

next Secretary of Labor—another group of talented professionals put to work for the American people and more of the President's team in place.

APPROPRIATIONS

Mr. McCONNELL. Madam President, this week, we will also address our responsibility to keep the Federal Government funded.

The Republicans regret that our Democratic colleagues have chosen to back away from the agreement we all reached just last month to ensure a smooth, bipartisan funding process. We regret that the Democrats chose to block funding for the national defense, including a pay raise for our men and women in uniform, in order to pick a partisan fight with the White House.

Yet, for the sake of the country, our near-term priority is that of passing a continuing resolution so the government can stay open while work continues. I am glad the continuing resolution on the table earned significant bipartisan support across the Capitol and has also earned the green light from the White House. The Senate will vote on it this week. As Chairman SHELBY and Senator LEAHY continue their work on regular order appropriations, I hope the cooperation that has surrounded this CR can carry over and that we can get the appropriations process back on track.

THE UNITED STATES HOUSE OF REPRESENTATIVES

Mr. McCONNELL. Madam President, on yet another matter, the productive, bipartisan work that needs to happen in the Senate will stand in stark contrast to the choices made by the House Democrats across the Capitol.

Over there, it seems as though a far-left socialist ideology is increasingly becoming mainstream Democratic Party doctrine, and rather than roll up their sleeves and work with the Republicans and with the White House on proposals that could actually become law, the House continues to promote one dangerous leftwing policy after another.

The Senate has already voted on the Green New Deal, the Democrats' socialist wish list that seeks to outlaw affordable energy and transportation, eliminate the jobs many Americans rely on, and even empower government bureaucrats to redesign families' homes. Needless to say, it didn't do too well. Here in the real world, out of the college campus atmosphere that seems to characterize the House Democrats, the Senate voted it down. I have already discussed the recent House-passed bill that would have cut down on our domestic energy and American energy independence.

We also all know about Medicare for None, which is the plan the Democrats' Presidential candidates are rushing to embrace, that would literally outlaw the existing health insurance 180 mil-

lion Americans currently get on the job and throw everyone into an untested, one-size-fits-all government plan.

Just last week, Speaker PELOSI expanded on the Democrats' Medicare for None philosophy by introducing a bill to micromanage Americans' medicine and start trying to have Washington, DC, run the prescription drug industry because, if there is anything that has been proven to increase competition and affordability for American families, it is huge, new doses of heavy-handed Washington, DC, interference.

No, we will not let the Democrats take us down the path that embraces the socialist concept of starting to nationalize an industry with people devoted to finding cures and saving lives. The life sciences sector is driving the search for cures to Alzheimer's, Parkinson's, multiple sclerosis, and countless other diseases that impact millions of Americans.

The Speaker and her caucus may be content to spend their majority passing leftwing messaging bills, but in this Senate, we take the American people's priorities more seriously, and we will stick to getting their business done.

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 Joseph Cella, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu.

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

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

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. THUNE. Madam President, in just a few days, we will mark the 1-year anniversary of the President's concluding negotiations on the United States-Mexico-Canada Free Trade Agreement. It is time for Congress to ratify this agreement now.

The United States-Mexico-Canada Agreement will benefit pretty much every sector of the U.S. economy: the automobile industry, textiles, digital trade and e-commerce, services, manufacturing, and yes, of course, agriculture.

As the representative of a State whose lifeblood is agriculture, farmers and ranchers are always at the top of my mind, and a huge focus of mine right now is helping our struggling agricultural economy.

Low commodity and livestock prices, natural disasters, and protracted trade disputes have made a tough few years for our Nation's farmers. One of the most important things we can do to help our agricultural economy recover is to open new markets for American agricultural products.

During August, I spent a lot of time talking to farmers back home in my State of South Dakota. Again and again, they emphasized that they need action on trade from Washington. With so many trade deals currently up in the air, farmers and ranchers are struggling with a lack of certainty about what international markets are going to look like.

While they share the President's goal of addressing trade imbalances and securing more favorable conditions for American products, they also believe that we need to conclude the agreements that we are negotiating as soon as possible. The longer negotiations drag on, the tougher their situation gets. That is why I have repeatedly stressed the need to bring these agreements to a swift conclusion, and I emphasize that point to the President nearly every time I talk to him.

However, there is one deal we don't need to wait for, and that is the United States-Mexico-Canada Free Trade Agreement. As I said earlier, negotiations on this agreement concluded a year ago, and it is high time for Congress to take it up and pass it so that farmers and ranchers can start seeing the benefits.

The United States-Mexico-Canada Agreement is a big win for farmers and ranchers. Of particular interest to South Dakota are the agreement's dairy provisions. Dairy is an important and rapidly growing industry in South Dakota. Drive the I-29 corridor north of Brookings, SD, and you can see firsthand the massive dairy expansion that we have experienced over the past several years.

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

U.S. dairy sales have been restricted. The U.S. International Trade Commission estimates that the agreement will boost U.S. dairy exports by more than \$277 million.

The agreement will also expand market access for U.S. poultry and egg producers, and it will make it easier for U.S. producers to export wheat to Canada, and so much more.

Above all, this agreement will provide farmers and ranchers with certainty about what the Canadian and Mexican markets are going to look like going forward. American farmers depend upon these markets to sell their products, and it is vital that farmers have a clear idea of what these markets are going to look like in the future.

Republicans in the Senate are ready to take action on the United States-Mexico-Canada Agreement at any point. I hope House Democrats will quickly work out their remaining issues and indicate their willingness to vote on this deal. The administration has made addressing Democrats' concerns a priority throughout the negotiation process, and it is time for Democrats to bring this process to a swift conclusion.

As I mentioned, we are almost a year now past the time when the President signed this agreement, and it has been available for consideration by the House of Representatives for that entire time. It is high time that we act on this trade deal and get it over here to the Senate, where we can vote on it and get it to the President for his signature.

Last week, seven former U.S. Agriculture Secretaries, from both Democratic and Republican administrations, sent a letter to House and Senate leadership stating their strong support for the United States-Mexico-Canada Free Trade Agreement.

The Secretaries noted:

With farmers facing one of the lowest net farm incomes in the last decade, USMCA would create enhanced export opportunities and help fully capitalize on increased global demand for food products. Furthermore, USMCA would significantly boost farm incomes and create jobs both on and off the farm in rural communities.

Again, that is from seven former U.S. Agriculture Secretaries, serving both Republican and Democrat Presidents.

Life hasn't been easy for our Nation's farmers and ranchers over the past few years, and I can certainly attest to that, as I have looked at what the economy in South Dakota has been like in these last several years. The surest way that we can stabilize and boost farm income and help farm country is to conclude agreements like the USMCA. I urge my Democrat colleagues in the House of Representatives to make getting this deal done in the House, over to the Senate, and across the finish line their No. 1 priority.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

UKRAINE

Mr. SCHUMER. Madam President, we continue to read reports containing additional information about the nature of President Trump's phone calls with Ukrainian President Zelensky and his administration's conduct in the weeks and months before and after those communications.

Ignoring for a moment the political reporting, we know that someone inside the intelligence community found the President's conduct alarming enough to warrant an official whistleblower complaint. The complaint was so alarming that the inspector general of the intelligence community, appointed by President Trump, said that it was credible and urgent and a complaint that by law must be submitted to Congress. This is not one of those discretionary moments; the law says this must be transmitted to Congress.

We still have not received the whistleblower complaint, and Congress has been advised in writing by the inspector general of the intelligence community that the Trump administration is preventing us from getting this report. So later today, I will request the unanimous consent of the Senate to pass a resolution calling for the whistleblower complaint to be provided to the Senate and House Intelligence Committees, as prescribed by law. Let me repeat that. Later today, I will request the unanimous consent of the Senate to pass a resolution calling for the whistleblower complaint to be provided to the Senate and House Intelligence Committees, as prescribed by law.

It is our job in the Congress to provide the necessary oversight of the executive branch, to take these matters—matters of foreign policy, national security, and constitutional integrity—with the utmost gravity, to seek the facts, and then grapple with them.

I made several requests of the majority leader yesterday in an effort to collect the facts, to which I have received no response. Today, I will seek approval for a simple resolution calling for the whistleblower complaint to be transmitted to the relevant committees in Congress. I hope the majority leader and Senate Republicans will not block it. I hope they will rise to the occasion and realize that this is their constitutional duty and realize that this involves the security of the United States.

I will have more to say on the matter before requesting my colleagues' consent to pass this resolution later today.

DECLARATION OF NATIONAL EMERGENCY

Madam President, on the national emergency—another issue that involves rule of law and the President's overreach—this week, as early as tomorrow, the Senate will vote on whether to terminate the President's national emergency declaration, which he has used to steal from our military to build the border wall—a wall President Trump promised over and over again that Mexico would pay for; not American taxpayers, not American troops, not their families—Mexico. That was the President's promise to the American people. It is a promise he broke. But that is what it has come to.

If my Republican friends choose to stand with President Trump on this vote, they will be supporting the President's taking money from our military and their families to fund a border wall. I imagine that even many of those who support the wall—and that is not a majority or close to a majority of Americans—would not want the money to come from the military.

Later this morning, Democrats will have a press conference where we will talk about this. We will remind people that the consequences of the President's emergency declaration are far-reaching. He is taking money away from military readiness, military families, and the children of servicemembers. He is taking money from military medical facilities in North Carolina and hurricane recovery projects in Florida, money from programs we use to combat Russian cyber aggression and money to upgrade storage facilities that are decrepit and pose a risk because of the munitions that are stored there.

What the heck are we doing here? Congress appropriated these funds with a specific purpose. In our Constitution, the President doesn't get to decide where the money goes; we do. He gets veto power. He tried to shut down the government and failed. If he can get around the constitutionally sanctioned balance of power—that is what a dictator does, not someone who believes in democracy and rule of law.

What he has done here far exceeds any overreach that my Republican colleagues complain about that President Obama did. But, remarkably, too many are silent. Too many are willing to go along. The fear of this President, who many of my colleagues know privately does not have the honor, morality, honesty, and actually competence to do this job—they know that, but they go along with just about everything he does.

On a policy basis, you can shrug your shoulders. That is the differences between the parties. But when it comes to defending the Constitution and rule of law and not letting the Executive overreach—the No. 1 fear of the Founding Fathers—we are above that. Where are our Republican colleagues?

I am sure if the shoe were on the other foot and a Democrat were President and declared an emergency to reappropriate funds, my Republican colleagues would be up in arms. As I mentioned, when President Obama did far less, they were screaming bloody murder. But now they are remarkably silent.

So it is about time our Senate Republicans stand up for the rule of law, stand up for our Constitution, and stand up to the President when he is wrong. It is time to reassert the powers of the legislative branch, the people's branch of government. Senate Republicans will have that opportunity this week, likely tomorrow, and the American people will clearly be able to see whose side each Republican is on—the people's side, the Constitution's side, or the President's side.

NOMINATION OF DANIEL HABIB JORJANI

Madam President, finally, on the Jorjani nomination, later today, the Senate will vote on the confirmation of Daniel Jorjani to serve as Solicitor of the Department of the Interior. By all rights, Leader McCONNELL should withdraw this vote from the floor. Mr. Jorjani's career is out of step with the agency's mission, and it has come to light that Mr. Jorjani likely lied to Congress about his role in the Department's adherence to transparency laws.

Under President Trump, the Interior Department has been mired in several investigations about the ethical conduct of its political appointees, including former Secretary Zinke. It is obvious that the Interior Department sorely needs transparency and public accountability, especially when the stewardship of our public lands is at stake. But at the Department of the Interior, political appointees have instituted policies to stonewall and squash transparency. It is likely that Mr. Jorjani played a key role in shaping these policies and is at this moment one of the subjects of an Interior Department inspector general investigation.

Despite his sworn testimony claiming no role in reviewing public records requests, public documentation has shown that Mr. Jorjani was regularly made aware of FOIA requests involving high-level political appointees. If confirmed, Mr. Jorjani would play an even larger role in overseeing the Interior Department's public releases.

The President said he would clean the swamp. Nomination after nomination that he makes, makes the swamp even filthier, stinkier. He seems to have no morality. He seems to have no honor. This is a man who is loaded with conflicts of interest, ethical concerns, and is likely an ideologue opposed to the very missions of the agency to which he is nominated. Mr. Jorjani is another bright red example of the lack of honor, of decency, of morality, and of honesty in Trump appointees. I urge Senate Republicans to join Democrats in voting to reject this sordid nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Illinois.

ELECTION SECURITY

Mr. DURBIN. Madam President, there are certain elements of this responsibility of serving in the Senate that have been tested from time to time in our history.

As Members of the Senate, each of us stands in the well right over in that corner, raises our right hand, and swears to uphold and defend the Constitution of the United States. Those words are almost a cliché because they are used so often. Yet here today we are being called on to really reflect on that responsibility. We are called on to reflect on it because of things that have happened that have come to light in the last several days that raise serious constitutional questions.

I will say that in the 2½ to 3 years that Donald Trump has been President of the United States, I think our Nation has been rocked by this President's approach to the highest office in the land. He has said things and done things no other President has ever done.

Members of his own political party have been uncharacteristically silent when it comes to criticizing this President for his wrongdoing. The litany of things he has done is long and troubling. But there is one thing that we, as both political parties, need to maintain as the bedrock of this democracy, the bedrock of our commitment to this Constitution; that is, that in this Nation of the United States, the people govern.

Ultimately, the people of the United States have the last word—in our elections. In those elections, they make their choices, whether you like them or not. I wasn't particularly enamored with the Presidential choice in 2016, but I accepted it as the constitutional verdict of the American people. It really is the bedrock of who we are and what we are. That is why the notion that some other nation would interfere in our election is so repugnant.

The thought that the American people would not have the last word, that there would be other factors and other people, other countries engaged in our election, is as reprehensible under our Constitution as any concept I can think of.

We are sworn to defend the Constitution of the United States against all enemies, foreign and domestic—another group of words we have heard over and over again. But reflecting on those for a moment—sworn to defend the Constitution of the United States against all enemies, foreign and domestic—is a nation that tries to interfere in our political process an enemy of the United States? Of course. That is obvious on its face. Those who would encourage a nation to be engaged in our political process, to try to tip the scales one way or the other, are they enemies of the United States? Well, they are certainly not acting consistent with that constitutional principle.

This seems like a pretty straightforward constitutional interpretation. You don't need a Ph.D. or a law degree to understand, if a foreign country tries to interfere in the U.S. election process, that foreign country is an enemy in that action. Those who would encourage a foreign country or foreign agents to engage in our election, they, too, have crossed the line.

As I consider the revelations that President Trump is using his office to extort Ukraine to support his political reelection campaign, I wonder why there is so much silence on the other side of the aisle. This is an outrageous development.

Months before the 2016 election, our Nation's top intelligence officials told key congressional leaders about the efforts of Russia to interfere in the 2016 election, the election where the American people were choosing the President. Our top intelligence officials were understandably concerned. At that time, President Obama asked our congressional leaders for a bipartisan message condemning Vladimir Putin's efforts on behalf of Russia. President Obama wanted to make sure it was bipartisan before that 2016 election and showed a unified resistance to the interference by any foreign country in America's election process.

What was the response of the Republican majority leader, Senator McCONNELL, after hearing this bombshell, this threat from a former Communist KGB official, Vladimir Putin, against America's democratic process of election? He answered that he didn't want to get involved, and he didn't.

Then, for months after the election, not a single Republican Senator spoke on the Senate floor about the mounting and devastating evidence of Russia's attack on our election in 2016. I know that, personally, because the first casualty in that attack was the voter file of my State of Illinois. The Russians found a way, through their trolls, to get into the voter file of my home State, into the voting records of 70,000 or more Americans who live in Illinois. What did they do with that information? It appears little or nothing, but they could have changed it, and they could have had a dramatic impact on the right of these American citizens to make their legitimate constitutional choice in the election.

For months, the silence was deafening as well, as President Trump defended Vladimir Putin's brazen denials of these attacks. President Trump took the word of Vladimir Putin over that of his own American intelligence professionals. Senate Republicans blocked election security measure after election security measure, and despite finally relenting last week when Senator McCONNELL said we could come up with \$250 million for election security grants, they still continue to block substantive legislation, despite ongoing attacks and U.S. vulnerability.

The country spent much of the Trump Presidency asking serious, necessary questions about Candidate

Trump's open solicitation of Russian help in his Presidential campaign and if such cooperation actually ran deeper. While unable to establish a formal conspiracy between the Trump campaign and the Russians, in nearly 200 pages, the Mueller report described "numerous links between the Russian government and the Trump Campaign."

The Mueller report also laid out, in detail, how the Russians brazenly and systematically interfered in our election in 2016 and tried to shape the outcome. You would think that after such a sobering set of findings, any American President would take the matter seriously and reassure the Nation that he really does put America, not a foreign power, first when it comes to our electoral process, but, no, shortly after the Mueller report was released, President Trump told ABC's George Stephanopoulos he would still accept a foreign government's offer to share damaging information about a political rival, echoing similar remarks he made in his original Presidential campaign.

In short, President Trump learned nothing from the experience of the 2016 election. The silence of my colleagues on the other side of the aisle seems to indicate the same.

Now we have reports that President Trump is at it again, trying to strong-arm the leader of Ukraine to join him in attacking one of President Trump's political rivals, Joe Biden. It is not to advance American interests, not to serve the American people, not to help an ally in Ukraine, not to uphold American values but to serve the President's own reelection campaign interest.

Last week, I offered an amendment in the Appropriations Committee to address \$250 million which had been appropriated by Congress to help protect Ukraine from Russian aggression and was never released. Last Thursday, I had this amendment coming before the committee, and it basically said to the administration: If you don't release the money we have appropriated, you are going to pay a price for it.

Occasionally, that is all you can do as a Member of Congress to get money spent that was appropriated and approved by the President. It was a curiosity. Why in the world were we holding back \$250 million that was supposed to help the Ukrainian people stop the aggression of Vladimir Putin?

I went to the committee hearing on Thursday morning. Before it started, one of my staff members said: Oh, the Trump administration released the money last night.

Last night? Why did they wait until 2 weeks before the end of the fiscal year to release the money?

Oh, they were reviewing this to determine whether there was any problem with releasing the money to Ukraine.

It was a curious answer. It didn't make much sense. The President had signed this appropriations bill.

For months, as President Trump, through his personal attorney Rudy Giuliani, tried to pressure Ukrainian President Zelensky to further his political agenda, the money that was supposed to go to Ukraine was withheld.

We learned in this morning's Washington Post the President had instructed his Chief of Staff to notify the appropriate agencies to withhold the money while he bargained with Zelensky over salacious, negative information about Joseph Biden and his family.

Now we are learning there was a whistleblower complaint, reportedly about the same issue. Apparently, someone in the administration who learned what President Trump was trying to do in strong-arming Ukrainian President Zelensky decided it overstepped the bounds and needed to be reported on officially. The congressional Intelligence Committees that get access to the information provided by this whistleblower are still waiting for that information—information the Trump-appointed inspector general for the intelligence community, Michael Atkinson, a Trump appointee, has determined to be credible and urgent. In other words, something happened at the highest levels of our government which led a professional in the intelligence agency, the inspector general, to make a whistleblower complaint for the record.

The law requires that complaint to be shared with committees of Congress. It wasn't. It turns out that the Attorney General of the United States, William Barr, may have played some role in diverting that from its ordinary statutory course. The President may not want anyone to see it, but the law is clear and must be respected: This information in the whistleblower complaint must be transmitted to Congress.

Is there anyone in the Senate, anyone who took the oath to protect the Nation against enemies foreign and domestic, who thinks any of us, regardless of political party, should solicit help from a foreign power to make sure we get elected or reelected?

This abdication of responsibility by the other party is remarkable. I want to salute one Senator, and I hesitate to mention any direct reference to him, but one Senator on the Republican side who has spoken out. He understands the gravity of the situation, the constitutional issues at stake in this debate, and the fact that, ultimately, history must stand in judgment of all of us of whether we have spoken up.

If this President of the United States can attempt to extort a foreign leader to withhold security funds that would have been given by the United States to his country in order to pursue and promote his own political agenda, we have reached a new low in the United States. If this whistleblower's claim goes into detail, it is only right and appropriate, under the statute, that this information be shared with the appro-

priate committees of the U.S. Senate and House. The whistleblower's claim needs to be released to the appropriate congressional committees and evaluated according to the law, and congressional Republicans—House and Senate—need to make it clear once and for all that no President—not this President, no President—can solicit or strong-arm a foreign country to further his own campaign. That is unacceptable under the Constitution of the United States, which I remind my colleagues we are sworn to uphold and defend.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Hawaii.

NOMINATION OF DANIEL HABIB JORJANI

Ms. HIRONO. Mr. President, over the past 2½ years, we have seen a remarkable pattern emerge in the types of people Donald Trump nominates to serve in his administration. His nominees have extensive conflicts of interest. They work to advance the interest of foreign clients, financial patrons, or other special interests. In doing so, they are actively hostile to the very departments in which they have been nominated to serve.

Daniel Jorjani—the President's nominee to serve as Solicitor of the Department of the Interior—is a classic example of this pattern. The DOI Solicitor is a critically important position in the Department. In addition to being the chief legal adviser to the Secretary, the Solicitor is intimately involved in developing the legal justifications for Department policies, defending DOI positions in court, and overseeing compliance with the Freedom of Information Act, FOIA.

Given the influence the Department's Solicitor has on issues, such as the implementation of the Endangered Species Act, stewardship of public lands, and holding companies accountable for their impacts on the environment, it is essential that whoever occupies this job can execute his or her duties in a manner that upholds the public trust.

With the nomination of Daniel Jorjani, Donald Trump has once again shown that he prioritizes exploiting our environment for the benefit of fossil fuel companies over the very real interests of the American people and protecting our environment.

Prior to joining the Trump administration, Mr. Jorjani spent 7 years working in organizations throughout the Koch brothers' sprawling empire. In positions such as the general counsel of Freedom Partners, Mr. Jorjani assisted the Koch brothers in pursuing a relentlessly pro-fossil fuel agenda. He fought against the Obama administration's actions to combat climate change and protect the environment.

It was with precisely this experience in mind that Donald Trump appointed Mr. Jorjani as the Principal Deputy Solicitor and Acting Solicitor of DOI in 2017. During his tenure in these roles,

which did not require Senate confirmation, Mr. Jorjani wasted little time before mounting a full frontal assault on Obama-era environmental regulations, to the delight of his former patrons. Of the eight Solicitor's legal opinions that Mr. Jorjani authored, seven roll back Obama-era environmental regulations.

Let me focus on one example that certainly sticks out. In a stunning reversal of a 2017 opinion issued by then-Solicitor Hilary Tompkins, Mr. Jorjani pushed to shield companies from liability for killing birds protected under the Migratory Bird Treaty Act as long as it was not the company's intended action.

That is like saying BP shouldn't have to pay to clean up the Deepwater Horizon oilspill because they didn't intend to release nearly 5 million barrels—200 million gallons—of oil into the Gulf of Mexico. Clearly, companies should not be shielded from their negligence.

Mr. Jorjani's reversal of the opinion overturned existing Department enforcement practices that had been in place for the past 40 years. The oil and gas industry had been complaining about this rule for years precisely because it held them accountable for their actions.

When I asked Mr. Jorjani directly at his confirmation hearing about which industry benefited most from this reversal decision of his, he claimed: "I'm not aware of any particular industry that benefits from this."

Who is he trying to kid? My reaction to Mr. Jorjani's shibai—or BS—answer is that the oil and gas industries are the biggest beneficiaries. He knew it, and I knew it.

Mr. Jorjani's actions are particularly alarming in light of a new study that found that North America has lost 3 billion birds—nearly 30 percent of our total bird population—in the past 50 years.

In normal times, we expect leaders of the Interior Department to pursue policies to mitigate the harm being done to our ecosystems and environment, not to do things that will actually make big problems even worse. But these are not normal times.

Instead, we have yet another Trump nominee with extensive conflicts of interest, pursuing policies that help his former employers in a manner that is fundamentally hostile to the Department in which he or she serves.

Fitting the Trump administration's normal pattern of corruption should be more than enough to deny him confirmation to this critical job, but Mr. Jorjani—just like his boss, Interior Secretary David Bernhardt—is also currently under investigation by the DOI inspector general.

Mr. Jorjani is under investigation for potential misconduct related to his management of the Department's compliance with the Freedom of Information Act, or FOIA, and its so-called supplemental review policy.

Under this policy, political appointees at the Department are noti-

fied about the public release of any documents containing their names or email addresses. This policy can be problematic even in normal times. It could result in political interference in the FOIA process to delay the release of potentially damaging information, but DOI allegedly has an additional internal review policy that goes even further. It allows Mr. Jorjani and the Department's Deputy Chief of Staff 5 days before release to review requested records that involve senior staff in the Secretary's office. This review process not only opens up the possibility for inappropriate delays but also allows for willful and blatant withholding of important information the public has requested.

In response to questions at his confirmation hearing and questions for the record, Mr. Jorjani asserted that he "typically did not review records prior to their release under the FOIA." However, internal documents released by the DOI paint a very different picture, one in which Mr. Jorjani was regularly involved in reviewing FOIA documents.

At best, Mr. Jorjani was not forthcoming or candid. In fact, it appeared that he lied under oath.

With a position as important as this one, the American people deserve, at the very least, an ethical Solicitor devoted to the mission of the Department, one who is not compromised by or catering to the narrow interests of his former employers or one who doesn't tell his staff, as Mr. Jorjani told his staff, that "at the end of the day our job is to protect the Secretary." Protecting the Secretary is nowhere in Mr. Jorjani's job description. He is yet another Trump nominee who should not be confirmed by the Senate.

I yield the floor.

The PRESIDING OFFICER. I recognize the Senator from Oregon.

UNANIMOUS CONSENT AGREEMENT

Mr. WYDEN. Mr. President, I would like to propound a unanimous consent request. I think colleagues know we have run a little bit behind. I ask unanimous consent that the Senator from Iowa be recognized next for her remarks and that I be recognized to close the debate on Mr. Jorjani and be allowed to speak for up to 15 minutes. I think we would end up being about 10 minutes late or thereabouts, between 20 of and quarter of.

I ask unanimous consent that I be able to speak for up to 15 minutes after the Senator from Iowa has finished her remarks.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The Senator from Iowa.

Ms. ERNST. Mr. President, first, I would like to thank my colleague from Oregon. I appreciate that very much.

NO BUDGET NO RECESS ACT AND END-OF-YEAR FISCAL RESPONSIBILITY ACT

Mr. President, 'tis the season in Washington. Government agencies are going on their "Christmas in Sep-

tember, use-it-or-lose-it" shopping spree. If not spent by midnight on September 30, leftover dollars expire and can no longer be used.

Rather than returning the money to taxpayers, binge-buying bureaucrats are wasting billions of taxpayer dollars needlessly. Frankly, folks, this is Washington's most notorious tradition at the end of our fiscal year.

Let me tell you, folks, Iowans and hard-working folks across the country really should be appalled by many of the last-minute purchases our tax dollars are paying for. I will just give you some examples.

There was \$4.6 million spent on lobster tail and crab; \$2.1 million spent on games, toys, and wheeled goods; over \$53,000 on china and tableware; more than \$40,000 on clocks; and nearly \$12,000 for a commercial foosball table. Yes, that is right, folks, a commercial foosball table, 12,000 of your dollars.

What are we, as Congress, doing about this wasteful spending? Nada, nothing. Congress is sitting idly by, letting Washington bureaucrats waste the hard-earned dollars of folks in my home State of Iowa.

Failing to pass the bills necessary to fund the government on time makes it difficult for agencies to thoughtfully plan and allocate billions of dollars. That is why I fought hard to make sure Congress completes its job of appropriating and budgeting on time.

Through my No Budget No Recess Act, Members of Congress would be prohibited from leaving Washington if we fail to pass a budget by April 15 or if we fail to approve regular spending bills by August 1.

The way we are doing business is incentivizing Federal agencies to rush and spend the rest of their money as quickly as possible, and it makes it all the more likely that they will waste money on unnecessary goods and services.

As Iowa taxpayers know, it is never smart to rush into a big purchase. Unfortunately, it seems Washington bureaucrats don't agree, especially when it is the tax dollars of hard-working Americans that they are dealing with.

Washington's spending disorder gets more expensive every year. The \$97 billion rung up in September 2018 is 15 percent more than was spent the same month the previous year and a staggering 39 percent more than that time in 2015. But if the Federal agencies followed the President's directive to trim their budgets by 5 percent, an easy place to start is simply by cutting the dollars they have been unable to spend.

Federal agencies end every year with leftover money in their budgets. This year, it is estimated the government will end up with more than \$825 billion in unspent funds that have not been committed by contract or otherwise obligated to be spent. Last year's \$804 billion budget deficit could have been wiped out and turned into a surplus if the unobligated balance being held in the Federal coffers had been canceled.

Instead, Federal agencies ordered lobster tail and tons of—get this—tater tots—tons of tater tots, as Washington amassed its largest shortfall since 2012.

Folks, we have to put an end to this madness. Seriously, someone has to be the Grinch on behalf of our taxpayers. That is why earlier this year I introduced the End-of-Year Fiscal Responsibility Act.

My bill would limit an agency's spending in the last 2 months of the year to no more than the average of the previous 10 months. This bill will not end all wasteful spending, but it will force agencies to put more thought into long-term planning and curtail the bad habit of out-of-control impulsive spending.

Folks, Washington spending is out of control. With our national debt now surpassing \$22 trillion, Washington should be looking for ways to save by canceling or delaying unnecessary expenses rather than splurging on end-of-the-year wish lists.

I would like to recognize the great work of the nonpartisan group OpenTheBooks, which is working to put every dime the government spends online in real time to hold Washington accountable. The group issued a report on this very subject in March.

I would also like to note that Iowans sent me to the Senate with a specific mission: Cut wasteful spending, and make Washington squeal. To prevent buyer's remorse, I am giving everyone in Washington fair warning. My office will be reviewing your last-minute purchases and asking you to justify them to the taxpayers.

It is time to put an end to this reckless behavior. Billion-dollar binge buying is no way to budget.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

NOMINATION OF DANIEL HABIB JORJANI

Mr. WYDEN. Mr. President, there is a job opening at the Interior Department, and that can mean only one thing: another Trump nominee who, incredibly, is already under investigation for misconduct, even before his first day on the job. This time, it is Daniel Jorjani, a long-serving Trump Interior official who is up for a powerful role as the Department's Solicitor.

I say to the Presiding Officer and colleagues, I have put a hold on this nominee. If anything, the case for withholding action on this nominee has gotten greater in the last few days. Just in the last few days, the Department's inspector general has made it clear that this is an individual he is going to investigate. I will tell my colleagues that, if you are putting somebody already under investigation on a fast track to the Interior Department corruption hall of fame, right up there with Ryan Zinke, I believe that is a mistake the Senate is going to regret.

It probably doesn't take an inspector general investigation to uncover why this is a mistake. I am going to explain it this morning, briefly.

First, I believe it is important to start with an honest assessment of what Donald Trump appointees have done at the Interior Department. Under this President, it is often difficult for one agency's corruption to stand out above the rest, but somehow Interior Department officials manage to do that again and again.

Mr. Jorjani, a former industry adviser for Koch Industries, is an example of just this type of behavior. The Office of the Interior Solicitor is in charge of legal issues and ethics for the Department. It is a big team with a lot of power. Mr. Jorjani has been a key member of the Solicitor's office.

His own words indicate that he doesn't believe that his primary function at Interior is to protect public lands and uphold ethical standards. We have already heard discussion earlier this morning that he wrote to agency colleagues—and we have been quoting it—saying “our job is to protect the Secretary.” Those are his words, not the words of anybody here in the Senate. What Senators may not know is that Mr. Jorjani was talking about Ryan Zinke, who brought on a category 5 ethical hurricane during his brief time as Interior Secretary.

In the same email, Mr. Jorjani boasted about having impeded inspector general investigations into the misuse of taxpayer funds for travel. It wasn't just talk. The record shows that covering up dirty ethics and potential lawbreaking is routine for Mr. Jorjani. By my count, there are at least four investigations into wrongdoing at the Interior Department that were closed or found inconclusive due to a lack of cooperation or records production on Mr. Jorjani's watch.

These investigations covered a multitude of issues, from the potential misuse of expensive chartered travel to a halted study on the crucial health impacts of potentially dangerous Interior Department energy policies.

Then there is the issue of the Interior Department's new policy under the Trump administration with respect to the Freedom of Information Act. The new policy—and again, this is a retreat from public interest standards—gives political appointees unprecedented control over the Department's response to Freedom of Information Act requests. In my view, it looks like an effort to conceal the fact that Trump Interior officials are spending their days doing the bidding of a host of special interests.

There is clear evidence that this new secretive Freedom of Information Act policy was implemented under the Trump administration, that Mr. Jorjani knew about it, and that he was up to his eyeballs in putting this in motion.

When I asked Mr. Jorjani about the Freedom of Information Act policy during an Energy and Natural Resources Committee hearing, Mr. Jorjani actually claimed it didn't exist. He later told one of our col-

leagues, the distinguished Senator from Maine, Mr. KING, that he had no involvement in Freedom of Information Act responses.

I want it understood that I believe Mr. Jorjani lied to the Energy and Natural Resources Committee and perjured himself to that body.

Colleagues, I know that Members on both sides are concerned about what has happened with the Freedom of Information Act under this administration. I want to commend the several Republican Senators who have said that they are troubled about what this administration is doing with the Freedom of Information Act—the so-called “awareness reviews” by appointees that really aren't hard to figure out. It is about secretive political interference.

What we are seeing with the Freedom of Information Act is inconsistent with the intent of Congress, and it is wrong. The importance of government openness and honesty with the American people ought to be a bipartisan proposition. It is in the interest of everyone—Democrats and Republicans—to protect the Freedom of Information Act from evasion and protect it from abuse. That is part of why this new Interior policy on the Freedom of Information Act is so troubling.

As I mentioned, on Friday, the Interior inspector general confirmed to me that Mr. Jorjani is currently under investigation for his role in this Freedom of Information Act policy. For colleagues who may be following this, let's just understand what is going on: We are getting ready to vote on whether to advance somebody who is under a formal inspector general investigation. The fact that the inspector general is investigating such a serious matter ought to be enough all by itself to stop this nomination from going forward.

Certainly, Mr. Jorjani's own words about how he views the job—not about protecting the public but about protecting someone like Ryan Zinke—ought to be disqualifying. If Mr. Jorjani is confirmed, the person who will be in charge of ethics at the Interior Department told colleagues his job was to protect a crook. That is what he said.

Colleagues, this administration in too many instances has made deceit and unethical conduct the norm at the Interior Department. Trump officials have sidelined the Department's core purpose, which is to protect our treasured public lands on behalf of all Americans. Too often, it seems, they side with special interests that will pollute America's air, poison the drinking water, fuel climate change, and destroy the treasures that Americans all love.

At some point the U.S. Senate ought to draw the line. I think the Jorjani nomination is such a place.

I urge my colleagues to oppose the nomination. I urge my colleagues to join me in voting no.

I yield the floor.

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 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 Joseph Cella, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu.

Mitch McConnell, David Perdue, John Cornyn, John Barrasso, Mike Crapo, John Thune, Tim Scott, John Hoeven, Shelley Moore Capito, Kevin Cramer, John Boozman, Steve Daines, Richard Burr, James E. Risch, Roy Blunt, Thom Tillis, Martha McSally.

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

The question is, Is it the sense of the Senate that debate on the nomination of Joseph Cella, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Fiji, and to serve concurrently and without additional compensation as Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Kiribati, the Republic of Nauru, the Kingdom of Tonga, and Tuvalu, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from North Carolina (Mr. TILLIS).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), the Senator from Vermont (Mr. SANDERS), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

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

[Rollcall Vote No. 295 Ex.]

YEAS—55

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

Portman	Sasse	Thune
Risch	Scott (FL)	Toomey
Roberts	Scott (SC)	Wicker
Romney	Shelby	Young
Rounds	Sinema	
Rubio	Sullivan	

NAYS—37

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

NOT VOTING—8

Booker	Jones	Warren
Graham	Sanders	Whitehouse
Harris	Tillis	

The PRESIDING OFFICER. On this vote, the yeas are 55, the nays are 37. The motion is agreed to.

CLOTURE MOTION

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Daniel Habib Jorjani, of Kentucky, to be Solicitor of the Department of the Interior.

Mitch McConnell, David Perdue, John Cornyn, John Barrasso, Mike Crapo, John Thune, Tim Scott, John Hoeven, Shelley Moore Capito, Kevin Cramer, John Boozman, Steve Daines, Richard Burr, James E. Risch, Roy Blunt, Thom Tillis, Martha McSally.

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

The question is, Is it the sense of the Senate that debate on the nomination of Daniel Habib Jorjani, of Kentucky, to be Solicitor of the Department of the Interior, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from South Carolina (Mr. GRAHAM) and the Senator from North Carolina (Mr. TILLIS).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Alabama (Mr. JONES), the Senator from Vermont (Mr. SANDERS), the Senator from Virginia (Mr. WARNER), the Senator from Massachusetts (Ms. WARREN), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The yeas and nays resulted—yeas 50, nays 41, as follows:

[Rollcall Vote No. 296 Ex.]

YEAS—50

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

NAYS—41

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

NOT VOTING—9

Booker	Jones	Warner
Graham	Sanders	Warren
Harris	Tillis	Whitehouse

The PRESIDING OFFICER. On this vote, the yeas are 50, the nays are 41. The motion is agreed to.

CLOTURE MOTION

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of David Fabian Black, of North Dakota, to be Deputy Commissioner of Social Security for a term expiring January 19, 2025. (Reappointment)

Mitch McConnell, David Perdue, John Cornyn, John Barrasso, Mike Crapo, John Thune, Tim Scott, John Hoeven, Shelley Moore Capito, Kevin Cramer, John Boozman, Steve Daines, Richard Burr, James E. Risch, Roy Blunt, Thom Tillis, Martha McSally.

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

The question is, Is it the sense of the Senate that debate on the nomination of David Fabian Black, of North Dakota, to be Deputy Commissioner of Social Security for a term expiring January 19, 2025, 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 Tennessee (Mrs. BLACKBURN), the Senator from South Carolina (Mr. GRAHAM), and the Senator from North Carolina (Mr. TILLIS).