that had bipartisan support would move forward. I commend my colleague, the senior Senator from Alabama, Senator SHELBY. We showed the right way to proceed then and it is the right way to proceed now. We passed those bills, but the package of bills before us today does not have such support.

I was hopeful that once we secured a bipartisan budget agreement, we would be on a bipartisan path to consider Senate appropriations bills that reflect the best of our country. Unfortunately, the Republican leadership started out the process on a partisan note by refusing to rein in the ability of the President to take the defense dollars meant to help our troops and using them to build his wall and by shortchanging the Labor-HHS-Education appropriations so they could put \$5 billion of it in the Homeland Security bill for the President's wall.

Now I wonder how many more of our tax dollars we are going to spend on this boondoggle. If you put it to a vote in this country, they would say: No more.

In the bipartisan budget agreement, nondefense funding was given a \$27 billion increase. That was roughly a 3-percent increase. If all things were equal, the Labor-HHS-Education appropriations bill, which is our largest domestic funding bill, should receive a 3-percent funding increase in fiscal year 2020, but the Republican bill only gives 1 percent, while the Department of Homeland Security receives a 7-percent increase to pay for the wall. That is not right.

The result is a bill put forward by the Republicans today that fails to cover even the annual cost of inflation in public health and Head Start, childcare, special education, education for the disadvantaged, veterans' training grants, and dozens of other programs.

So robbing from the funds that were meant for education, childcare, and healthcare programs that have a real positive impact on the lives of all American people to pay for President Trump's wall is just as unacceptable as robbing from these funds from our military. Members on our side of the aisle are not going to support that.

Last year, the President shut down much of the government for 35 days in a tweet tantrum over his wall. This strategy of border wall above all else, border wall above any interests of this country, has already failed once, and it will fail again.

The majority leader has said there is no education in the second kick of a mule. I agree, but now we find ourselves in this position again. We have been down this road. It was the President's failed strategy that led to the longest government shutdown in the history of our country just 9 months ago and cost Americans billions of dollars.

It was the President's failed strategy to hold the government of the American people hostage to pay for a wall that he gave his word Mexico would pay for.

There is a bipartisan path forward. We have bipartisan bills that have gone through the Appropriations Committee with overwhelming support of Republicans and Democrats. The majority leader ought to just bring those bills up while we sort out these other issues.

The Energy and Water Appropriations bill was reported out of committee last week on a unanimous vote; every Democrat, every Republican voted for it. Tomorrow the Appropriations Committee will consider the Agriculture appropriations bill and the Transportation, Housing and Urban Development appropriations bill.

I expect that most Democrats and most Republicans will vote for them, and we could bring these bills to the floor. Instead, we are forced today to vote cloture on a partisan defense appropriations bill, a partisan state-foreign operations bill, and a partisan labor-HHS-education bill, the last two of which were never even considered in committee.

The State-Foreign Operations bill continues the President's discriminatory Mexico City policy, which prohibits funding for private organizations that support family planning and reproductive health, and it caps funding for family planning at an arbitrarily and unacceptably low level. It eliminates all funding for the U.N. population fund. That is a fund that provides lifesaving assistance to women and girls in Yemen and dozens of other countries where USAID does not have programs.

For the past 30 years, I have been either chairman or ranking member for the State, Foreign Operations Subcommittee. That subcommittee has a long record of producing bipartisan bills. That was true when the majority leader, Senator MCCONNELL, was chairman, when former Senator Judd Gregg of New Hampshire was chairman, while Senator GRAHAM has been chairman, and during the years I was chairman. We were ready to mark up that bill last week, but because one Senator wanted to offer an amendment related to family planning—an amendment that had both Republican and Democratic support of a majority of members of the committee—the markup was canceled.

We were not allowed to vote on it. Rather than vote, the majority canceled the markup. What kind of process is this? What kind of democracy is that? We are better than this. We are

the 100 Members of the U.S. Senate—100 men and women—who represent 325 million Americans. That is an awesome responsibility.

Senators should not be afraid to vote. Senators should show courage, not hide behind procedural actions so they never have to take a position. That is not why people come to the U.S. Senate. That is not what is expected of the 100 people here to represent this great country.

So I would urge Members to vote no on the cloture motion. It is nothing more than a political stunt.

We have bipartisan bills with overwhelming support of Republicans and Democrats. Bring them up. Let's not waste time on show votes.

I will continue to work with my good friend Chairman SHELBY and the majority and Democratic leader to find a way forward, but let's not have show votes. Let's have real votes. Let's have all 100 of us stand up and say what we stand for.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. SHELBY. Mr. President, I listened to some of the remarks of the distinguished Senator from Vermont and friend. I think we are both trying to find a path forward to move our appropriations bill, but we are not there yet.

This afternoon, I urge my colleagues to invoke cloture on the motion to proceed to H.R. 2740, the first package of appropriations bills sent over by the U.S. House of Representatives. This package includes the Defense; Energy and Water; Labor, HHS, and Education; and State-Foreign Operations appropriations bills.

My Democratic colleagues have said they are opposed to proceeding to this package because we must pass domestic spending bills before we pass the Defense bill, but this package before us right now does both. In fact, it accounts for more than 40 percent of domestic spending. As I said before, it mirrors the package sent to us by Speaker PELOSI and the Democratic-controlled House. So this excuse, I believe, for delaying consideration of this package doesn't hold water this afternoon. We need to move the process forward.

I want to make a few points about the Senate versions of these bills that we will bring up if we invoke cloture today.

Last week, the Appropriations Committee reported the Defense and Energy and Water bills. The Energy and Water bill, as Senator LEAHY has just remarked, garnered unanimous support. My Democratic colleagues similarly praised the bipartisan nature of the Defense bill. Yet they voted against it in the committee. They did so because the bill, as I understand it, from what they tell me, does not restrict the President's ability to transfer funds to secure our southern border.

The terms of the bipartisan budget deal governed the fiscal year 2020 appropriations process. That is why they

entered into this agreement. They were agreed to by Republican and Democratic leaders, all the way up to the President, the Speaker of the House, the majority leader, the minority leader, and so forth. Those terms expressly prohibit restrictions on the President's ability to transfer funds. It is plain as day.

Our Democratic colleagues may now regret having agreed to those terms, but that does not change the fact that they did agree to them, and we want to go by them.

Mr. President, I ask unanimous consent to place this term sheet into the RECORD.

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

BIPARTISAN BUDGET AGREEMENT FOR FISCAL YEARS 2020 AND 2021

1. The 2019 Bipartisan Budget Agreement for fiscal years 2020 and 2021 ("Agreement") is agreed to by the bipartisan leadership of Congress and the administration of Donald J. Trump. The bipartisan Congressional leadership and the administration agree to cooperate in the Agreement's implementation.

2. The Agreement modifies the discretionary spending caps imposed by the Budget Control Act ("BCA") for fiscal years 2020 and 2021 pursuant to the table below. The spending cap adjustments are intended to reflect the elimination of the BCA sequester for two years, plus a slight increase in spending for both defense and non-defense programs.

3. The parties agree to partially offset the Agreement's modifications to the discretionary spending caps legislation by extending the BCA mandatory sequester and customs user fees to achieve a total offset level of \$77.4 billion as scored by the Congressional Budget Office.

4. The debt limit will be suspended for two years, through July 31, 2021. No additional restrictions will be placed on the Secretary's extraordinary measures authorities. The debt limit suspension, spending cap adjustments, offsets, and any necessary procedural matters, will be included as part of a single piece of legislation.

5. Appropriations bills: Specific spending decisions shall be left to the members of the Appropriations Committees, with 302(b)s set through the regular process of the committees. Congressional leaders and the administration agree that, relative to the FY 2019 regular appropriations Acts, there will be no poison pills, additional new riders, additional CHIMPS, or other changes in policy or conventions that allow for higher spending levels, or any non-appropriations measures unless agreed to on a bipartisan basis by the four leaders with the approval of the President. Current transfer funding levels and authorities shall be maintained, and any modifications must be agreed to on a bipartisan basis by the four leaders with the approval of the President. Any emergency spending levels must be agreed to on a bipartisan basis by the four leaders with the approval of the President.

6. The agreement also establishes a new cap adjustment for FY 2020 to help ensure the necessary resources for the decennial Census are provided.

7. Senate Leaders agree that if a bill has been reported on a bipartisan basis from the Senate Appropriations Committee and is consistent with the BCA spending caps, and has the support of the Chairman and the Ranking Member, they will work together to minimize procedural delays. The Majority Leader will continue to consult with the

Democratic Leader to sequence bills in a bipartisan way, and acknowledges that bipartisan concurrence is required to expedite the consideration of any appropriations bill.

8. The President, Congressional leaders and the leadership of the Appropriations Committees shall work together to reach bicameral and bipartisan agreement on the orderly and timely consideration of FY 2020 appropriations bills to avoid a government shutdown, and a 12-bill omnibus. The President, Congressional leaders and the leadership of the Appropriations Committees shall also work together to reach bicameral and bipartisan agreement on the orderly and timely consideration of FY 2021 appropriations bills to avoid a government shutdown, and a 12-bill omnibus.

Mr. SHELBY. Lack of adherence to the terms of the budget deal also explains why we are unable to mark up the other two bills in this package: Labor, HHS, and Education and State-Foreign Operations.

Just like the Defense and Energy and Water bills, these bills were crafted in a bipartisan way. Yet some of my Democratic colleagues threatened to amend these bills with abortion-related poison pills.

Poison pills, as we all know—just like restrictions on transfer authority—are expressly—expressly—prohibited by the terms of the budget deal that we all agreed to just a few weeks ago. Again, both parties agreed to those terms.

Regardless, I am interested in moving the appropriations process forward, and I believe Senator LEAHY is too. I am interested in doing so consistent with the budget agreement we agreed to.

That is why the chairman of the Labor-HHS and Senate Foreign Operations Subcommittees, Senator BLUNT and Senator GRAHAM, have released the versions of these bills that the Appropriations Committee intended to consider last week.

Both bills were crafted with bipartisan input, and both are free of poison pills. We are proud of the work that went into those bills and want to be transparent about how we intend to proceed, but before we vote on cloture, I want to remind my colleagues of our shared success last year and our common interest in moving the process forward this year.

In fiscal year 2019—last year—we achieved more success in passing appropriations bills than we had done in 20 years. The linchpin of that success was an agreement between me and Senator LEAHY, the vice chairman of the committee, to ban poison pills from appropriation bills. Both sides upheld that agreement right here on the floor, and we funded 75 percent of the government on time.

That is the framework the bipartisan budget deal was modeled after so we could replicate what we did last year. The purpose of the budget agreement is to replicate the success we had last year, as I just said, to ensure that we do not revert to the dysfunctional appropriations process of years past. That is why it is so important that we

adhere to it now. I think the American people want us to do it and do it now.

It is all the more important considering what we are trying to fund with this package. It contains critical investments, not just in health, education and energy projects but in national security, our military.

I believe the situation unfolding in Saudi Arabia should serve as a grave reminder to all of us that we must set aside partisan politics and do our job to provide our military the resources it needs to keep America safe. It should also remind us that our main adversaries—China and Russia—never relent in their efforts to destabilize us anywhere in the world. That is why we must do our part to ensure that they fail. We cannot do that without stable funding for our military and for certainty for our soldiers.

Failure to prioritize funding for our national defense would undermine the Pentagon's planning process, hinder our commanders' ability to counter threats to America, and threaten the safety of our Nation. That is unacceptable.

We have the opportunity today to move forward together to bolster our national security. We have a framework for success that we have used last year. Let's use it now.

I hope my Democratic colleagues will recommit to the terms of the budget deal that they agreed to in spirit and in fact. I hope they will set aside partisan politics and do right by our military, the numerous agencies that would receive funding in this package, and our constituents—the American people—and let us get on with the business of the people.

Again, this afternoon I urge my colleagues to vote yes on cloture.

CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to H.R. 2740, a bill making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

Mitch McConnell, Roger F. Wicker, John Cornyn, Richard C. Shelby, John Barasso, Johnny Isakson, Richard Burr, Thom Tillis, Mike Rounds, Jerry Moran, Mike Crapo, James E. Risch, John Boozman, Roy Blunt, John Thune, David Perdue, John Hoeven.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to H.R. 2740, a bill making appropriations for the Departments of Labor, Health and Human Services,

and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Kansas (Mr. ROBERTS) and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 51, nays 44, as follows:

[Rollcall Vote No. 292 Leg.]

YEAS—51

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

NAYS—44

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

NOT VOTING—5

Booker	Roberts	Sanders
Klobuchar	Rounds	

The PRESIDING OFFICER. On this vote, the yeas are 51, the nays are 44.

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

The majority leader.

MOTION TO RECONSIDER THE VOTE

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

The PRESIDING OFFICER. The motion is entered.

The Senator from Tennessee.

CONSTITUTION DAY

Mrs. BLACKBURN. Mr. President, one of the occasions that we celebrate every year is Constitution Day, and that actually took place yesterday. It was so exciting to visit with students, talk to constituents, and celebrate Constitution Day and the fact that we have this document.

Our Constitution is a disarmingly short document to read. When you sit down to read it, it doesn't really take a lot of time to digest it. When you are done with it, you might easily walk away thinking: That wasn't that hard after all. It is pretty simple, right? We all know that is not necessarily the case. It is easy to understand, but it is so important that we look at it in its entirety.

There is an entire body of law dedicated to tearing apart that Constitution. It is mind-boggling when you think about that. We have this document. It puts this foundation in place, and there is law that would rip it apart. There are those who would rip it apart, who are looking for answers to problems our Founders never dreamed of.

There has been a lot of talk lately concerning the Founders and how their backgrounds and status in society informed the document that eventually became what is known as the Constitution of the United States. But I think it is even more important to think of the Founders as human beings who came to the Constitutional Convention harboring ambitions and goals equal in gravity to our present passions—their desire to have a United States of America.

They wanted freedom from their oppressors on the other side of the world and from a system of government that would inevitably lead to oppression. They said: No more. Let's write this into the fiber of this Nation—freedom; freedom from our oppressors. They wanted to reforge the chains that broke during the Revolution into ties that would bind the several States together under a common goal—bound together, united in purpose and in freedom. After years of blood and uncertainty, they desperately wanted control over their own lives and over their futures, individual freedom—freedom to choose.

Because they were human, yes, they wanted power, and so they argued. They argued about everything. They argued about States' rights. They argued about a nation having a debt. They argued about the Confederacy and compacts versus the Federalists' vision of "a more perfect Union." But through all that, the Founders still managed to create a document that set forth a new standard of government—a government of the people, by the people, and for the people. It is a form of governance that is responsible not to the government but is responsible to the people.

They gave us a framework, but there are a great many things that they declined to set in stone. They made a conscious choice, which is why we continually find ourselves engaging in philosophical combat. Unfortunately, as part of that battle, many of my friends on the other side of the aisle have gone so far as to undermine the very institutions that define this country.

Supreme Court confirmations have turned into a circus. Policy debates devolve into personal attacks. Distinguishing between news and opinion is all but impossible on many days of the week. Many of my friends on the other side of the aisle like to describe the Constitution as a living document, but I don't really follow that line of thinking. Describing our Constitution as a living document is really just a prelude to changing the rules to fit the circumstances, and, in my opinion, that is a dangerous concept.

As our Founders signed on the dotted line, the rest of the world looked toward America's shores with skepticism, and, at times, derision. They didn't understand how a government by the people and for the people could possibly fit into the existing mold.

After over 200 years of progress, there are still those who remain skeptical of the country that broke the mold and transformed from a struggling cluster of Colonies into a shining city on a hill.

I urge all of my colleagues to respect the Constitution. It is not an intellectual straitjacket. Not once has the sum of its contents acted as a barrier to progress. The Constitution is not the source of the freedoms it guarantees, but it does state definitively that its execution secured the blessings of liberty to those who bore witness to America's beginnings and to those who would come after. It is a legacy worth fighting for. Happy Constitution Day.

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

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

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the message to accompany S. 1790.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the House insist upon its amendment to the bill (S. 1790), entitled "An Act to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes," and ask for a conference with the Senate on the disagreeing votes of the two Houses thereon.

COMPOUND MOTION

Mr. MCCONNELL. Mr. President, I move that the Senate disagree to the House amendment, agree to the request of the House for conference, and authorize the Chair to appoint conferees on the part of the Senate.

## CLOTURE MOTION

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

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

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree in the House amendment, agree to the request from the House for a conference, and authorize the Chair to appoint conferees in relation to S. 1790, a bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

James M. Inhofe, Shelley Moore Capito, Thom Tillis, John Boozman, Cindy Hyde-Smith, Jerry Moran, John Cornyn, Mike Crapo, Johnny Isakson, Joni Ernst, James E. Risch, Roger F. Wicker, David Perdue, John Thune, Mike Rounds, Kevin Cramer, Mitch McConnell.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum call be waived and that the cloture vote occur at a time to be determined by the two leaders.

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

## TRIBUTE TO LAMAR ALEXANDER

Mr. MCCONNELL. Now, Mr. President, this week our friend and colleague, the senior Senator from Tennessee, will mark a major milestone in his State's history.

As of tomorrow, LAMAR ALEXANDER will have served as Tennessee's Governor or U.S. Senator for 24 years, 8 months, and 15 days—more combined years and offices than any other Tennessean.

Of course, Senator ALEXANDER also remains the only Tennessee Governor ever popularly elected to the Senate. He is the only Tennessee Republican to be undefeated in six statewide primary elections. And his 2008 general election vote total of 1,579,477 votes is still the largest ever recorded by a Tennessee statewide candidate.

Mr. President, I ask unanimous consent that a statement from the Tennessee secretary of state, Tre Hargett, who has calculated each of these political accomplishments, be printed in the RECORD following my remarks.

As impressive as these statistics are, all of LAMAR ALEXANDER's colleagues know that political record-setting is not what makes him tick. Here is something he likes to say about serving in the Senate:

It's hard to get here. It's hard to stay here. So while you're here, you might as well try to accomplish something.

Well, he certainly lived out his own advice. During Senator ALEXANDER's very first term, he got 70 Senators to support his bipartisan America COMPETES Act to help our country stay

competitive with the rest of the world. He even persuaded the Democratic and Republican leaders to join forces as the principal sponsors. When it was enacted in 2007, everyone knew who the chief engineer had been.

Senator Dan Inouye said at the time:

I wish to commend my colleague, Senator Alexander, for his broad and very intricate history of bipartisanship. If all of us in this body follow this process in all major legislation, this would be a historic session. . . . I think the Senator from Tennessee very much.

That was Senator Dan Inouye from Hawaii.

Then in 2012, after being elected three times by his peers as chairman of the Republican conference, LAMAR did something that is not often done around here: He gave up that power and his future ambitions for elected Senate leadership in order to "spend more time working to achieve results on the issues I care the most about."

Since then, not coincidentally, there have been a steady stream of important new laws dealing with those very issues. Time after time, Lamar has taken the lead, often as the principal sponsor or chief engineer. He has worked behind the scenes. He has collaborated across the aisle to get things done. He hasn't often stepped into the spotlight himself, but he has almost always been the key driving force.

As chairman of the Senate HELP Committee, he worked with Senator PATTY MURRAY to fix No Child Left Behind. President Obama called it "a Christmas miracle," and the Wall Street Journal said it was the greatest devolution of power to States in a quarter-century. The Nation's Governors and the National Education Association recognized Lamar with awards. We are dealing with a rare public servant who can literally win plaudits from the Wall Street Journal editorial board and the Nation's largest teachers union at the same time.

In 2013, Senator ALEXANDER was one of a group of Senators who revamped Federal student loans with a new market-based interest rate to save hundreds of millions of dollars for students attending college.

In 2016, he and Senator MURRAY sponsored the 21st Century Cures Act. It is landmark legislation that I was proud to be involved with and view as the most significant law of that entire Congress.

In 2018, again with Senator MURRAY, he offered the landmark Opioid Crisis Response Act. President Trump called it "the single largest bill to combat a drug crisis in the history of our country."

Last year, working with Senator Hatch, he was the chief engineer of once-in-a-generation legislation to ensure America's songwriters are paid fair-market value for their work.

For the last 5 years, as chairman of the Energy and Water Development Appropriations Subcommittee, he has worked with Ranking Member FEIN-

STEIN to deliver record funding for our National Laboratories, funding to keep America No. 1 in supercomputing, and 6 years of full funding for inland waterway infrastructure.

This is quite a distinguished record, and this is far from all of it.

I have heard that Senator ALEXANDER explains to Tennesseans that they can think of Congress like a split-screen television show. On one side are the dramatic public fights, the partisan showdowns, but on the other side, he explains, you see huge bipartisan majorities working diligently on issues that directly affect the daily lives of millions of Americans. Well, that side of the screen is where you will find Senator ALEXANDER. In fact, he is a star player.

Senator ALEXANDER has announced he won't seek a fourth term in 2020. While the end of his time here may be in sight, I am confident the catalog of his hard work and leadership is nowhere near complete just yet. As chairman of HELP, he and Senator MURRAY have reported the Lower Healthcare Costs Act to the full Senate. They are working together to reauthorize and update the Higher Education Act. He and Senator FEINSTEIN have produced an appropriations bill—passed by the Appropriations Committee—that would provide a fifth year of record funding for the National Laboratories, a sixth year of full funding for our inland waterway infrastructure, and the resources to keep America No. 1 in supercomputing. And there is almost certainly more to come over the next year and a half. Lamar's service reminds us that there are many ways to be a transformational leader in this body.

As a young man, I was an intern for Senator John Sherman Cooper of Kentucky. He was never an elected leader but was always regarded by his colleagues as a leader because of his willingness to do what he thought ought to be done. Senator Cooper once said to me:

I not only represent Kentucky, I represent the Nation, and there are times you follow, and times when you lead.

In fact, two of the three Senate office buildings are named for Senators who were never elected the leader of their party's caucus. LAMAR ALEXANDER is just that kind of leader.

We are proud to celebrate this milestone as Senator ALEXANDER notches more combined years as Senator and Governor than anyone else from his State, but even more, we recognize the example the Senator has set for all the rest of us. It is just like he says:

It's hard to get here. It's hard to stay here. So while you're here, you might as well try to accomplish something.

Congratulations, my friend.

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

SEPTEMBER 17, 2019.

Hon. LAMAR ALEXANDER,  
U.S. Senate,  
Washington, DC.

DEAR SENATOR ALEXANDER: I am writing to congratulate you on your record years of

service to Tennessee. On September 19, 2019, you will have served more combined years as either Governor or United States Senator from Tennessee than any other Tennessean. This is a milestone that illustrates your dedication to public service and to Tennesseans.

September 19, 2019, marks your 9,024th day in office as either Tennessee Governor or U.S. Senator from Tennessee. Your 24 years, 8 months, and 15 days of service will then surpass the previous longest serving Governor and United State Senator from Tennessee, Isham Harris.

This is just one of your many elections records in the state. You are the only Tennessee Governor ever popularly elected to the United States Senate. You have won more Tennessee Republican statewide primary elections—six—than any other Tennessean. And your 2008 general election vote total—1,579,477 votes—is the largest vote total ever recorded by a Tennessee statewide candidate.

I congratulate you on this, and your many other, great accomplishments and I thank you for your service to our great state.

Sincerely,

TRE HARGETT,  
*Secretary of State.*

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Mr. President, it is such an honor to be here following Leader McCONNELL and talk about the achievements of our State's senior Senator and recognize his wonderful work, not only in DC but also in Tennessee. I want to touch on just a few of those highlights and the importance to our State.

For me, being a State senator involved in our community, coming to serve in Congress, and now serving in the Senate with our senior Senator is something that is a wonderful experience.

The majority leader just mentioned that our senior Senator will retire at the end of next year. Of course, we are all going to miss seeing him around Capitol Hill. Senator ALEXANDER has really distinguished himself as a man who is committed to Tennessee tradition and to helping Tennessee find prominence on the global stage.

Anyone who has ever entered Senator ALEXANDER's office knows that he is a music lover. What they may not know is that he is also both a classically trained pianist and a pretty good gospel and country pianist. He has even performed on the stage of the Grand Ole Opry, and rumor has it that he really rocked the house the night he was there. His love of music and of Tennessee's musicians has caused him to work tirelessly in these efforts.

In the House, I started a songwriters' caucus. He did likewise in the Senate, bringing the issues that confront our Nation's performers into the Senate, finding solutions, and, as the leader mentioned, passing and being instrumental in the crafting—not just the passing—of the Music Modernization Act. He was honored just this week by the Nashville Songwriters Association International, which gave him the White Hat Award. This is an honor that he and I share.

It is important to note that the White Hat Award has only been given 15 times in the 52 years of that organization's history.

As Governor—then Governor, now Senator ALEXANDER opened the doors to automobile industries, including Saturn, GM, Nissan, and auto parts producers, which solidified Tennessee's place in the global economy. As Senator, he has focused on improving Tennessee from the inside out, giving priority to practical concerns. He led the charge on healthcare, education, and, as the leader mentioned, the opioid crisis. He has supported teachers, stood up for working moms, and enacted tax policies that kept more money in the wallets of Tennesseans.

Today, I rise to honor a leader, a friend, and, I have to say, the team captain for our annual Crockett Cup baseball game. And they were the winners. They are the holders of the Crockett Cup.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. BLACKBURN). Without objection, it is so ordered.

S. 1790

Mr. UDALL. Madam President, I rise to urge this body to protect the Constitution, to defend the separation of powers, and to prevent an unauthorized, unconstitutional war with Iran.

The Constitution is clear. Under our article I powers, the Constitution spells out that Congress shall have the authority to declare war.

The Founders debated which branch of government should be given the solemn power to wage war. Entering into battle had been the personal prerogative of Kings, and Kings had shown that they would bankrupt their countries and risk lives because of self-serving, power-seeking feuds.

Therefore, our Constitution's Founders placed the decision to go to war with the people's representatives. They wanted any decision to wage war to reflect the will of the people. They deliberately rejected giving this most consequential decision only to the President.

Yet, despite the clarity of the Constitution, President Trump insists—without any equivocation—that he does not need congressional approval to engage in military hostilities against Iran, and now, instead of working with the U.S. Congress, he is publicly deferring to the royal family of the Kingdom of Saudi Arabia. Our President said we are waiting for Saudi Arabia to say “under what terms we would proceed.”

When discussing retaliation for the attack on a Saudi oil-processing facility, our President has praised the

Saudis as good customers who “[pay] cash.”

President Trump explained further as follows:

[T]he fact is that the Saudis are going to have a lot of involvement in this if we decide to do something. They'll be very much involved, and that includes payment. And they understand that fully.

Does this Congress think the patriotic men and women of our military are mercenaries at the service of the Kingdom of Saudi Arabia? I reject that idea completely. When a President is threatening a military attack because of a foreign King's oil interests, it is well past time for Congress to assert its institutional authority.

Congress needs to make it clear: The President cannot begin a war with Iran without coming here first, coming here to the Congress.

In June, we voted on a bipartisan amendment to the National Defense Authorization Act that prohibited any war with Iran unless authorized by Congress.

Getting a vote on the Udall-Kaine-Paul amendment was historic, and a bipartisan majority of Senators voted to support our amendment that day.

The House of Representatives has sent us its NDAA, which includes a bipartisan provision prohibiting war against Iran without congressional approval. The NDAA is now going to a Senate-House conference committee. The conference committee must adopt our amendment that prohibits unauthorized war against Iran.

Since our vote in June, tensions with Iran have not subsided; they have only increased. The threat of miscalculation and unauthorized war has only gotten more serious. This week, the President, on Twitter, is threatening that the U.S. military is “locked and loaded” on behalf of the Saudi Kingdom.

Iran's behavior in the region is highly problematic, but Saudi Arabia's oil interests do not determine whether the United States goes to war. Congress determines that, Congress and Congress only, based on our national interests.

Rather than threats of war, the right move is active diplomacy to lower tensions in the region.

We are at this point in the Middle East because of the Trump administration's failed policies. Its unilateral withdrawal from the Iran nuclear agreement, its maximum pressure policy, its abandonment of diplomacy—these policies are only causing more chaos in the region and doing nothing to advance U.S. interests.

When the President unilaterally withdrew from the Iran agreement in May 2018, against the advice of his military and intelligence Chiefs, he promised he would get us a better deal.

The deal we had in place secured for the United States and the world an Iran that would not develop nuclear weapons. It was a deal that had strict verification requirements and a deal his advisers and outside independent groups said Iran was complying with.

It has now been 16 months since the President tore up that deal and said he could get us a better one. Well, the President's supposed deal-making prowess has only produced increased tensions, bringing us to the brink of war.

In June, we were 10 minutes away from an attack that likely would have cost Iranian lives. Even after that aborted strike, the President threatened Iran with "obliteration like you've never seen before." Now we are "locked and loaded."

While it is a positive development that John Bolton is no longer whispering in the President's ear—urging regime change in Iran—this mercurial President could get us into a war before we know it, but these are my own views about the President's foreign policy. I understand others in this body do not share them, including others who voted to support this amendment previously.

I want to underscore that this is not about what you think of the President. This is about defending the separation of powers as outlined in the Constitution, and this is about standing up for the will of the American people. The American people do not want another endless war in the Middle East.

While our military is the most capable on Earth, no conflict with Iran would be easy. Iran has twice the population of Iraq and is four times the size. Even so-called targeted strikes could escalate into a much wider war.

Make no mistake, our amendment retains the President's authority to defend against any attack upon us. While the chief complaint from opponents of the amendment was that it tied the President's hands from attack, this is a false argument. The amendment expressly reserves the President's powers to defend the Nation. The Department of Defense's rules of engagement remain in place. The President's full authority as Commander in Chief to repel an attack and defend the Nation remains intact.

If there are still concerns, we can continue to consult experts and refine language in conference. That is part of the regular order, but the Defense bill must prohibit an unauthorized war with Iran.

For too long, Congress has abdicated its constitutional duty to decide matters of war and peace. We have hidden from the hard votes. We have allowed the Executive to fill the vacuum.

We in this body need to step up to the plate and assume our constitutional responsibilities. This is not about partisan politics. This is not about tying the hands of the President in defense of our country. This vote is not even about whether you think we should or should not go to war against Iran. Even if you think military action on behalf of the downed drone or Saudi oil is justified, the place to debate and make that decision is on this floor in this Congress. It is not the decision of one man in the White House.

I am making this call to our conferees: Affirm the Constitution. Affirm our sworn responsibility to uphold the Constitution. Affirm that our men and women in uniform will not be sent off to risk their lives in war unless the people's representatives make that somber decision.

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

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

#### AUTHORIZATION FOR USE OF MILITARY FORCE

Mr. DURBIN. Mr. President, Members of the U.S. Senate and House of Representatives face many votes on many subjects. Most of them you vote on and forget very quickly. There are some you will never forget. At least two votes that I cast here 18 years ago are on that list in terms of my Senate service.

It was 18 years ago, and just shortly after the 9/11 attack in 2001, in which 3,000 innocent Americans lost their lives. President George W. Bush came to Congress and asked for authority under our Constitution to wage a war—in fact, to wage two wars. He wanted authority from the U.S. Senate and Congress to invade Iraq and to invade Afghanistan. There was a long debate leading up to it about why it would be necessary for us to start a war with those two nations.

In the case of Iraq, the argument was made that Saddam Hussein, their leader, had weapons of mass destruction that were dangerous to the region and, ultimately, dangerous to the United States. He was a tyrant and everyone knew it, but those threats were the ones that led many people to conclude that the invasion of Iraq was necessary. I disagreed. We cast that vote on the floor of the U.S. Senate, and 23 of us voted no—1 Republican and 22 Democrats.

It turned out, after we invaded Iraq and took a close look, there were no weapons of mass destruction. The real basis for the war did not exist.

Eighteen years later, having lost almost 5,000 American lives and spent trillions of dollars, we are still in Iraq. I don't know how this will ever end or when our troops will finally be able to come home. Hussein is gone, for sure, but the situation in that country is certainly not dramatically better than it was when we invaded it. We couldn't guarantee tomorrow what is going to happen there, whether it will be stable or friendly to the United States after all we have invested in, all we have lost in that invasion.

At the same time, we were debating a war in Afghanistan. To me, it was a different proposition. The administration said: We know the terrorists responsible for 9/11 are in Afghanistan.

What is our message to those who turn around and attack the United States and kill so many innocent people?

So I saw Afghanistan different than Iraq, and I voted for the military effort that was undertaken to go after the terrorist organization responsible for 9/11, the al-Qaida organization.

It took us years to find Osama bin Laden, who was responsible for masterminding that deadly day in our history, and to finally bring him to justice. The fact is, 18 years later, we are still in Afghanistan today. It is hard to explain. Thousands of American lives have been lost there. Millions, billions, maybe even trillions of dollars have been spent. And most people agree, the day after we leave, whenever it is, the country will revert to what it was before we walked in. There have been 18 years of sacrifice, 18 years of suffering, and even death, for America's patriotic soldiers. It is a reminder about these wars that seem like such a good idea, so necessary, the right way to respond, and here we sit with two of the longest wars in the history of the United States.

Now the question is, Are we preparing for another war? I hate to say those words, but I have to be honest. What this President has done in our relationship with Iran has brought us to the moment where we have to ask that question: Is the President preparing to ask us to go to war against Iran?

The first thing he did—one of the first things—was to disparage the Iran nuclear agreement, an agreement entered into under President Obama to stop the development of nuclear weapons in Iran. I thought it was a good agreement. I supported it and still do. I am not making any excuses for Iran. They are engaged in conduct around the world that is inspiring terrorism and threatening our allies and friends. I am making no excuses for that. But to make certain that Iran did not have nuclear weapons in the future was the right thing to do.

We entered into this agreement under President Obama. China, Russia, European nations, and others joined us, and we sent international inspectors into that country. They reported back to us regularly that there was no evidence of the development of nuclear weapons, and every door was open to them. We had surveillance on the ground in a country that has been largely secretive and isolated. I thought that was the right thing to do, and I still do. President Trump disagreed, and the United States withdrew from the Iran nuclear agreement.

Since then, there has been an escalation of tension between our two nations, between Iran and the United States. Some of it is, clearly, a reaction by the Iranians to sanctions that we have imposed, which have caused great problems with Iran and their oil supply. They have answered in kind by threatening oil tankers from other countries. It is the kind of escalation you would expect two countries that

are leading up to a confrontation to engage in. Now the questions are, Will we, in fact, go to war, and if we are prepared to, will this President—Donald Trump—follow the Constitution of the United States?

The votes I talked about 18 years ago gave the people of the United States, through their elected representatives, a decision-making part of the process. Their Members of Congress voted. The question is whether President Trump will follow his constitutional responsibility in coming to Congress for the authority to engage in a war in Iran.

I certainly don't believe the vote I took 18 years ago, before many of the Members of the Senate were even here, has authorized him or any President to invade Iran. That was never even considered when we were in that debate.

Now the question is, Will he come forward and give the American people a voice in this process in deciding whether we are going to war?

I, for one, look at this with great skepticism and even negativity. A war is so much easier to get into than it is to get out of. We have proven that over and over again. Politicians who make the speeches and rationalize these wars are usually not the ones who face combat and death on the battlefield. That is turned over to our young women and men in uniform who bravely fight for the causes we identify as politicians.

I would sincerely hope what Senator UDALL has brought to the floor, to open a conversation and discussion, is really taken to heart by the American people and, more importantly, by the White House. As Senator UDALL has reminded us, any President—this President—needs the constitutional authority to bring this Nation into a war. Without that authority, he cannot and should not move forward.

They point to the recent attacks on Saudi Arabia and their oilfields. Of course, they were terrible. Whether they came from Houthi rebels in Yemen or whether they came from Iran itself, it is terrible, but the fact is, the United States has not signed an agreement saying we are prepared to defend Saudi Arabia, whoever attacks them.

We want to have a good alliance with them—it is difficult with the current leadership—but we haven't entered into a mutual defense pact by any means. When Saudi Arabia is attacked, we are not required to muster our American troops in their defense. We should take care and be thoughtful and not escalate this situation.

Senator UDALL's amendment regarding Iran is a straightforward and timely reaffirmation of what is already in article I, section 8 of the U.S. Constitution—only the U.S. Congress can declare war. I am pleased to join him and others in this legislative effort to reaffirm that without the consent of Congress, no war with Iran is authorized. I hope the Defense authorization conferees will keep this in mind.

This Congress has rubberstamped too many of the President's worst in-

stincts. We must not do so again and march into another war in the Middle East. Two wars still going, still costing American lives, even to this day, are way too many. A third war at this point is unthinkable.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### GOVERNMENT FUNDING

Mr. PORTMAN. Mr. President, I am on the floor to talk about a problem that is far too common here in Washington; that is, Federal Government shutdowns. They don't make any sense. If we don't do something in 12 days, Congress, once again, will face an unnecessary and costly government shutdown. We have to avoid that.

I have been through five different government shutdowns since my time working in the George H. W. Bush White House back in 1990, and three shutdowns just over the last 5 years. None of them worked.

I don't know anyone who likes them now because we found out that when you shut down the government, taxpayers actually pay more, not less. It might seem like if you shut down the government, that is good for taxpayers, but it is actually bad for taxpayers. They foot the bill for the backpay of Federal workers for the days they weren't allowed to go to work, and they pay for other things, too, that they wouldn't have to pay for if Congress did its job, got its spending bills done, and didn't shut down the government. Delayed projects, late payment fees, lost productivity, deferred maintenance—it all adds up. Shutdowns also disrupt government services, of course.

By the way, it is not just the poor government programs and services at the time—that continues. So even now, 9 months since the last government shutdown, you have the Agencies and Departments saying: Well, we would like to be able to process your tax return or we would like to be able to, as I found out last week, process your 501(c)(3)—which is a charity return to give you a nonprofit status, you can get contributions that are deductible—but because of the shutdown, we are still backed up. They are delayed and late. That hurts everybody.

Federal contractors, of course, are hurt. A lot of those are our constituents, private sector individuals. Federal employees, themselves, of course, get hurt, especially those who are considered essential. They have to go to work even though they are not getting paid. A lot of people, whether it is TSA personnel at the airports or our Border Patrol down at the border, are doing their best to protect us. Yet they are told they can't get paid, so they can't make their car payment, their mortgage payment, or their rent. It puts them in a tough situation. Again, it also hurts taxpayers and families and communities all across the country.

No shutdown was more frustrating for me than the one we had most recently. It was the longest shutdown

ever. It was 35 days this past winter, in December. During that month, we all heard firsthand from our constituents how they were affected by the shutdown. I heard from NASA engineers in Cleveland, OH, as an example. We have the NASA Glenn Research Center there.

I also heard from TSA employees every time I flew. I asked them: How are you doing? They would tell me, and it was tough—missed paychecks, mounting mortgage payments that I talked about. In some cases, medical bills were piling up. Morale was down. Families were hurting. Again, even after the government opened and backpay was sent to the furloughed workers, a lot of that damage had already been done.

What we have learned is, it wasn't just Federal workers and their families who felt the effects of the shutdown. The economy as a whole suffered too. The Congressional Budget Office has done some estimates of this. After the shutdown, they estimated it had reduced economic growth by a combined \$11 billion for the fourth quarter of 2018 and the first quarter of 2019. Not only that, but CBO—the Congressional Budget Office, a nonpartisan group that looks at these issues—later projected that the rate of economic growth would have been 0.4 percent higher in the first quarter of 2019 than it was if not for the government shutdown. That sounds like a small number, 0.4 percent, but that is a big deal. That means economic growth in the first quarter of this year would have been 3.5 percent, not 3.1 percent. That is a big deal. That is billions of dollars in lost growth, not just because people weren't working who should have been working but because there was lost productivity in our economy and billions of dollars in lost growth just because we couldn't figure out how to keep the lights on here in Washington, DC.

All of this is indicative not just of the loss of purchasing power for Federal employees but also a serious ripple effect to Federal contractors, small businesses, and others who serve the Federal Government.

Shutdowns have another effect. Each time our government fails to fund itself, the public's faith in our institutions, including, of course, in this body, the Senate, the House, the Presidency, falls even further, not just here but around the world. It just seems crazy that the Federal Government can't stay open. People can't get that, and I understand why they don't get it.

Now, with the threat of another government shutdown looming just a few weeks away, let's not repeat the mistakes of the past. The reason our Permanent Subcommittee on Investigations looked at this issue over the past 9 months was to learn the lessons and to get the actual numbers to determine what the real impact was of the shutdown.

This week, the Permanent Subcommittee, of which I chair, released a

bipartisan report signed by me and the ranking member, TOM CARPER, the result of which is what we are reporting today. We learned that the total cost of the three government shutdowns that have occurred in the last 5 years alone have combined for a total of 54 days of partial or full government closure. During those three periods of shutdown, the pricetag to the American taxpayer was \$4 billion. So the three government shutdowns that have happened in the last 5 years, taxpayers had to eat \$4 billion—three shutdowns, \$4 billion.

We also learned that a lot of that number comes from the loss of productivity. Furloughed Federal workers who were prohibited from going to work during that shutdown were owed \$3.7 billion in backpay, which they got even though they weren't working because they couldn't work. Compounding that was at least another \$338 million in other costs, including extra administrative costs, lost revenue, late fees on interest payments, and other costs.

On top of everything else, the workers who weren't able to come in to work represented a combined lost productivity of about 57,000 years of lost productivity. Think about that—almost 57,000 years of productivity loss. Again, this is from folks who are Federal employees who weren't allowed to work because the government was shut down but who later got paid.

These figures, the \$4 billion in costs to the taxpayers and the 56,938 years in lost productivity, are relatively low numbers. It is actually higher than that. Do you know why? It is because although we got figures from 26 different Agencies and Departments—and over the 9 months we did this research, we sent this questionnaire around to all the Agencies and Departments—a bunch of them, comprising less than half but close to half of the workforce, refused to respond to us. Why? Because they said they didn't know how many of their workers were furloughed. They didn't know how many of their workers were essential employees. They didn't know what the lost productivity was. That is equally disturbing. That included the Department of Defense, the Department of Agriculture, the Department of Justice, the Commerce Department, and the EPA. They wouldn't give us complete information about employee furloughs and backpay because they said they just didn't have the information. The cost is even higher than indicated here. We don't know how much higher, but we know it is at least this high.

We are sending letters to the Agencies that were unable to provide the complete financial information related to employee furloughs and backpay to find out why and to ask them how they plan to address those issues going forward. Over the 9 months we did this research, our Permanent Subcommittee on Investigations is not done with its work because, in the process, we uncov-

ered another problem, which is Agencies not even knowing the basic information about their workforce and what happens during the shutdown.

Our report also documents examples of how the shutdown negatively affected the Federal Government's ability to conduct important operations on a wide range of issues. I encourage people to take a look at the report.

While we shut down the government over fighting about border security—remember, that was the issue at the time, whether we are going to have a wall or not and what kind of funds were going to go to border security—the Department of Homeland Security had to delay important facility maintenance, which had a serious impact on law enforcement officer operations and safety, including at the border. The lack of these critical maintenance and repair services actually made it more risky, even endangered the lives of some law enforcement officers, and made it harder to defend the border. The shutdown certainly didn't work in that regard.

Meanwhile, the Department of Justice was forced to cancel about 60,000 immigration hearings for nondetained aliens who were scheduled during the 35 days of the shutdown. During the 35 days, you couldn't have immigration hearings. There were 60,000 immigration hearings canceled. We already had a big backlog in these hearings, as some of you have heard about, to the point that often it takes a couple of years to have your case heard by an immigration judge. Now it is even worse. Again, we still haven't resolved that issue. That is a problem that is compounded so that today you have so many of these hearings that are still outstanding.

A lot of my constituents back in Ohio were affected too. Let me give you an example. We have a poor neighborhood in Cleveland, OH. A guy wanted to start a deli there, which was a great idea. It is kind of a food desert there. This deli was ready to go, ready to be put into operation, but they couldn't get the approval by the U.S. Department of Agriculture to use the machines to accept the SNAP benefits—the food stamp benefits—so they had a really hard time launching. They couldn't make much money because a lot of people in the area were SNAP recipients. The USDA couldn't certify the machines to have it work because of the shutdown. That one was really frustrating for me.

At the Piketon, OH, uranium enrichment plant, a lot of employees were unsure if their healthcare premiums would be paid, despite potentially being exposed to levels of radiation that could be dangerous to them.

At a vineyard in Lorain, OH—Lorain County is a place where there is more wine being grown. It is exciting—this vineyard submitted six label approval requests to the Alcohol and Tobacco and Tax and Trade Bureau. The Alcohol and Tobacco and Tax and Trade Bu-

reau has to approve these labels. The owners of the vineyard were left in limbo throughout the entire shutdown as they waited for approval. They lost sales because in that business, it is all about the new thing. You want to have your new label out there, your new product out there. That was frustrating to me too. These are small business owners—again, entrepreneurs who are taking a chance, trying something exciting that has been a growth to business in our State, but they couldn't get approval.

The National Transportation Safety Board stopped an investigation of a plane crash in Wayne County, OH, that took the lives of two individuals in January because of the government shutdown.

It doesn't just affect the border or TSA or others I have talked about; it affects a lot of our constituents.

Ohioans applying for Customs and Border Protection Trusted Traveler Programs had their applications suspended during the shutdown and then faced long delays in getting their applications approved once the government reopened because of the backlog.

Home loans across the State were unable to get processed because of the backlogs at the IRS, where employees were still working overtime and weekends to catch up on work as caseloads doubled. Even last week, I talked about this nonprofit that couldn't get its 501(c)(3) status because of the backlog, the IRS said, even though it happened 9 months ago.

There are only a few examples here I have been able to give you. Again, I would encourage you to look at the report. Go onto our website for the Permanent Subcommittee on Investigations and take a look at it. There are so many issues and vulnerabilities that happen in all of our States. It is clear we need to find a way to prevent this from happening again.

Part of the problem we face here is that this constant threat of shutdowns has become kind of the norm. People are already talking about it—12 days from now. Are we going to shut down or not? It has kind of a chilling effect on our economy just to talk about it.

For the past two decades, the government has routinely operated on temporary funding because we don't get our spending bills done. Congress is supposed to pass 12 appropriations bills, which comprise all the Agencies and Departments. Last year, we did a pretty good job of getting close to the 12. You have to go back to 1997 to find a year when we completed all 12 of the spending bills.

If we don't complete a spending bill and have it signed off by the House and the Senate and signed into law by the President, we do these temporary spending bills. They are called continuing resolutions. You just kind of continue the spending from the previous year. They are always short term.

So there is discussion right now of, in 12 days, having a continuing resolution. That is a lot better than a shutdown. It is not what we should be doing, because at the end of that CR, we will have another impasse, likely, and that is when you get another threat of a shutdown. It is much better to pass the actual appropriations bills.

Since 1997, we have had a total of 117 continuing resolutions to fund the government. It used to be very rare. Now it is not just common; it is the norm. So moving forward, I hope one thing we can all agree on is that we should do the appropriations process, do the individual bills, and have the debate. We are going to have differences, and that is fine. At the end of the day, we have a vote on the floor.

Today, we tried to go to the so-called minibus, a group of four different appropriations bills. It shouldn't be that hard. We should be able to get these things done. I hope we can agree that no matter what, we should not have government shutdowns.

One recommendation our report makes—again, this is a bipartisan report coming out of our subcommittee—our report says that the Congress should enact an automatic continuing resolution to permanently prevent the Federal Government from shutting down, so forever not to have shutdowns by just saying: If you don't get your spending bills done, you will simply have a continuing resolution that is automatic.

During the shutdown in January, I once again introduced our legislation called the End Government Shutdowns Act. It is legislation that now has 33 cosponsors here in the Senate. That is about a third of the Senate. It is legislation that has mostly Republicans—almost two-thirds are Republicans. In the past, it has been bipartisan. This year, it has not been. I hope it will become that. I have introduced this legislation every Congress since 2010.

My hope is that we will never have to publish this kind of a report again that talks about how many days we had a shutdown, what the cost was to taxpayers—\$4 billion in this case—over the last 5 years alone, and the 57,000 hours of lost work productivity. We shouldn't have to have these kinds of reports because we shouldn't have shutdowns. We do need to put legislation on the floor and have a vote on it to be able to stop it.

Our legislation is pretty simple. It says that you continue the spending from the previous year if you can't come to an agreement, and then after 120 days, you reduce the spending by 1 percent across the board. Why? To give the Appropriations Committees—the people who write these spending bills—the incentive to get to work, because none of them, Republican or Democrat, like across-the-board 1 percent spending cuts. They want to make their decision as to where the funding goes, and they don't want the funding to be reduced. Then, every 90 days, it reduces

it another 1 percent. Again, it is to give them the incentive to get their work done.

There is other legislation out there, one of which passed the HSGAC Committee—the Homeland Security and Governmental Affairs Committee—about a month and a half ago. It had some other elements to it—that during a shutdown, we would be restrained from doing certain things on the floor. The government couldn't travel, including the executive branch. I think some of those bells and whistles that were put on it are not great policy, but I think it is so important that we end government shutdowns, we have to figure out a way to come together as Republicans and Democrats to get this done.

I think we are at the point now where, if Democrats won't support the 1-percent cut, which is what they are saying despite supporting it previously—some of them—and the House sets a bipartisan bill, then let's look at just an auto CR, just automatically avoiding the shutdown and continuing the spending from the previous year.

The point is, we need to figure out a way to keep the lights on and not have these shutdowns. We need to stop missing our deadlines. We need to stop putting our taxpayers in a bad situation where you do a shutdown at enormous cost to them. We need to put our Federal employees in a better position, where they are not being furloughed and they are not being told: You have to go to work, or we are not going to pay you. That is not fair either.

So let's pass legislation to provide for a continuation of government spending, and let's do all we can to try to get our spending bills done to avoid getting in that situation. I hope my colleagues on both sides of the aisle will not allow us to fall back into this 12 days from now, and I hope instead we will redouble our efforts to pass spending bills on time into the future and immediately look at legislation that says: Let's end government shutdowns forever to avoid this problem going forward.

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

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

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

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

#### HEALTHCARE

Mr. CASEY. Mr. President, I rise this evening to talk about healthcare. I will not have long remarks, but I do want to highlight a report that was just issued last week. The report I am holding is from the Census Bureau. The re-

port is entitled "Health Insurance Coverage in the United States: 2018," by the U.S. Census Bureau, dated September of 2019.

On page 2, this fairly lengthy report, which goes on for about 29 or 30 pages, has the general comparison in healthcare coverage of uninsured numbers—those without insurance in 2017 versus 2018. This is what it says on page 2 of the report under "Highlights":

In 2018, 8.5 percent of people, or 27.5 million, did not have health insurance at any point during the year. The uninsured rate and number of uninsured increased from 2017 (7.9 percent or 25.6 million).

And then it refers to a figure and a table.

Basically, what is outlined is a drop in the number of Americans covered. Looking at it another way, there was an increase in the number of uninsured from 25.6 million Americans to 27.5 million Americans—a difference of 1.9 million. Just for general reference, I will round that off to say that roughly 2 million people who had insurance in 2017 were uninsured in 2018. That is deeply troubling because the number of uninsured is up, not just generally from 2017 to 2018 but more broadly. It is a change in the trend lines where we have been for most of the last decade.

I think it is pretty clear that the Trump administration's sabotage of health insurance is, indeed, working. It is reversing coverage gains that were made under the Affordable Care Act in the years after enactment and implementation of the Affordable Care Act. We are told, as well, that the number of uninsured children is up, so more children were without insurance from 2017 to 2018.

Here is what one observer, whose name is Phil Galewitz, from the Kaiser Health News said: "For the first time in a decade, the number of Americans without health insurance has risen—by about 2 million people in 2018—according to the annual U.S. Census Bureau report released Tuesday."

That was Tuesday of last week. He goes on to cite the numbers that I just cited.

Here is another comment from Katie Keith from Health Affairs:

Coverage losses are expected to continue in 2019. This is due to a number of factors, including repeal of the individual mandate penalty, the expanded availability of non-ACA plans, and the final "public charge" rule.

She goes on from there.

These are people who spend their lives on the issue of healthcare.

A third commentator, Joan Alker, from Georgetown University Center for Children and Families said: "As a result, 4.3 million kids were uninsured in 2018—a statistically significant increase of 425,000."

Another commentator who follows healthcare, Matt Broaddus, from the Center on Budget and Policy Priorities said:

[T]oday's Census data provide the clearest evidence yet that Trump Administration efforts to weaken health coverage under the

ACA are taking a toll. They include canceling most federal outreach efforts for the open enrollment period for 2018 marketplace coverage, supporting new state policies that make it harder for people to enroll or stay enrolled in Medicaid, issuing rules to expand short-term and association health plans . . . and creating public confusion about the ACA's future by refusing to defend its constitutionality in a lawsuit by Republican state officials.

Then I turn to the last reference by groups that follow this information. I will just hold up this chart. This is a chart by the Center on Budget and Policy Priorities. This chart depicts where we have been over the decade and where we could be at the end of the decade on healthcare. This is a reference to the uninsured rate for non-elderly Americans. That number was over 17 percent in 2009. So 17.2 percent of Americans were uninsured at that time. The chart says it then fell each year, especially after the Affordable Care Act's major coverage provisions took effect in 2014. You see it starting in 2009, and then you see the big drop. Of course, that big drop of uninsured is good news. When that chart depicts the number going down, that is obviously good news.

Then you see the Trump administration sabotage has begun eroding this progress. You see it flattening out. Now, instead of a continual diminution or decline in the uninsured number, you see kind of a flattening out of that. Then you factor in the census report, which documents at least for 1 year an increase in the number of uninsured. Then the last part of the chart says: "If the administration gets the courts to strike down the ACA, the uninsured rate would almost double."

It goes all the way up to 18.7 in 2019. Of course, the last part of the chart is a projection. The Center on Budget and Policy Priorities is asserting that if a lawsuit is successful in the Fifth Circuit Court of Appeals, which we know was successful at the district court level and is now on appeal—if they are successful, this think tank, the Center on Budget and Policy Priorities, says that in 2019, the number of uninsured could go up to 18.7 percent, surpassing where we were in 2009, when we started to pass and then implement the Affordable Care Act, reducing substantially the number of people who were uninsured.

If you look at it this way, roughly over 6 years, the uninsured number went from about 47 million Americans down to about 27 million Americans. Twenty million-plus people gained insurance coverage in about 6 years—not even a decade.

The concern I have is that efforts undertaken by the administration, unfortunately, are seen as successful, according to the Census Bureau numbers, because the number of uninsured is going up at a time we want the number to go down. When you add in the lawsuit, which, in my judgment, is more likely to succeed than not—I don't want it to succeed; I want it to fail be-

cause I think it is an insult to declare the Patient Protection and Affordable Care Act unconstitutional, therefore destroying protections for more than 100 million Americans and ripping away coverage from so many Americans that the number of uninsured would skyrocket. Why would we ever go back to the days when the number of uninsured was that high and potentially growing? Why would we ever take any step—whether there is a lawsuit or whether it is sabotage or whatever—to drive up the number of uninsured?

Let me conclude with a couple of headlines. The front page of the New York Times, dated September 11, 2019 reads: "Fewer Insured After Attacks On Health Act." If you go to the inside of the paper, on page A15 there is a longer headline that says: "Fewer Are Insured Amid Administration's Attacks On Health Act."

The Wall Street Journal—a newspaper, when I last checked, that was not necessarily supportive of the Affordable Care Act, editorially—dated September 11, page 83, reads: "Insured Rate Logs First Drop in a Decade." That means the number of uninsured is getting larger.

I would say in conclusion that we need to sound the alarm about the threat to healthcare, sound the alarm about the threat to a growing number of uninsured Americans. This is not even factoring in the lawsuit, which, as the chart depicts, would make the uninsured number skyrocket. It wouldn't go up by 1.9 million or a percentage point or two; it would go up exponentially higher.

I hope that Members of this body in both parties not only would be concerned about these trends and concerned about what would could happen if the lawsuit were successful but also would take action to prevent this dark result from playing out for the American people because the number of uninsured would explode instead of continuing to go down where Americans want it to go. We want the number of uninsured to go down. We certainly want the number of uninsured children to go down.

I yield the floor.

Mr. BROWN. Thank you, Senator CASEY, for speaking out on such an important issue.

He and I talked yesterday about the number of people who now have insurance in our States. In his State it is over a million; in my State it is over 900,000 because of the Affordable Care Act, because of Medicaid expansion, because of other things.

Seniors have more. Seniors are getting more preventive care, and the cost of drugs is less in spite of the fact that this institution and the President do nothing to keep the prices of drugs down. We know the White House looks like a retreat for drug company executives, so this body has not done nearly what it should.

The Affordable Care Act is so important. I appreciate Senator CASEY al-

ways standing up for kids and standing up for Medicaid and standing up for the Affordable Care Act and the impact it has made on our States.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### UNANIMOUS CONSENT AGREEMENT—S. 1790

Mr. BARRASSO. Mr. President, for the information of Senators, the cloture vote on the compound motion to go to conference on S. 1790 will occur at this time. I ask unanimous consent that if the compound motion is agreed to, it be in order for the following motions to instruct, which are at the desk—Van Hollen, Cotton, Jones, Schatz, Peters, McSally, McConnell or designee—to be considered at a time to be determined by the majority leader in consultation with the Democratic leader, but prior to September 26, in the form of Senate resolutions taken up and considered on the same day with no amendments in order.

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

#### CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to disagree in the House amendment, agree to the request from the House for a conference and authorize the Chair to appoint conferees in relation to S. 1790, a bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

James M. Inhofe, Shelley Moore Capito, Thom Tillis, John Boozman, Cindy Hyde-Smith, Jerry Moran, John Cornyn, Mike Crapo, Johnny Isakson, Joni Ernst, James E. Risch, Roger F. Wicker, David Perdue, John Thune, Mike Rounds, Kevin Cramer, Mitch McConnell.

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 compound motion to go to conference and appoint conferees on S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such

fiscal year, and for other purposes, 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 Senators are necessarily absent: the Senator from Kansas (Mr. ROBERTS) and the Senator from South Dakota (Mr. ROUNDS).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from Minnesota (Ms. KLOBUCHAR), 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 87, nays 7, as follows:

[Rollcall Vote No. 293 Leg.]

YEAS—87

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

NAYS—7

Gillibrand	Merkley	Wyden
Harris	Paul	
Markey	Warren	

NOT VOTING—6

Bennet	Klobuchar	Rounds
Booker	Roberts	Sanders

The PRESIDING OFFICER. On this vote, the yeas are 87, the nays are 7.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The Senator from Oklahoma.

Mr. LANKFORD. Mr. President, I know of no further debate on the motion.

The PRESIDING OFFICER. Is there further debate?

The motion was agreed to.

APPOINTMENT OF CONFEREES

The PRESIDING OFFICER. The Chair appoints the following as conferees on the part of the Senate:

The Presiding Officer appointed Mr. INHOFE, Mr. WICKER, Mrs. FISCHER, Mr. COTTON, Mr. ROUNDS, Ms.

ERNST, Mr. TILLIS, Mr. SULLIVAN, Mr. PERDUE, Mr. CRAMER, Ms. MCSALLY, Mr. SCOTT of Florida, Mrs. BLACKBURN, Mr. HAWLEY, Mr. REED, Mrs. SHAHEEN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Ms. HIRONO, Mr. KAINE, Mr. KING, Mr. HEINRICH, Ms. WARREN, Mr. PETERS, Mr. MANCHIN, Ms. DUCKWORTH, and Mr. JONES.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. LANKFORD. Mr. President, I move to proceed to executive session to consider Calendar No. 417.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Brian McGuire, of New York, to be a Deputy Under Secretary of the Treasury.

CLOTURE MOTION

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

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

The 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 McGuire, of New York, to be a Deputy Under Secretary of the Treasury.

Mitch McConnell, Tom Cotton, Roger F. Wicker, Rob Portman, John Thune, Kevin Cramer, John Barrasso, James E. Risch, Richard Burr, James M. Inhofe, Lindsey Graham, Rick Scott, John Boozman, Mike Crapo, Tim Scott, John Hoeven, Deb Fischer.

LEGISLATIVE SESSION

MORNING BUSINESS

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

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

CONFIRMATION OF JOHN RAKOLTA

Mr. MENENDEZ. Mr. President, I wish to express my reservations about the nomination of John Rakolta, Jr., to be Ambassador to the United Arab Emirates. Historically, the United States has sent career foreign service officers to serve as ambassadors to the United Arab Emirates, men and women well-versed in the complexities and challenges facing the region. Mr.

Rakolta would be the first political nominee to serve as Ambassador to this critical post. The U.S. mission in the United Arab Emirates has benefited from experienced, trained diplomats who can adroitly navigate our important security partnership while also addressing some of our major policy disagreements, particularly regarding involvement in conflicts throughout the Middle East.

In nominating Mr. Rakolta, this administration is putting a political nominee with no diplomatic experience at the helm of one of our most critical Middle East posts. While Mr. Rakolta possesses extensive business experience, he lacks knowledge of the arms sales process, security commitments, and complex diplomacy that we should demand of our emissaries to the United Arab Emirates. This is a risky venture that could jeopardize our effectiveness in the region. It also is part of a concerning trend that has reduced the number of career ambassadors serving abroad. The historically even split between political and career nominees is becoming further skewed toward political ambassadors.

Mr. Rakolta's nomination is also indicative of the lack of due diligence and forthrightness demonstrated by a number of this administration's nominees. It took months for the Senate Foreign Relations Committee to obtain an accurate and complete picture of the extent of Mr. Rakolta's business holdings, litigation history, and the role he played at a questionable nonprofit, ostensibly related to economic development.

Mr. Rakolta initially failed to include key details in the paperwork he submitted to the committee. He did not disclose dozens of companies that he had owned or managed, including many with an international presence, and omitted dozens of foreign lawsuits, among other details. More concerning, however, he did not disclose that he had served on the board of a nonprofit that had been the subject of intense public scrutiny, including questions about payments the board approved for its executive director. These issues and omissions not only slowed down Mr. Rakolta's nomination, but raised concerns about Mr. Rakolta's candor and forthrightness with the committee.

The committee relies on nominees to be transparent and forthcoming about relevant information to ensure that there are not actual or potential conflicts of interest or issues that call into question a nominee's fitness for public service. When these details are obscured, omitted, or hard to obtain, it further erodes the confidence that a nominee is well-qualified and committed to serve in a given position. Mr. Rakolta's failure to provide accurate details to the committee did not inspire confidence about his diligence or transparency. Further, the details that the committee did obtain raise concerns about the type of leadership that

he would bring to a critical U.S. embassy. Therefore, I opposed his nomination.

#### EMERY COUNTY PUBLIC LAND MANAGEMENT ACT

Mr. ROMNEY. Mr. President, I rise today regarding the Emery County Public Land Management Act, that was included in S. 47, the John D. Dingell, Jr. Conservation, Management, and Recreation Act. This became Public Law 116-9 on March 12th, 2019.

Throughout 2018 and early 2019, Senator Hatch, Congressman CURTIS, and I engaged with the Emery County Commissioners and Emery County Public Lands Council on this important piece of legislation. After Senator Hatch's retirement, I was honored to help carry the ball across the finish line.

This law is the result of over 25 years of deliberation, and I find it important to highlight some areas of congressional intent to maintain the integrity of the process. While congressional intent should be evident in the legislative text and corresponding map, the historical context of how we arrived at some of these decisions may be of benefit to the Department of the Interior, future members of the Utah delegation, and those in Utah. The residents of Emery County, the Utah delegation, and I look forward to the implementation of this new law.

Fundamental to this process was the effort to avoid any action that would end a current ongoing use. For example, it was important to not close a road, trail, airstrip, or prohibit other existing use in the legislative text or corresponding map with a wilderness designation. Further, to avoid applying more restrictive designations, such as wilderness, to areas it would limit ongoing activity, such as grazing or recreation. Designation boundaries were drawn along geographic and physical features or just outside cherry-stemmed roads to ensure management made sense for the area.

Any designation boundary that does not follow this approach, particularly any designation that puts at risk an existing use due to a poorly drawn boundary, was a clerical error and should be resolved under the authority clearly provided in Sec. 1221. Given the scale of this bill and legislative map, this authority is a vital tool to resolve such errors.

I would also highlight the clear intent within Sec. 1232, section (e), which clearly states that non-wilderness activities or uses that can be seen or heard from areas within wilderness are to be left uninterrupted by this legislation. The clear intention of the bill was to avoid any type of a buffer zone management plan.

On the topic of roads, stakeholders worked closely with BLM to ensure all roads in the 2008 Resource Management Plan were "cherry-stemmed," meaning they were not included in a wilderness designation. Our intent was to main-

tain these roads and for those designated as "open" to stay open. These cherry-stems are of various sizes and were intended to ensure an adequate corridor exists to facilitate necessary maintenance. In the Recreation Area, Sec. 1222 includes language to ensure the necessary maintenance to existing routes may continue and allow rerouting of roads or trails to protect the resources of the Recreation Area.

The driving force for this compromise bill was the desire for county-wide land use certainty and thus preventing the designation of a national monument under the authority granted to the President under the Antiquities Act. As so many know, in my home State of Utah national monument designations under the Antiquities Act have been the source of extreme controversy and deep division in our communities. In my own view, land management is most effective when it is driven by local voices and well-reasoned planning. Sweeping designations via Presidential proclamation are often politically motivated, lead to poor management of the lands they intend to protect, and erode trust between the Federal Government and local residents. With the passage of the Emery County legislation, the need for a national monument is obsolete because a clear plan has been laid out for the long-term management of the San Rafael Swell. To be clear, this is a view that was shared by the many parties, including locally elected officials, conservationists, recreationists, and others that were intimately involved in the forging of this compromise legislation. Any advocacy of a future national monument designation under the Antiquities Act or other large-scale land use designation in Emery County would be a violation of the good-faith agreement that was shared among those that negotiated during this bill's process.

I believe this bill is a victory for all stakeholders, and I look forward to watching this quarter-century journey for Emery County finally come to fruition.

#### NATIONAL POW/MIA RECOGNITION DAY

Mr. CRAPO. Mr. President, I call attention to National POW/MIA Recognition Day through Senate statements, such as this, each year to try to help keep national focus on the return of American servicemembers and help their families to know that our country stands with them as work continues to find the answers they more than deserve.

As we observe this National POW/MIA Day on September 20, 2019, a special tribute must be paid to the families and friends of missing servicemembers. Too often, their quiet, ceaseless, and enormous service to our Nation is overlooked. Many have carried on through years and even decades of sorrow and uncertainty. Their ques-

tions must be replaced with answers. Their loss must be softened, if possible, by resolution.

Those working hard through challenging conditions to get needed answers and bring all American servicemembers home also deserve appreciation and steady encouragement. Thank you to those who work for and assist the Defense POW/MIA Accounting Agency and related efforts. So far this month, the agency has reported accounting for more than 20 missing servicemembers, many of whom were lost in the attack on Pearl Harbor and the Korean war. Piecing together the circumstances, whereabouts and lives of those lost cannot be easy, but bringing them home is critical to honoring their service. To help with this effort, I have continually fought for the Bring Our Heroes Home Act that is meant to address obstacles preventing families and caseworkers from accessing the records needed for recovery efforts by putting one entity in charge of prioritizing and facilitating the declassification of records related to missing servicemembers.

Thank you to the members of the POW\*MIA Awareness Rally Corp. of Pocatello, ID, and other similar groups that hold rallies and other events to keep a spotlight on the immense service of our Nation's veterans and the need for an ongoing focus on bringing them all home. Bringing all of the 82,000 Americans the Defense POW/MIA Accounting Agency reports remain missing home will certainly not fill the losses felt in far too many American families, but those who have served our Nation deserve no less than to rest at home, and we cannot rest until they do.

#### 200TH ANNIVERSARY OF THE FOUNDING OF THE CONGDON STREET BAPTIST CHURCH

Mr. REED. Mr. President, today I join with my colleague Senator Whitehouse, the city of Providence, and the State of Rhode Island in celebrating the 200th anniversary of the founding of the Congdon Street Baptist Church, Rhode Island's oldest Black congregation. For generations, it has been a spiritual home for the community and an unwavering beacon for religious and civil liberties in Rhode Island.

The church's founding members left the First Baptist Church, where they were forced to attend segregated services, and established their own house of worship in 1819. Initially named the African Union Meeting House, the church aimed to provide a place of worship and schooling for Black Americans. This mission positioned the congregation as a focal point of the African-American community and paved the way for its continuing advocacy for meaningful social change.

As one of the earliest African-American churches in the State and the first schoolhouse for African-American children in Providence, the African Union

Meeting House opened its doors to a variety of different denominations. Beyond these religious and educational roles, the church offered a meeting place for African Americans to discuss civil rights and other vital issues and hosted literary clubs, youth groups, and numerous other social organizations.

Unfortunately, the original church structure, which was renamed the Meeting Street Baptist Church in 1840, was torn down in the 1860s without the congregation's approval amid tensions with its White neighbors. However, the congregation persevered, and a new structure was built on a nearby plot of land in 1875.

The new church was renamed the Congdon Street Baptist Church and to this day continues to be a pillar of support and advocacy for Rhode Island's African-American community. Its congregants supported Black Brown University students during their 1968 walkout protesting the university's lack of recruitment of and support for students of color. In a testament to Congdon Street Baptist Church's importance to Black Rhode Islanders, the students chose to march from the university to the church and remained there until their demands for change were met. During the mid-20th century, congregants also pressured the State to investigate and end discrimination in employment and marched with Dr. Martin Luther King, Jr. More recently, the church has, among its numerous activities, increased its outreach to college students, embarked on mission trips to help disadvantaged communities around the world, and tutored local children in reading, math, and writing.

Today, after 200 years of worship and public service, Congdon Street Baptist Church continues to uplift our State while adhering to its vision of being a "radically authentic community." I join community members in Providence and Rhode Islanders across the State in congratulating Pastor Justin R. Lester and the entire Congdon Street Baptist Church congregation on this significant milestone.

Mr. WHITEHOUSE. Mr. President, today I wish to celebrate a milestone for Rhode Island's oldest Black church. In August, the Congdon Street Baptist Church on the East Side of Providence celebrated its bicentennial. From its inception at the nearby African Union meetinghouse and schoolhouse in 1819, Congdon Street Baptist Church has been a centerpiece of spiritual and community life for generations of African Americans in Providence.

The Congdon Street Baptist Church has weathered racial injustices to flourish as a place for worship and education. Its founding members left the First Baptist Church in America, where they were made to worship in a segregated space. They formed their own congregation in Providence so that people of color could worship in dignity and secure a fitting education for their children.

Fulfilling that mission did not come without adversity. The original church was demolished in the 1860s at the behest of White neighbors. Unbowed, the congregation rebuilt. The new church, completed in 1875, is listed on the National Register of Historic Places. In the 1960s, the church served as a sanctuary for Rhode Islanders involved in the civil rights movement. Today, education and empowerment remain hallmarks of the church community.

Rhode Island was founded on the principles of religious freedom and tolerance. I am proud to have Congdon Street Baptist Church as a cornerstone of that tradition, and I wish the congregation centuries of peaceful worship to come.

#### ADDITIONAL STATEMENTS

##### REMEMBERING WALTER TURNBOW

• Mr. BOOZMAN. Mr. President, today I wish to honor the life of Walter Turnbow, who passed away on September 9 at the age of 95. Walter was a longtime leader in northwest Arkansas and truly represented what it meant to put the needs of others above one's own.

Walter Turnbow served on the Springdale Industrial Commission, Springdale Public Facilities board, Beaver Water District board, and the Springdale Water and Sewer Commission. In addition to these positions, he also served on the Springdale School Board, Northwest Arkansas Community Care Foundation, and the Arkansas State Board of Education.

He dedicated his life to public service and the education system in Springdale. While serving on the water and sewer commission, he oversaw the construction of what was, at that time, the State's largest water tank. This proved to be a forward-thinking decision since the city's continued growth would require greater infrastructure investment. Because of Walter's leadership, Springdale was prepared for the changes and completed the project without having to borrow money.

Walter saw education as the gateway to a better future for his community. In 2006, the Springdale School District honored his contributions to the community and the school board by naming an elementary school after him. He often visited the school to meet with students and read to them. In addition to the elementary school, other sites and meeting spaces in the Springdale community have also been named in his honor, a testament to his very real impact and incredible legacy.

As one of Springdale's most well-known public servants, he touched the lives of everyone in the community. From overseeing economic development to ensuring a quality education for everyone, Walter Turnbow left a mark on the community of Springdale that no one will soon forget. I extend my condolences to his loved ones and

the entire Springdale community and pray that future leaders will follow his remarkable example. ●

#### MESSAGE FROM THE HOUSE

At 11:10 a.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. 806. An act to require compliant flame mitigation devices to be used on portable fuel containers for flammable liquid fuels, and for other purposes.

H.R. 1618. An act to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

H.R. 2134. An act to reauthorize the Helen Keller National Center for Youths and Adults Who Are Deaf-Blind.

H.R. 2211. An act to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes.

H.R. 2486. An act to reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions.

The message also announced that the House has passed the following bills, without amendment:

S. 163. An act to prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices, and for other purposes.

S. 1689. An act to permit States to transfer certain funds from the clean water revolving fund of a State to the drinking water revolving fund of the State in certain circumstances, and for other purposes.

The message further announced that pursuant to section 4003(e) of the 21st Century Cures Act (Public Law 114-255), and the order of the House of January 3, 2019, the Speaker appoints the following individual on the part of the House of Representatives to the Health Information Technology Advisory Committee to fill the existing vacancy thereon: Dr. Jim Jirjis of Nashville, Tennessee.

The message also announced that the House insists upon its amendment to the bill (S. 1790) to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, and asks a conference with the Senate on the disagreeing votes of the two Houses thereon, and that the following Members be the managers of the conference on the part of the House:

From the Committee on Armed Services, for consideration of the Senate bill and the House amendment, and modifications committed to conference: Mr. SMITH of Washington, Mrs. DAVIS of California, Messrs. LANGEVIN, LARSEN of Washington, COOPER, COURTNEY, GARAMENDI, Ms. SPEIER, Messrs. NORCROSS, GALLEGRO, MOULTON, CARBAJAL, BROWN of Maryland,

KHANNA, KEATING, VELA, KIM, Ms. KENDRA S. HORN of Oklahoma, Messrs. CISNEROS, THORNBERRY, WILSON of South Carolina, TURNER, ROGERS of Alabama, CONAWAY, LAMBORN, WITTMAN, Mrs. HARTZLER, Ms. STEFANIK, Messrs. KELLY of Mississippi, BACON, BANKS, and Ms. CHENEY.

From the Permanent Select Committee on Intelligence, for consideration of matters within the jurisdiction of that committee under clause 11 of rule X: Mr. SCHIFF, Ms. SEWELL of Alabama, and Mr. NUNES.

From the Committee on the Budget, for consideration of sections 4 and 10608 of the Senate bill, and sections 1006 and 1112 of the House amendment, and modifications committed to conference: Messrs. YARMUTH, PETERS, and JOHNSON of Ohio.

From the Committee on Education and Labor, for consideration of sections 571, 572, and 5501 of the Senate bill, and sections 211, 576, 580, 1099N, 1117, 3120, and 3503 of the House amendment, and modifications committed to conference: Mr. SCOTT of Virginia, Mrs. TRAHAN, and Ms. FOXX of North Carolina.

From the Committee on Energy and Commerce, for consideration of sections 214, 315, 318, 703, 3112, 3113, 3201-03, 5318, 6001, 6006, 6021, 6701, 6711, 6721-24, 6741, 6742, 6751-54, 8101, 8202, 10421, 10422, and 10742 of the Senate bill, and sections 315, 330F, 330H, 3300, 606, 737, 3111, 3112, 3127, 3128, 3201, and 3202 of the House amendment, and modifications committed to conference: Messrs. PAL-LONE, TONKA, and UPTON.

From the Committee on Financial Services, for consideration of sections 6017, 6018, 6804, 6811, 6813-16, 6834, 6835, and title LXIX of the Senate bill, and sections 550K, 560G, subtitle I of title X, sections 12408, 1292, 1704, 1711, 1713-16, 1733, and 2843 of the House amendment, and modifications committed to conference: Ms. WATERS, Messrs. SHERMAN, and BARR.

From the Committee on Foreign Affairs, for consideration of sections 834, 1011, 1043, 1202, 1203, 1205, 1206, 1211, 1212, 1215, 1221-24, 1231-36, 1238, 1252, 1281-84, title XIII, sections 1671, 1681, 2822, 6203-06, 6210, 6213, 6215, 6231, 6236, title LXVI II, sections 6921, 6922, 6931, 6941, 6943, 6954, part I of subtitle B of title LXXXV, sections 8562, and 10701 of the Senate bill, and sections 634, 1036, 1046, 1050, 1099X, 1201, 1202, 1204, 1207, 1210, 1213, 1215, 1218, 1221-25, 1229, 1231-34, 1240A, 1241, 1250D, 1251, 1255, 1258, 1260A, 12608, 1265, 1266, 1269, 1270, 1270G, 1270H, 1270I, 1270N, 1270R, 1270S, 1270T, 1270W, subtitle I of title XII, subtitle J of title XII, title XIII, sections 1521, 1669, and title XVII of the House amendment, and modifications committed to conference: Messrs. ENGEL, MEEKS, and McCAUL.

From the Committee on Homeland Security, for consideration of sections 6006, 6012, and 8543 of the Senate bill, and modifications committed to conference: Mr. ROSE of New York, Ms. UNDERWOOD, and Mr. WALKER.

From the Committee on the Judiciary, for consideration of section 1025, 1031, 1044, 1682, 6004, 6206, 6804, 6811, 6813-16, 6835, 6921, and 6944 of the Senate bill, and sections 530F, 530G, 550D, 550F, 550J, 570H, 729, 827, 1011, 1048, 1049, 1050C, 1093, 1099C, 1099K, 1099V, 1099Z-3, 1212, 1296A, 1704, 1711, 1713-16, and 1733 of the House amendment, and modifications committed to conference: Mr. NADLER, Ms. LOFGREN, and Mr. COLLINS of Georgia.

From the Committee on Natural Resources, for consideration of sections 314, 2812, 2814, 6001, 6020, subtitle C of title LXVII, section 8524, part 1 of subtitle B of title LXXXV, sections 8554, and 8571 of the Senate bill, and sections 330G, 1094, 1099D, 1099F, 1099U, 2851, subtitle F of title XXVIII, sections 2876, and 2880 of the House amendment, and modifications committed to conference: Mr. GRIJALVA, Ms. HAALAND, and Mr. BISHOP of Utah.

From the Committee on Oversight and Reform, for consideration of sections 218, 530, 559, 579, 1081, 1082, title XI, sections 5802, 6012, subtitle B of title LXV, sections 9304, 9307, 9311, 9313, 9314, 10303, 10432, 10434, 10601, 10603-05, 10612, 10741, and 10742 of the Senate bill, and sections 212, 239, 550O, 629, 633, 804, 829, 842, 861, 872, 877, 883, 884, 891, 895, 899E, 899H, 899I, 1064, 1085, 1099B, title XI, sections 1704, 1711, 1713-16, and 3127 of the House amendment, and modifications committed to conference: Messrs. LYNCH, CONNOLLY, and GREEN of Tennessee.

From the Committee on Science, Space, and Technology, for consideration of sections 216, 219, 1612, 6001, 6006, 6008, 6009, 6742, 6754, 8524, and 10742 of the Senate bill, and sections 214, 217, 882, and 1089 of the House amendment, and modifications committed to conference: Mses. JOHNSON of Texas, SHERRILL, and Mr. BAIRD.

From the Committee on Small Business, for consideration of section 841 of the Senate bill, and sections 872-76, 878, 879, 881, 882, and 886-89 of the House amendment, and modifications committed to conference: Ms. VELÁZQUEZ, Messrs. GOLDEN, and CHABOT.

From the Committee on Transportation and Infrastructure, for consideration of sections 353, 1612, 1682, 2805, title XXXV, sections 6001, 6006, 6012, 6015, 6019, 6021, 6754, 8500, 8511, 8517, 8519, 8520, 8522, 8523, 8525, 8532, 8543, 8545, 8546, and 8571 of the Senate bill, and sections 311, 313, 330A, 330O, 351, 354, 555, 569, 580C, 606, 896, 2808, 3501, and 3504 of the House amendment, and modifications committed to conference: Messrs. DELGADO, PAPPAS, and KATKO.

From the Committee on Veterans' Affairs, for consideration of sections 568, 721, 726, 727, 1083, 1431, 2812, 2813, 5702, and 6007 of the Senate bill, and sections 530, 530A, 545, 546, 550E, 550G, 550H, 550I, 550J, 569, 570E, 570F, 574, 624, 705, 706, 713, 715, 1093, 1126, and 1411 of the House amendment, and modifications committed to conference: Mr. TAKANO, Ms. BROWNLEY of California, and Mr. WATKINS.

## ENROLLED BILL SIGNED

The President pro tempore (Mr. GRASSLEY) announced that on today, September 18, 2019, he has signed the following enrolled bill, which was previously signed by the Speaker of the House:

H.R. 1200. An act to increase, effective as of December 1, 2019, the rates of compensation for veterans with service-connected disabilities and the rates of dependency and indemnity compensation for the survivors of certain disabled veterans, 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. 806. An act to require compliant flame mitigation devices to be used on portable fuel containers for flammable liquid fuels, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 1618. An act to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 2134. An act to reauthorize the Helen Keller National Center for Youths and Adults Who Are Deaf-Blind; to the Committee on Health, Education, Labor, and Pensions.

H.R. 2211. An act to require the Consumer Product Safety Commission to promulgate a consumer product safety rule for free-standing clothing storage units to protect children from tip-over related death or injury, and for other purposes; to the Committee on Commerce, Science, and Transportation.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled "Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2020" (Rept. No. 116-106).

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. RISCH for the Committee on Foreign Relations.

Andrew P. Bremberg, of Virginia, to be Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador.

Nominee: Andrew Bremberg.

Post: Representative of the United States of America to the Office of the United Nations and Other International Organizations in Geneva, with the rank of Ambassador

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: \$100, July 2015, Scott Walker for America; \$150, April 2016, Mike Gallagher for Wisconsin.

2. Spouse: Maria Bremberg: None.

3. Children and Spouses: Paul Bemberg: None; Lucy Bremberg: None; Jane Bremberg: None; Anne Bremberg: None.

4. Parents: Rebecca Bremberg: \$250, July 2015, Scott Walker for America; Vernon Bremberg: None.

5. Grandparents: Morris Gillett: None; Jane Gillett: Deceased; Donald Bremberg: Deceased; Helen Bremberg: Deceased.

6. Brothers and Spouses: Peter Bremberg: \$50, July 2015, Scott Walker for America; Rachel McKenny: None; John Bremberg: \$10, July 2015, Scott Walker for America; Joseph Bremberg: \$100, July 2015, Scott Walker for America.

7. Sisters and Spouses: Maria Dolci: \$100, July 2015, Scott Walker for America; Matteo Dolci: None; Elizabeth Streiff: None; Leyland Streiff: None; Christina Bemberg: \$25, July 2015, Scott Walker for America.

John Leslie Carwile, of Maryland, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Latvia.

Nominee: John Leslie Carwile.

Post: Riga, Latvia.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee.

1. Self: None;
2. Spouse Karin Hauschild: None;
3. Children and Spouses: Katherine Carwile: None; Madeline Carwile: None.
4. Parents: Clifton Carwile: None; Marlene Carwile: None.
5. Grandparents: Deceased.
6. Brothers and Spouses: N/A.
7. Sisters and Spouses: Terri Wichtendahl (sister): None; Mark Wichtendahl: None.

Erin Elizabeth McKee, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Independent State of Papua New Guinea, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Vanuatu.

Nominee: Erin Elizabeth McKee.

Post: Ambassador to the Independent State of Papua New Guinea, the Solomon Islands, and the Republic of Vanuatu.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, Donee:

1. Self: None.
2. Spouse: Sean Patrick McKee: None.
3. Children and Spouses: Caitlin Gloria McKee (NB: child not of legal voting or marriage age): none.
4. Parents: Harry Stuart Kinder: None; Samantha Gray: None.
5. Grandparents: Deceased.
6. Brothers and Spouses: Devin Garrett Robinson: None; Jennine Robinson (spouse): None.
7. Sisters and Spouses: N/A (no sisters).

Anthony F. Godfrey, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Serbia.

Nominee: Anthony F. Godfrey.

Post: Belgrade, Serbia.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, Amount, Date, Donee:

1. Self: \$100, 11/5/16, Hillary for America; \$100, 10/19/18, Andy Kim for Congress; \$100, 10/19/18, Act Blue; \$100, 9/5/18, Act Blue; \$100, 9/5/18, Act Blue; \$50, 7/14/18, Act Blue; \$100, 7/14/18, Act Blue.
2. Spouse: None.
3. Children and Spouses: None.
4. Parents: Aaron W. Godfrey: \$100, 11/04/16, Anna Throne-Hoist: \$25, 10/25/16, Tammy Duckworth: \$25, 10/24/16, Maggie Hassan: \$25, 10/21/16, Catherine Cortez Masto: \$25, 10/21/16, Hillary Clinton: \$25, 10/21/16, Hillary Clinton: \$35, 10/17/16, Catherine Cortez Masto: \$35, 10/17/16, Catherine Cortez Masto: \$35, 10/17/16, Tammy Duckworth: \$30, 10/30/18, Claire McCaskill: \$30, 10/16/18, Debbie Stabenow: \$30, 10/13/18, Tammy Baldwin: \$30, 10/12/18, Jacky Rosen: \$30, 10/11/18, Heidi Heitkamp: \$30, 10/05/18, Claire McCaskill: \$30, 9/30/18, Jacky Rosen: \$30, 9/27/18, Tina Smith: \$30, 9/27/18, Tammy Baldwin: \$30, 9/25/18, Heidi Heitkamp: \$30, 9/18/18, Claire McCaskill: \$30, 9/15/18, Debbie Stabenow: \$30, 9/14/18, Nancy Klobuchar: \$30, 9/13/18, Tina Smith: \$30, 9/11/18, Tammy Baldwin: \$30, 9/10/18, Heidi Heitkamp: \$30, 9/3/18, Jacky Rosen: \$30, 8/17/18, Claire McCaskill: \$40, 8/15/18, Heidi Heitkamp: \$30, 8/13/18, Tammy Baldwin: \$750, 8/12/18, Perry Gershon: \$30, 8/10/18, Debbie Stabenow: \$35, 8/1/18, Jacky Rosen: \$30, 7/14/18, Heidi Heitkamp: \$30, 7/24/18, Claire McCaskill: \$30, 7/20/18, Tammy Baldwin: \$30, 7/5/18, Jacky Rosen: \$30, 7/5/18, Debbie Stabenow. Valerie Godfrey: \$20, 3/2/16, DNC; \$20, 4/2/16, DNC; \$15, 5/30/16, DNC; \$40, 9/2/17, DNC; \$20, 12/18/17, DNC; \$30, 9/14/15, Hillary Clinton; \$20, 11/24/16, Hillary Clinton; \$20, 3/1/16, Hillary Clinton; \$20, 4/2/16, Hillary Clinton; \$20, 6/21/16, Hillary Clinton; \$20, 8/18/16, Hillary Clinton; \$20, 9/29/16, Hillary Clinton.

5. Grandparents: All Deceased.
6. Brothers and Spouses: Aaron Godfrey (no contributions): Sally Kuzma: Sister-in-Law: \$25, 1/31/16, Act Blue; Thomas J. Godfrey: \$15, 10/18/18, Act Blue.
7. Sisters and Spouses: Catherine Clare Godfrey: \$100, 6/26/18, Shannon Hader: \$100, 6/26/18, Act Blue; \$25, 12/19/17, Act Blue. Ann Clyne (no contributions): Myriam Godfrey (no contributions): Maura Newman (no contributions): Dan Newman—Brother-in-law: \$250, 6/14/16, DNC; \$500, 6/16/16, Hillary Clinton; \$250, 5/22/18, DNC.

Herro Mustafa, of California, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Bulgaria.

Nominee: Herro Mustafa.  
Post: Ambassador to the Republic of Bulgaria.

The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.

Contributions, Amount:

1. Self: None.
2. Spouse: Ravneesh Garg: None.
3. Child: Ariana Garg: None.
4. Child: Ashna Garg: None.
5. Mother: Nasrin Mustafa: None.
6. Father: Abdul Mustafa: None.
7. Grandfather: Mohammed Amin Mustafa: Deceased.

8. Grandmother: Astella Husein: Deceased.  
9. Grandfather: Hemmed Amin Abdulla: Deceased.

10. Grandmother: Sefia Husein: Deceased.
11. Brother: Helo Mustafa: None.
12. Sister in Law: Willow Marr: None.
13. Brother: Barzan Mustafa: None.
14. Brother: Hawro Mustafa: None.

Mr. RISCH. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Foreign Service nomination of Courtney L. Lacroix.

Foreign Service nominations beginning with George Habib Abi-Nader and ending with Alexis Lyn Zintak, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2019.

Foreign Service nomination of Cynthia K. Duerr.

Foreign Service nominations beginning with Jessica Abenstein and ending with David Waldron, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2019.

Foreign Service nominations beginning with Kendra Michelle Arbaiza-Sundal and ending with Jacqueline Leann Ward, which nominations were received by the Senate and appeared in the Congressional Record on July 25, 2019.

By Mrs. FISCHER for Mr. INHOFE for the Committee on Armed Services.

\* Barbara McConnell Barrett, of Arizona, to be Secretary of the Air Force.

\* Ryan McCarthy, of Illinois, to be Secretary of the Army.

Army nomination of Brig. Gen. Douglas A. Sims II, to be Major General.

Army nomination of Col. Curtis A. Buzard, to be Brigadier General.

Air Force nomination of Col. Linell A. Letendre, to be Brigadier General.

Army nomination of Lt. Gen. James H. Dickinson, to be Lieutenant General.

Army nomination of Maj. Gen. Ricky L. Waddell, to be Lieutenant General.

Army nomination of Maj. Gen. Jason T. Evans, to be Lieutenant General.

Army nomination of Maj. Gen. Raymond S. Dingle, to be Lieutenant General.

Navy nomination of Rear Adm. Daryl L. Caudle, to be Vice Admiral.

Air Force nomination of Maj. Gen. Glen D. VanHerck, to be Lieutenant General.

Army nomination of Brig. Gen. Arthur J. Logan, to be Major General.

Air Force nomination of Lt. Gen. Anthony J. Cotton, to be Lieutenant General.

Navy nomination of Vice Adm. Colin J. Kilrain, to be Vice Admiral.

Air Force nomination of Brig. Gen. Timothy D. Haugh, to be Lieutenant General.

Air Force nomination of Maj. Gen. Michael A. Minihan, to be Lieutenant General.

Air Force nomination of Maj. Gen. Scott A. Kindsvater, to be Lieutenant General.

Navy nomination of Vice Adm. David M. Kriete, to be Vice Admiral.

Navy nomination of Vice Adm. Stuart B. Munsch, to be Vice Admiral.

Mrs. FISCHER for Mr. INHOFE. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were

printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nomination of Christopher J. Wood, to be Major.

Air Force nomination of Christian S. Forrer, to be Lieutenant Colonel.

Air Force nominations beginning with Sheva T. Nickraves and ending with Angela M. Thornton, which nominations were received by the Senate and appeared in the Congressional Record on July 15, 2019.

Air Force nomination of Michael W. Luoma, to be Lieutenant Colonel.

Air Force nominations beginning with David P. Abbott and ending with Justin L. Wolthuizen, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2019.

Air Force nominations beginning with Christian R. Acevedo and ending with Zachary T. West, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2019.

Air Force nominations beginning with Neils J. Abderhalden and ending with Brad D. Zwawa, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2019.

Air Force nominations beginning with Michael Aaron Burnat and ending with Dylan B. Williams, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2019.

Air Force nominations beginning with Christopher M. Abbott and ending with Mathew Zulauf, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2019.

Air Force nomination of Aaron J. Beebe, to be Major.

Air Force nomination of Craig M. Nordgren, to be Lieutenant Colonel.

Air Force nomination of Richard A. Palmer, to be Colonel.

Air Force nominations beginning with Lisa M. Angotti and ending with Duncan K. Wilson, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2019.

Air Force nomination of Rondre F. Baluyot, to be Major.

Air Force nomination of Peter J. Ahn, to be Lieutenant Colonel.

Air Force nomination of Anthony S. Gamboa, to be Colonel.

Air Force nominations beginning with Anthony C. Bivins II and ending with Stacey J. Wadsley, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Air Force nomination of Andrew Kim, to be Major.

Air Force nomination of Catherine A. Lane, to be Major.

Army nomination of Gabriel A. Miritello, to be Major.

Army nomination of Nathan B. Gadberrry, to be Major.

Army nominations beginning with Sean C. Heidgerken and ending with Clint E. Tracy, which nominations were received by the Senate and appeared in the Congressional Record on June 5, 2019.

Army nominations beginning with Jesse Abreu and ending with D006471, which nominations were received by the Senate and appeared in the Congressional Record on June 5, 2019.

Army nominations beginning with Richard R. Abelkis and ending with G010532, which

nominations were received by the Senate and appeared in the Congressional Record on June 5, 2019.

Army nominations beginning with Vincent A. Amerena and ending with D014896, which nominations were received by the Senate and appeared in the Congressional Record on June 5, 2019. (minus 1 nominee: David J. Painter)

Army nomination of Camie R. Levin, to be Major.

Army nomination of Steve A. Albritton, to be Major.

Army nominations beginning with Gary M. Clark and ending with Stephanie E. Stewart, which nominations were received by the Senate and appeared in the Congressional Record on July 15, 2019.

Army nomination of Christopher D. Barrett, to be Major.

Army nomination of Ralphine R. Walton, to be Major.

Army nomination of Matthew R. Campbell, to be Major.

Army nomination of John C. Ross, to be Major.

Army nomination of Robert T. Buckley, to be Major.

Army nomination of Damien McGuigan, to be Major.

Army nominations beginning with Kathleen M. Adamson and ending with Julian L. Padgett, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2019.

Army nomination of Eraj V. Tennekoon, to be Major.

Army nomination of Heung R. Noh, to be Major.

Army nomination of Cesar C. Correarivera, to be Major.

Army nomination of George J. Smolinski III, to be Lieutenant Colonel.

Army nomination of Michael J. McNaught, to be Major.

Army nominations beginning with Kenneth T. Baillie and ending with Kenneth J. Weishaar, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2019.

Army nomination of Dexter D. Williams, to be Major.

Army nominations beginning with Benjamin Ahn and ending with Vivian K. Yanquowest, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nomination of Spencer W. Robinson, to be Colonel.

Army nomination of Robert B. Lackey, to be Colonel.

Army nomination of Krista M. Klein, to be Colonel.

Army nominations beginning with Denis J. McDonnell and ending with Jeffrey C. Nichols, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Chowdry M. Bashir and ending with Richard M. Slusher, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Apolla A. Benito and ending with Michael E. Terry, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Thomas W. Bingamon and ending with Travis J. Weiszhaar, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Tonya L. Ehlert and ending with Arve A. Wikstrom, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Brian S. Hatler and ending with William B. Walker, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Robert G. Bonifacio and ending with Michael T. Simpson, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Barbara S. Antus and ending with Jean V. Movingcollins, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Joyce C. Anacker and ending with Byron J. Thompson, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Bruce J. Britson and ending with Thomas W. Hrabal, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nomination of Jason A. Foreman, to be Lieutenant Colonel.

Army nomination of Alexandra E. Weiskopf, to be Lieutenant Colonel.

Army nominations beginning with Tracy A. Ball and ending with Donna E. Ward, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Laurel A. Kappedal and ending with Rhonda B. White, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Anna L. Aldana and ending with Joseph S. Seiler, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Karl Anderson and ending with Claude R. Workman, which nominations were received by the Senate and appeared in the Congressional Record on July 31, 2019.

Army nominations beginning with Nicholas D. Barringer and ending with D012819, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Army nominations beginning with Erin E. Ball and ending with D012821, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Army nominations beginning with Lovie L. Abraham and ending with D014502, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Army nominations beginning with Marlene Ariasreynoso and ending with Kevin M. Zeeb, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Army nominations beginning with Brittany B. Beavis and ending with Raymond K. Wong, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Army nominations beginning with Raymond J. Akerman, Jr. and ending with D012876, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Army nominations beginning with Sarah H. Afriecq and ending with D014706, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Army nominations beginning with Brenda J. Adams and ending with Shingo J. Yamada, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Army nomination of Slava Shapiro, to be Major.

Army nomination of Rachel M. Romaine, to be Major.

Army nomination of Kristy M. Chester, to be Major.

Army nomination of Kevin D. Dalling, to be Major.

Army nomination of Jay G. Sullivan, to be Colonel.

Army nominations beginning with Brian S. Borakove and ending with Colby B. Wyatt, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Army nomination of Javier Trevino, to be Lieutenant Colonel.

Army nomination of Brendan B. Reina, to be Major.

Army nomination of Benjamin A. Greif, to be Major.

Army nomination of Slade A. McPherson, to be Colonel.

Marine Corps nomination of Jeffery G. Pioszak, to be Major.

Marine Corps nominations beginning with John D. Barnes and ending with Kristin M. Tortorici, which nominations were received by the Senate and appeared in the Congressional Record on July 15, 2019.

Marine Corps nomination of Daniel E. Callaway, to be Major.

Marine Corps nomination of Nathan P. Dmochowski, to be Lieutenant Colonel.

Navy nomination of Traci J. McKinnon, to be Lieutenant Commander.

Navy nomination of Anthony M. Hruby, to be Lieutenant Commander.

Navy nomination of Salahudin A. Adenkhali, to be Lieutenant Commander.

Navy nomination of Bradley D. Coletti, to be Commander.

Navy nomination of Timothy K. Lynch, to be Lieutenant Commander.

Navy nomination of Dion M. Adams, to be Lieutenant Commander.

Navy nomination of Christopher C. Cady, to be Lieutenant Commander.

Navy nomination of Andrew C. Mueller, to be Lieutenant Commander.

Navy nomination of Tyrone K. Potter, to be Lieutenant Commander.

Navy nomination of Francis C. Dailig, to be Lieutenant Commander.

Navy nominations beginning with David H. Craig III and ending with Byron B. Holloway, which nominations were received by the Senate and appeared in the Congressional Record on July 15, 2019.

Navy nominations beginning with James M. Allen, Jr. and ending with Jonathan R. Wheeler, which nominations were received by the Senate and appeared in the Congressional Record on July 22, 2019.

Navy nominations beginning with Eduardo B. Amora and ending with Gregory S. Woodard, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nominations beginning with Janpaul P. Amposta and ending with Lin L. Zheng, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nominations beginning with Ashley A. Aclese and ending with Gisselle I. Zelsdorf, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nominations beginning with Rachael E. Baker and ending with Sara J. Wooten, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nominations beginning with Alexander Alba and ending with Myra S. Wearing, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nominations beginning with Holly K. Aguigam and ending with Allison D. Weinberg, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nominations beginning with Timothy J. Algiers and ending with Angela Zah, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nominations beginning with Matthew W. Catanese and ending with Grant C. Glover, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nominations beginning with Ramon Acosta and ending with Sen F. Yu, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nominations beginning with Jonathan T. Duenas and ending with James H. Phan, which nominations were received by the Senate and appeared in the Congressional Record on September 9, 2019.

Navy nomination of Joshua K. Witt, to be Lieutenant Commander.

Navy nomination of Stephen A. Jessogne, to be Commander.

Navy nomination of Vanna J. Rocchi, to be Lieutenant Commander.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### EXECUTIVE REPORT OF COMMITTEE—TREATY

The following executive report of committee was submitted:

By Mr. RISCH, from the Committee on Foreign Relations:

Treaty Doc. 116-1: Protocol to the North Atlantic Treaty of 1949 on the Accession of the Republic of North Macedonia with seven declarations and one condition (Ex. Rept. 116-5)

The text of the committee-recommended resolution of advice and consent to ratification is as follows:

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

Section 1. Senate Advice and Consent Subject to Declarations and Conditions.

The Senate advises and consents to the ratification of the Protocol to the North Atlantic Treaty of 1949 on the Accession of North Macedonia, which was opened for signature at Brussels on February 6, 2019, and signed that day on behalf of the United States of America (the "Protocol") (Treaty Doc. 116-1), subject to the declarations of section 2 and the conditions of section 3.

Sec. 2. Declarations.

The advice and consent of the Senate under section 1 is subject to the following declarations:

(1) REAFFIRMATION—THAT UNITED STATES MEMBERSHIP IN NATO REMAINS A VITAL NATIONAL SECURITY INTEREST OF THE UNITED STATES. The Senate declares that—

(A) for 70 years the North Atlantic Treaty Organization (NATO) has served as the pre-eminent organization to defend the countries in the North Atlantic area against all external threats;

(B) through common action, the established democracies of North America and Eu-

rope that were joined in NATO persevered and prevailed in the task of ensuring the survival of democratic government in Europe and North America throughout the Cold War;

(C) NATO enhances the security of the United States by embedding European states in a process of cooperative security planning and by ensuring an ongoing and direct leadership role for the United States in European security affairs;

(D) the responsibility and financial burden of defending the democracies of Europe and North America can be more equitably shared through an alliance in which specific obligations and force goals are met by its members;

(E) the security and prosperity of the United States is enhanced by NATO's collective defense against aggression that may threaten the security of NATO members; and

(F) United States membership in NATO remains a vital national security interest of the United States.

(2) STRATEGIC RATIONALE FOR NATO ENLARGEMENT.—The Senate declares that—

(A) the United States and its NATO allies face continued threats to their stability and territorial integrity;

(B) an attack against North Macedonia, or its destabilization arising from external subversion, would threaten the stability of Europe and jeopardize United States national security interests;

(C) North Macedonia, having established a democratic government and having demonstrated a willingness to meet the requirements of membership, including those necessary to contribute to the defense of all NATO members, is in a position to further the principles of the North Atlantic Treaty and to contribute to the security of the North Atlantic area; and

(D) extending NATO membership to North Macedonia will strengthen NATO, enhance stability in Southeast Europe, and advance the interests of the United States and its NATO allies.

(3) SUPPORT FOR NATO'S OPEN DOOR POLICY.—The policy of the United States is to support NATO's Open Door Policy that allows any European country to express its desire to join NATO and demonstrate its ability to meet the obligations of NATO membership.

(4) FUTURE CONSIDERATION OF CANDIDATES FOR MEMBERSHIP IN NATO.—

(A) SENATE FINDING.—The Senate finds that the United States will not support the accession to the North Atlantic Treaty of, or the invitation to begin accession talks with, any European state (other than North Macedonia), unless—

(i) the President consults with the Senate consistent with Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties); and

(ii) the prospective NATO member can fulfill all of the obligations and responsibilities of membership, and the inclusion of such state in NATO would serve the overall political and strategic interests of NATO and the United States.

(B) REQUIREMENT FOR CONSENSUS AND RATIFICATION.—The Senate declares that no action or agreement other than a consensus decision by the full membership of NATO, approved by the national procedures of each NATO member, including, in the case of the United States, the requirements of Article II, section 2, clause 2 of the Constitution of the United States (relating to the advice and consent of the Senate to the making of treaties), will constitute a commitment to collective defense and consultations pursuant to Articles 4 and 5 of the North Atlantic Treaty.

(5) INFLUENCE OF NON-NATO MEMBERS ON NATO DECISIONS.—The Senate declares that any country that is not a member of NATO shall have no impact on decisions related to NATO enlargement.

(6) SUPPORT FOR 2014 WALES SUMMIT DEFENSE SPENDING BENCHMARK.—The Senate declares that all NATO members should continue to move towards the guideline outlined in the 2014 Wales Summit Declaration to spend a minimum of 2 percent of their Gross Domestic Product (GDP) on defense and 20 percent of their defense budgets on major equipment, including research and development, by 2024.

(7) SUPPORT FOR NORTH MACEDONIA'S REFORM PROCESS.—The Senate declares that—

(A) North Macedonia has made difficult reforms and taken steps to address corruption, but the United States and other NATO member states should not consider this important process complete and should continue to urge additional reforms; and

(B) North Macedonia and Greece's conclusion of the Prespa Agreement, which resolved a long-standing bilateral dispute, has made possible the former's invitation to NATO, and the United States and other NATO members should continue to press both nations to persevere in their continued implementation of the Agreement and encourage a strategic partnership between the two nations.

#### Sec. 3. Conditions.

The advice and consent of the Senate under section 1 is subject to the following conditions:

(1) PRESIDENTIAL CERTIFICATION.—Prior to the deposit of the instrument of ratification, the President shall certify to the Senate as follows:

(A) The inclusion of North Macedonia in NATO will not have the effect of increasing the overall percentage share of the United States in the common budgets of NATO.

(B) The inclusion of North Macedonia in NATO does not detract from the ability of the United States to meet or to fund its military requirements outside the North Atlantic area.

#### Sec. 4. Definitions.

In this resolution:

(1) NATO MEMBERS.—The term "NATO members" means all countries that are parties to the North Atlantic Treaty.

(2) NON-NATO MEMBERS.—The term "non-NATO members" means all countries that are not parties to the North Atlantic Treaty.

(3) NORTH ATLANTIC AREA.—The term "North Atlantic area" means the area covered by Article 6 of the North Atlantic Treaty, as applied by the North Atlantic Council.

(4) NORTH ATLANTIC TREATY.—The term "North Atlantic Treaty" means the North Atlantic Treaty, signed at Washington April 4, 1949 (63 Stat. 2241; TIAS 1964), as amended—

(5) UNITED STATES INSTRUMENT OF RATIFICATION.—The term "United States instrument of ratification" means the instrument of ratification of the United States of the Protocol to the North Atlantic Treaty of 1949 on the Accession of North Macedonia.

### 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. COTTON (for himself and Ms. DUCKWORTH):

S. 2494. A bill to direct the Secretary of Defense to provide travel to Dover Air Force Base for family members of members of the Armed Forces who die outside of the United

States but not in a theater of combat operations so the family may receive the remains of the deceased, and for other purposes; to the Committee on Armed Services.

By Mr. BURR (for himself and Mr. BENNET):

S. 2495. A bill to amend the Internal Revenue Code of 1986 to establish an exception to the penalty on early distributions from qualified plans for individuals diagnosed with certain terminal illnesses; to the Committee on Finance.

By Mr. CASEY (for himself, Mr. BROWN, Mr. LEAHY, and Mr. SANDERS):

S. 2496. A bill to amend title II of the Social Security Act to eliminate the Medicare and disability insurance benefits waiting periods for disabled individuals; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself, Mr. BROWN, and Ms. ROSEN):

S. 2497. A bill to amend the Internal Revenue Code of 1986 to exclude certain dependent income when calculating modified adjusted gross income for the purposes of eligibility for premium tax credits; to the Committee on Finance.

By Ms. WARREN (for herself, Mr. MURPHY, Ms. HIRONO, and Mr. BROWN):

S. 2498. A bill to amend the Higher Education Act of 1965 to clarify the Federal Pell Grant duration limits of borrowers who attend an institution of higher education that closes or commits fraud or other misconduct, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MERKLEY (for himself, Mr. BENNET, Mr. BLUMENTHAL, Mr. CASEY, Mr. COONS, Mr. JONES, Mr. KING, Mr. WYDEN, and Mr. VAN HOLLEN):

S. 2499. A bill to effectively staff the public elementary schools and secondary schools of the United States with school-based mental health services providers; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HARRIS (for herself and Mr. GARDNER):

S. 2500. A bill to amend the Public Health Service Act to authorize a loan repayment program for mental health professionals to relieve workforce shortages, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CASEY (for himself, Mrs. MURRAY, Mr. LEAHY, Mr. WYDEN, Mr. BLUMENTHAL, Mr. REED, Ms. HIRONO, Mr. SANDERS, Mrs. GILLIBRAND, Ms. BALDWIN, Mr. MERKLEY, Mr. MENENDEZ, Ms. SMITH, and Mr. MURPHY):

S. 2501. A bill to amend the Richard B. Russell National School Lunch Act to improve the child and adult care food program; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. SCOTT of Florida (for himself, Mr. COTTON, Mr. HAWLEY, Mr. RUBIO, Mr. MURPHY, and Mr. BLUMENTHAL):

S. 2502. A bill to ban the Federal procurement of certain drones and other unmanned aircraft systems, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RUBIO (for himself, Mr. MENENDEZ, Mr. GARDNER, Mr. DURBIN, and Mr. COONS):

S. 2503. A bill to reauthorize the United States Commission on International Religious Freedom, and for other purposes; to the Committee on Foreign Relations.

By Mr. HOEVEN (for himself and Mr. CRAMER):

S. 2504. A bill to amend title 38, United States Code, to direct the Secretary of Veterans Affairs to furnish hyperbaric oxygen therapy to veterans with traumatic brain injury or post-traumatic stress disorder; to the Committee on Veterans' Affairs.

By Mr. BENNET (for himself, Mr. WHITEHOUSE, Mr. BOOKER, Mr. UDALL, Ms. KLOBUCHAR, Ms. HIRONO, Mr. WYDEN, Mr. BLUMENTHAL, Mr. REED, Mr. DURBIN, Ms. CORTEZ MASTO, Mr. SANDERS, Mrs. FEINSTEIN, Mr. MARKEY, Mr. HEINRICH, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. WARREN, Mr. MENENDEZ, and Mr. LEAHY):

S. 2505. A bill to provide that Executive Order 13783 and certain rules shall have no force or effect, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. WARREN (for herself and Mr. MARKEY):

S. 2506. A bill to direct the Administrator of the Federal Aviation Administration to enter into appropriate arrangements with the National Academies of Sciences, Engineering, and Medicine to provide for a report on the health impacts of air traffic noise and pollution, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. RUBIO (for himself and Mr. SCOTT of Florida):

S. 2507. A bill to amend the Immigration and Nationality Act to authorize admission of Canadian retirees as long-term visitors for pleasure described in section 101(a)(15)(B) of such Act, and for other purposes; to the Committee on Finance.

By Mrs. SHAHEEN (for herself and Ms. MCSALLY):

S. 2508. A bill to require the Secretary of Energy to establish a council to conduct a survey and analysis of the employment figures and demographics in the energy, energy efficiency, and motor vehicle sectors of the United States, and for other purposes; to the Committee on Energy and Natural Resources.

### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. HARRIS (for herself, Mrs. FEINSTEIN, Mr. MARKEY, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Ms. CANTWELL, Mr. MERKLEY, Mr. BOOKER, Mr. SCHATZ, Ms. HASSAN, Mr. CARPER, Mr. BENNET, Mr. VAN HOLLEN, Mr. COONS, Ms. WARREN, Mrs. GILLIBRAND, Ms. HIRONO, Ms. BALDWIN, Mr. SANDERS, Mr. REED, Ms. SMITH, Ms. KLOBUCHAR, Mr. CARDIN, Mr. WYDEN, Mr. KAINE, Mr. WHITEHOUSE, Mr. LEAHY, Mrs. SHAHEEN, Mr. UDALL, Mr. CASEY, Mr. MENENDEZ, Mrs. MURRAY, Ms. DUCKWORTH, and Mr. DURBIN):

S. Res. 316. A resolution supporting the clean vehicle emissions standards of the United States and defending the authority of States under the Clean Air Act to protect the people of those States from harmful air pollution; to the Committee on Environment and Public Works.

By Ms. WARREN (for herself, Mr. PERDUE, Mr. CARDIN, Ms. BALDWIN, Mr. BLUMENTHAL, Mrs. FISCHER, Mr. ISAKSON, Ms. STABENOW, Mr. BOOKER, Mrs. FEINSTEIN, Mr. VAN HOLLEN, Mr. PETERS, and Ms. ROSEN):

S. Res. 317. A resolution recognizing the seriousness of polycystic ovary syndrome (PCOS) and expressing support for the designation of September 2019 as "PCOS Awareness Month"; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RISCH (for himself, Mr. MENENDEZ, Mr. ISAKSON, Mr. COONS, Mr. RUBIO, and Mr. CARDIN):

S. Res. 318. A resolution to support the Global Fund to fight AIDS, Tuberculosis and Malaria, and the Sixth Replenishment; to the Committee on Foreign Relations.

#### ADDITIONAL COSPONSORS

S. 27

At the request of Mr. MANCHIN, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 27, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 123

At the request of Ms. ERNST, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 123, a bill to require the Secretary of Veterans Affairs to enter into a contract or other agreement with a third party to review appointees in the Veterans Health Administration who had a license terminated for cause by a State licensing board for care or services rendered at a non-Veterans Health Administration facility and to provide individuals treated by such an appointee with notice if it is determined that an episode of care or services to which they received was below the standard of care, and for other purposes.

S. 133

At the request of Ms. MURKOWSKI, the names of the Senator from Idaho (Mr. RISCH), the Senator from Arizona (Ms. SINEMA) and the Senator from Texas (Mr. CORNYN) were added as cosponsors of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 172

At the request of Mr. GARDNER, the names of the Senator from Arizona (Ms. MCSALLY) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. 172, a bill to delay the reimposition of the annual fee on health insurance providers until after 2021.

S. 206

At the request of Mr. TESTER, the name of the Senator from Alabama (Mr. JONES) 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. 286

At the request of Mr. BARRASSO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 286, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 296

At the request of Ms. COLLINS, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a co-

sponsor of S. 296, a bill to amend XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 433

At the request of Ms. COLLINS, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 433, a bill to amend title XVIII of the Social Security Act to improve home health payment reforms under the Medicare program.

S. 518

At the request of Ms. CANTWELL, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 518, a bill to amend title XVIII of the Social Security Act to provide for Medicare coverage of certain lymphedema compression treatment items as items of durable medical equipment.

S. 593

At the request of Ms. HARRIS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 593, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 631

At the request of Mr. CARPER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 631, a bill to provide for the admission of the State of Washington, D.C. into the Union.

S. 668

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

S. 691

At the request of Mr. CASEY, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 691, a bill to amend title XVIII of the Social Security Act to enhance prescription drug affordability by expanding access to assistance with out-of-pocket costs under Medicare part D for low-income seniors and individuals with disabilities.

S. 800

At the request of Mr. CASSIDY, the name of the Senator from Iowa (Mr. GRASSLEY) was added as a cosponsor of S. 800, a bill to establish a postsecondary student data system.

S. 880

At the request of Ms. STABENOW, the name of the Senator from Hawaii (Ms. HIRONO) 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. 997

At the request of Ms. WARREN, the name of the Senator from North Da-

kota (Mr. HOEVEN) was added as a cosponsor of S. 997, a bill to recognize and honor the service of individuals who served in the United States Cadet Nurse Corps during World War II, and for other purposes.

S. 1015

At the request of Mr. BURR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1015, a bill to require the Director of the Office of Management and Budget to review and make certain revisions to the Standard Occupational Classification System, and for other purposes.

S. 1141

At the request of Ms. STABENOW, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 1141, a bill to provide predictability and certainty in the tax law, create jobs, and encourage investment.

S. 1200

At the request of Mr. MERKLEY, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 1200, a bill to create protections for depository institutions that provide financial services to cannabis-related legitimate businesses and service providers for such businesses, and for other purposes.

S. 1223

At the request of Mr. CASEY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1223, a bill to amend title XVIII of the Social Security Act to provide for the non-application of Medicare competitive acquisition rates to complex rehabilitative wheelchairs and accessories.

S. 1267

At the request of Mr. MENENDEZ, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 1267, a bill to establish within the Smithsonian Institution the National Museum of the American Latino, and for other purposes.

S. 1279

At the request of Mr. JONES, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from West Virginia (Mr. MANCHIN) were added as cosponsors of S. 1279, a bill to reauthorize mandatory funding programs for historically Black colleges and universities and other minority-serving institutions.

S. 1443

At the request of Ms. ERNST, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1443, a bill to amend the Internal Revenue Code of 1986 to provide a non-refundable credit for working family caregivers.

S. 1491

At the request of Mrs. MURRAY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1491, a bill to prohibit forced arbitration in work disputes, and for other purposes.

S. 1791

At the request of Mrs. GILLIBRAND, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. 1791, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 2001

At the request of Ms. STABENOW, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 2001, a bill to award a Congressional Gold Medal to Willie O'Ree, in recognition of his extraordinary contributions and commitment to hockey, inclusion, and recreational opportunity.

S. 2042

At the request of Mr. SCHUMER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2042, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Hall of Honor.

S. 2054

At the request of Mr. MARKEY, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 2054, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 2085

At the request of Ms. ROSEN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 2085, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes.

S. 2118

At the request of Mr. COTTON, the names of the Senator from Indiana (Mr. YOUNG) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 2118, a bill to prohibit United States persons from dealing in certain information and communications technology or services from foreign adversaries and to require the approval of Congress to terminate certain export controls in effect with respect to Huawei Technologies Co. Ltd., and for other purposes.

S. 2158

At the request of Ms. HASSAN, the names of the Senator from Arizona (Ms. SINEMA), the Senator from Michigan (Ms. STABENOW), the Senator from Wisconsin (Ms. BALDWIN) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 2158, a bill to improve certain programs of the Department of Health and Human Services with respect to heritable disorders.

S. 2219

At the request of Ms. HARRIS, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2219, a bill to clarify the rights of all persons who are held or detained at a port of entry or at any detention facility overseen by U.S. Customs and Border Protection or U.S. Immigration and Customs Enforcement.

S. 2229

At the request of Mr. DAINES, the names of the Senator from Massachusetts (Ms. WARREN) and the Senator from Mississippi (Mrs. HYDE-SMITH) were added as cosponsors of S. 2229, a bill to protect consumers from deceptive practices with respect to online booking of hotel reservations, and for other purposes.

S. 2238

At the request of Ms. HARRIS, her name was added as a cosponsor of S. 2238, a bill to protect elections for public office by providing financial support and enhanced security for the infrastructure used to carry out such elections, and for other purposes.

At the request of Mr. MERKLEY, his name was added as a cosponsor of S. 2238, *supra*.

S. 2353

At the request of Mr. PETERS, the names of the Senator from North Carolina (Mr. TILLIS) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 2353, a bill to direct the Administrator of the Federal Emergency Management Agency to develop guidance for firefighters and other emergency response personnel on best practices to protect them from exposure to PFAS and to limit and prevent the release of PFAS into the environment, and for other purposes.

S. 2434

At the request of Mr. PETERS, the names of the Senator from West Virginia (Mrs. CAPITO), the Senator from Maine (Ms. COLLINS) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 2434, a bill to establish the National Criminal Justice Commission.

S. 2485

At the request of Mr. PETERS, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 2485, a bill to prohibit Federal agencies from using Government funds to pay for expenses at lodging establishments that are owned by or employ certain public officials or their relatives.

S. 2491

At the request of Mr. UDALL, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2491, a bill to terminate certain rules issued by the Secretary of the Interior and the Secretary of Commerce relating to endangered and threatened species, and for other purposes.

S. 2492

At the request of Mr. GARDNER, the name of the Senator from Connecticut

(Mr. MURPHY) was added as a cosponsor of S. 2492, a bill to amend the Public Health Service Act to provide best practices on student suicide awareness and prevention training and condition State educational agencies, local educational agencies, and tribal educational agencies receiving funds under section 520A of such Act to establish and implement a school-based student suicide awareness and prevention training policy.

S. RES. 274

At the request of Mr. MENENDEZ, the names of the Senator from Mississippi (Mr. WICKER) and the Senator from New Hampshire (Mrs. SHAHEEN) were added as cosponsors of S. Res. 274, a resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and other rights for adhering to their beliefs and practices, and condemning the practice of non-consenting organ harvesting, and for other purposes.

S. RES. 303

At the request of Mr. HAWLEY, the name of the Senator from Ohio (Mr. PORTMAN) was added as a cosponsor of S. Res. 303, a resolution calling upon the leadership of the Government of the Democratic People's Republic of Korea to dismantle its kwan-li-so political prison labor camp system, and for other purposes.

## SUBMITTED RESOLUTIONS

SENATE RESOLUTION 316—SUPPORTING THE CLEAN VEHICLE EMISSIONS STANDARDS OF THE UNITED STATES AND DEFENDING THE AUTHORITY OF STATES UNDER THE CLEAN AIR ACT TO PROTECT THE PEOPLE OF THOSE STATES FROM HARMFUL AIR POLLUTION

Ms. HARRIS (for herself, Mrs. FEINSTEIN, Mr. MARKEY, Mr. BLUMENTHAL, Ms. CORTEZ MASTO, Ms. CANTWELL, Mr. MERKLEY, Mr. BOOKER, Mr. SCHATZ, Ms. HASSAN, Mr. CARPER, Mr. BENNET, Mr. VAN HOLLEN, Mr. COONS, Ms. WARREN, Mrs. GILLIBRAND, Ms. HIRONO, Ms. BALDWIN, Mr. SANDERS, Mr. REED, Ms. SMITH, Ms. KLOBUCHAR, Mr. CARDIN, Mr. WYDEN, Mr. KAINÉ, Mr. WHITEHOUSE, Mr. LEAHY, Mrs. SHAHEEN, Mr. UDALL, Mr. CASEY, Mr. MENENDEZ, Mrs. MURRAY, Ms. DUCKWORTH, and Mr. DURBIN) submitted the following resolution; which was referred to the Committee on Environment and Public Works:

S. RES. 316

Whereas Congress enacted the Clean Air Act (42 U.S.C. 7401 et seq.), which requires the Administrator of the Environmental Protection Agency (referred to in this preamble as the "EPA") to set standards controlling air pollutant emissions from motor vehicles to prevent the endangerment of public health and welfare;

Whereas motor vehicle pollution contributes to serious health problems faced by the people of the United States, including—

- (1) asthma attacks;
- (2) heart attacks;
- (3) lung cancer; and
- (4) premature death;

Whereas, through climate change, greenhouse gas (referred to in this preamble as “GHG”) emissions from motor vehicles contribute to other health burdens, including—

- (1) worsened air pollution;
- (2) extreme heat;
- (3) increased spread of infectious diseases; and

- (4) exacerbated natural disasters;

Whereas all people of the United States are vulnerable to the health impacts of GHGs, but many individuals and communities are at a greater risk of experiencing those impacts, including—

- (1) children;
- (2) the elderly;
- (3) individuals with lung and heart disease;
- (4) low-income communities; and
- (5) communities of color;

Whereas recent reports from the Intergovernmental Panel on Climate Change and the United States Global Change Research Program affirm the need to mitigate climate change and the effects of climate change;

Whereas section 209 of the Clean Air Act (42 U.S.C. 7543) preserves the authority of the State of California to set vehicle emissions standards that, in the aggregate, are at least as protective of public health and welfare as applicable Federal vehicle emissions standards;

Whereas section 177 of the Clean Air Act (42 U.S.C. 7507) allows States other than California to adopt, in lieu of the Federal requirements, the standards set by the State of California, which, in the aggregate, are at least as protective of public health and welfare as applicable Federal vehicle emissions standards;

Whereas the EPA has authority under the Clean Air Act (42 U.S.C. 7401 et seq.) to regulate GHG emissions from vehicles;

Whereas the States of Colorado, Connecticut, Delaware, Maine, Maryland, Massachusetts, New Jersey, New York, Oregon, Pennsylvania, Rhode Island, Vermont, and Washington have exercised the authority to adopt, pursuant to the rights of those States preserved under section 177 of the Clean Air Act (42 U.S.C. 7507), vehicle emissions standards adopted by the State of California that, in the aggregate, are at least as protective of public health and welfare as the otherwise applicable standards set by the Federal Government;

Whereas the Energy Policy and Conservation Act (42 U.S.C. 6201 et seq.) and the Ten-Ten Fuel Economy Act (Public Law 110-140; 121 Stat. 1498) require the Secretary of Transportation to set maximum feasible corporate average fuel economy standards, with the ultimate goal of promoting energy savings and reducing oil consumption;

Whereas the Federal Government, the State of California, and the automobile industry have agreed to a coordinated set of regulations, known as the “One National Program”, that—

(1) aligns, as closely as possible, the Federal light-duty vehicle GHG emissions standards and fuel economy standards for vehicles of model year 2012 and each model year thereafter with the light-duty vehicle GHG emissions standards and fuel economy standards adopted by the State of California; and

(2) sets achievable standards for light-duty vehicle GHG emissions and fuel economy that increase in stringency through model year 2025;

Whereas the EPA, the National Highway Traffic Safety Administration, and the California Air Resources Board have collaborated on an extensive analysis that clearly demonstrates that the Federal GHG emis-

sions standards and the Federal fuel economy standards adopted in 2012 for model years 2017 through 2025—

(1) can be met with a wide range of technologies;

(2) are expected to be met with advanced gasoline technologies; and

(3) will accommodate contemporary consumer purchasing trends;

Whereas in January 2017, the Administrator of the EPA issued a final determination to maintain the existing GHG emissions standards for vehicles of model year 2022 through 2025, based on the extensive technical record showing that those standards are appropriate and achievable;

Whereas the light-duty vehicle GHG emissions and fuel economy standards of the United States—

(1) support more than 288,000 automobile manufacturing jobs across 1,200 facilities in the United States;

(2) keep automobile companies in the United States globally competitive as other countries adopt strict clean vehicle emissions standards; and

(3) protect consumers in the United States from dirtier and more costly technology;

Whereas the transportation sector has surpassed the energy sector as the largest source of GHG emissions in the United States;

Whereas the light-duty vehicle GHG emissions and fuel economy standards of the United States, if fully implemented through model year 2025, will—

(1) reduce the consumption of oil in the United States by 2,400,000 barrels per day;

(2) save consumers in the United States \$130,000,000,000 at the gas pump by 2030; and

(3) reduce GHG emissions in the United States by 470,000,000 metric tons by 2030;

Whereas the light-duty vehicle GHG emissions and fuel economy standards of the United States protect low-income communities and communities of color from being disproportionately affected by public health and economic burdens; and

Whereas 87 percent of people in the United States—

(1) support maintaining strong clean vehicle emissions standards; and

(2) want automakers to continue to improve fuel economy for all types of vehicles: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the existing set of regulations, known as the “One National Program”, which contains the goals of—

(A) reducing greenhouse gas (referred to in this resolving clause as “GHG”) emissions and oil usage;

(B) protecting national security; and

(C) protecting human health and welfare; and

(2) to meet those goals, supports policies that—

(A) achieve maximum feasible reductions in oil use;

(B) reduce GHG emissions from mobile sources;

(C) recognize the rights and importance of States under cooperative federalism to choose to set and follow vehicle emissions standards under the Clean Air Act (42 U.S.C. 7401 et seq.) that are stronger than those set by the Federal Government; and

(D) ensure that the President, the Secretary of Transportation, and the Administrator of the Environmental Protection Agency solicit input from State parties impacted by any changes to the existing GHG emissions standards for light-duty vehicles and the associated standards for corporate average fuel economy.

SENATE RESOLUTION 317—RECOGNIZING THE SERIOUSNESS OF POLYCYSTIC OVARY SYNDROME (PCOS) AND EXPRESSING SUPPORT FOR THE DESIGNATION OF SEPTEMBER 2019 AS “PCOS AWARENESS MONTH”

Ms. WARREN (for herself, Mr. PERDUE, Mr. CARDIN, Ms. BALDWIN, Mr. BLUMENTHAL, Mrs. FISCHER, Mr. ISAKSON, Ms. STABENOW, Mr. BOOKER, Mrs. FEINSTEIN, Mr. VAN HOLLEN, Mr. PETERS, and Ms. ROSEN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 317

Whereas polycystic ovary syndrome (in this preamble referred to as “PCOS”) is a common health problem among women and girls involving a hormonal imbalance;

Whereas there is no universal definition of PCOS, but researchers estimate that between 5,000,000 and 10,000,000 women in the United States are affected by the condition;

Whereas, according to a 2004 study, the annual burden of PCOS in the United States is an estimated \$4,360,000,000, and this figure pertains to only the reproductive years of women and does not consider the cost of other comorbidities, including obstetrical complications, or the cost of metabolic morbidities in post-menopause or adolescence;

Whereas PCOS can affect girls at the onset of puberty and throughout the remainder of their lives;

Whereas the symptoms of PCOS include infertility, irregular or absent menstrual periods, acne, weight gain, thinning of scalp hair, excessive facial and body hair growth, numerous small ovarian cysts, pelvic pain, and mental health problems;

Whereas women with PCOS have higher rates of psychosocial disorders, including depression, anxiety, bipolar disorder, and eating disorders, and are at greater risk for suicide;

Whereas adolescents with PCOS often are not diagnosed, and many have metabolic dysfunction and insulin resistance, which can lead to type 2 diabetes, cardiovascular disease, obstructive sleep apnea, non-alcoholic fatty liver disease, and endometrial cancer at a young adult age;

Whereas PCOS is the most common cause of female infertility;

Whereas PCOS in pregnancy is associated with increased risk of gestational diabetes, preeclampsia, pregnancy-induced hypertension, preterm delivery, cesarean delivery, miscarriage, and fetal and infant death;

Whereas women with PCOS are at increased risk of developing high blood pressure, high cholesterol, stroke, and heart disease (the leading cause of death among women);

Whereas women with PCOS have a more than 50 percent chance of developing type 2 diabetes or prediabetes before the age of 40;

Whereas women with PCOS may be at a higher risk for breast cancer and ovarian cancer, and their risk for developing endometrial cancer is 3 times higher, than women who do not have PCOS;

Whereas research has found genetic evidence of a causal link between depression and PCOS;

Whereas research has indicated PCOS shares a genetic architecture with metabolic traits, as evidenced by genetic correlations between PCOS and obesity, fasting insulin, type 2 diabetes, lipid levels, and coronary artery disease;

Whereas adolescents with PCOS are at markedly increased risk for type 2 diabetes, fatty liver disease, and heart disease;

Whereas PCOS negatively alters metabolic function independent of, but exacerbated by, an increased body mass index (BMI);

Whereas an estimated 50 percent of women with PCOS are undiagnosed, and many remain undiagnosed until they experience fertility difficulties or develop type 2 diabetes or other cardiometabolic disorders;

Whereas the cause of PCOS is unknown, but researchers have found strong links to a genetic predisposition and significant insulin resistance, which affects up to 70 percent of women with PCOS; and

Whereas there is no known cure for PCOS: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes polycystic ovary syndrome (in this resolution referred to as “PCOS”) as a serious disorder that impacts many aspects of health, including cardiometabolic, reproductive, and mental health, and quality of life;

(2) expresses support for the designation of September 2019 as “PCOS Awareness Month”;

(3) supports the goals and ideals of PCOS Awareness Month, which are—

(A) to increase awareness of, and education about, PCOS and its connection to comorbidities, such as type 2 diabetes, endometrial cancer, cardiovascular disease, nonalcoholic fatty liver disease, and mental health disorders, among the general public, women, girls, and health care professionals;

(B) to improve diagnosis and treatment of PCOS;

(C) to disseminate information on diagnosis, treatment, and management of PCOS, including prevention of comorbidities such as type 2 diabetes, endometrial cancer, cardiovascular disease, nonalcoholic fatty liver disease, and eating disorders; and

(D) to improve quality of life and outcomes for women and girls with PCOS;

(4) recognizes the need for further research, improved treatment and care options, and a cure for PCOS;

(5) acknowledges the struggles affecting all women and girls afflicted with PCOS in the United States;

(6) urges medical researchers and health care professionals to advance their understanding of PCOS to improve research, diagnosis, and treatment of PCOS for women and girls; and

(7) encourages States, territories, and localities to support the goals and ideals of PCOS Awareness Month.

#### SENATE RESOLUTION 318—TO SUPPORT THE GLOBAL FUND TO FIGHT AIDS, TUBERCULOSIS AND MALARIA, AND THE SIXTH REPLENISHMENT

Mr. RISCH (for himself, Mr. MENENDEZ, Mr. ISAKSON, Mr. COONS, Mr. RUBIO, and Mr. CARDIN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 318

Whereas the Global Fund to Fight AIDS, Tuberculosis and Malaria has been an effective partnership of governments, the private sector, civil society, and affected communities to galvanize political and financial efforts to improve the response to these epidemics since 2002;

Whereas, in 2017, the Global Fund contributed to extraordinary improvements in global health that would otherwise not have oc-

curred, including a more than 50 percent reduction in the number of AIDS-related deaths since the peak in 2005, a 37 percent decline in tuberculosis (TB) deaths since 2000, and a 60 percent decline in the number of malaria deaths since 2000;

Whereas, since the Global Fund’s creation in 2002, more than 27,000,000 lives have been saved in the countries where it invests;

Whereas the Global Fund and its partners work to maintain a steadfast commitment to transparency and accountability and have received high marks in multilateral aid reviews and by independent watchdog groups;

Whereas a 2019 study published in the *Annals of Global Health* found evidence of associated improvements in government accountability, control of corruption, political freedoms, regulatory quality, and rule of law that are significant in countries where the Global Fund invests;

Whereas, despite progress in combating AIDS, tuberculosis, and malaria, challenges such as drug and insecticide resistance, reaching marginalized and vulnerable populations, and complacency in the fight against infectious diseases threaten further progress;

Whereas United States leadership has been critical to the success of the Global Fund, both as its largest donor and through its oversight role on the Board of the Global Fund;

Whereas Global Fund programs and activities support and complement United States bilateral health programs, including the President’s Emergency Plan for AIDS Relief, the President’s Malaria Initiative, and the United States Agency for International Development tuberculosis program;

Whereas the United States is limited by law from contributing more than 33 percent of the Global Fund budget, thereby encouraging other partners to significantly increase their contributions;

Whereas the Global Fund’s requirements for co-financing have spurred domestic investments, with recipient countries committing 41 percent more of their own funding to fight AIDS, tuberculosis, and malaria for 2018–2020 compared to 2015–2017;

Whereas the Global Fund has called on donors to support its Sixth Replenishment by mobilizing a minimum of \$14,000,000,000 in donor commitments for 2021–2023;

Whereas Canada, the European Union, Germany, India, Ireland, Italy, Luxembourg, Japan, Portugal, Switzerland, and the United Kingdom have responded to the call by significantly increasing their respective pledges for the Sixth Replenishment;

Whereas recipient countries also are expected to increase their co-financing by 48 percent, growing to \$46,000,000,000 in 2021–2023; and

Whereas, with these resources secured, the Global Fund projects it will reduce the number of deaths due to AIDS, TB, and malaria by nearly 50 percent, avert 234,000,000 infections or disease cases, and save an additional 16,000,000 lives; Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the work of the Global Fund and its partners for their contributions aimed at ending the epidemics of AIDS, tuberculosis, and malaria;

(2) affirms the support of the United States for the goal of securing a minimum of \$14,000,000,000 in donor commitments for the Sixth Global Fund Replenishment, to be held on October 10, 2019, in Lyon, France;

(3) urges donor countries to step up the fight and increase their pledges for the Sixth Global Fund Replenishment;

(4) urges Global Fund recipient countries to continue to make and meet ambitious co-financing commitments to sustain progress in ending the epidemics of AIDS, tuberculosis, and malaria; and

(5) encourages United States bilateral aid programs to continue their collaboration with the Global Fund to maximize the life-saving impact of global health investments.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 6 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 COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, September 18, 2019, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 18, 2019, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 18, 2019, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 18, 2019, at 1:30 p.m., to conduct a hearing.

##### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 18, 2019, at 2:30 p.m., to conduct a hearing.

##### COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, September 18, 2019, at 2:30 p.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. UDALL. Mr. President, I ask unanimous consent to grant floor privileges to two of my fellows, Benjamin Riley and Miranda Hernandez, for the remainder of the Congress.

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

#### ORDERS FOR THURSDAY, SEPTEMBER 19, 2019

Mr. LANKFORD. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, September 19; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the

time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the McGuire nomination.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

Mr. LANKFORD. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:09 p.m., stands adjourned until Thursday, September 19, 2019, at 10 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate September 18, 2019:

## DEPARTMENT OF STATE

ROBERT A. DESTRO, OF VIRGINIA, TO BE ASSISTANT SECRETARY OF STATE FOR DEMOCRACY, HUMAN RIGHTS, AND LABOR.

## DEPARTMENT OF THE TREASURY

BRIAN CALLANAN, OF NEW JERSEY, TO BE GENERAL COUNSEL FOR THE DEPARTMENT OF THE TREASURY.  
BRENT JAMES MCINTOSH, OF MICHIGAN, TO BE AN UNDER SECRETARY OF THE TREASURY.