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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, give our lawmakers the power to live with purity. Remind them that for each test and temptation, You have provided a way of escape. When they stumble, help them to receive the forgiveness of Your abounding grace. May they permit Your spirit to control their minds and hearts, continually delivering them from evil.

Lord, we cannot live with integrity in our strength alone, so keep us united with You.

We pray in Your great Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

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

Mr. GRASSLEY. Madam President, I ask unanimous consent to address the Senate as in morning business for 1 minute.

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

THE UNITED STATES SENATE

Mr. GRASSLEY. Madam President, we have been hearing from the other body a lot about how the Senate isn't taking up House bills. Now, that seems to be as though the Senate is supposed to somehow be a rubberstamp for the other body.

Well, we just celebrated Constitution Day last week, and the Constitution doesn't provide for the Senate to auto-

matically take up bills from the other body. Maybe it is time for a reminder about how the Founding Fathers intended the Senate to work, so I am going to give a short quote by James Madison in the Federalist Papers, No. 62, entitled "The Senate":

The necessity of a senate is not less indicated by the propensity of all single and numerous assemblies, to yield to the impulse of sudden and violent passions, and to be seduced by factious leaders into intemperate and pernicious resolutions.

I am not saying that the House of Representatives passes intemperate and pernicious resolutions, but at least the Founding Fathers thought that could happen, and they had the Senate to be a check on the House of Representatives, just as the House of Representatives can be a check on anything that we do.

There are now over 80 bills that have passed both Houses, but there are some that can't pass the Senate, and there are probably some the Senate feels shouldn't even be brought up. The difference between the House and Senate—and some contemplation by the Senate to be very cautious—is how the Constitution meant the Senate was supposed to work. I hope leaders of the House of Representatives will be reminded of that from time to time. That is my purpose today.

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. McCONNELL. 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 MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

HONORING CHRIS HULSEY

Mr. McCONNELL. First, this morning, I join the Kentucky families and first responders in Meade County in mourning the loss of volunteer sheriff's deputy Chris Hulsey, who was killed in the line of duty over the weekend. According to reports, on Saturday evening, Deputy Hulsey was attacked while investigating a suspect and pronounced dead at the hospital hours later.

Deputy Hulsey proudly answered the call of public service with a decades-long career that also included time as a firefighter and a paramedic. His service left his community safer, and his sacrifice left it in grief. I stand with them in mourning his loss and honoring his service. The community will hold a candlelight vigil tonight to honor this Kentucky hero. The prayers of the Senate will be with them.

NOMINATIONS

Mr. McCONNELL. Madam President, on an entirely different matter, the Senate continues making headway in the personnel business.

It is still too bad that our Democratic colleagues continue to insist on cloture votes, floor time, and rollcall votes for the kinds of uncontroversial nominees who have ordinarily traveled by voice vote for past administrations of both parties. Yet the Senate hasn't been deterred by this novel campaign of systematic obstruction from our Democratic friends. We will keep right on getting these talented public servants on the job, where they belong.

Later today, we will confirm a Deputy Under Secretary of the Treasury. Then we will confirm an ambassador, a solicitor of a Cabinet department, and a deputy commissioner of Social Security. They aren't the only nominees we will confirm this week. Before our work is finished, we will also have confirmed our next Vice Chairman of the Joint Chiefs and, pending the committee action of our colleagues, our

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



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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 Presiding 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 Hillary 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).

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 66, nays 25, as follows:

[Rollcall Vote No. 297 Ex.]

YEAS—66

Alexander	Feinstein	Murphy
Barrasso	Fischer	Paul
Bennet	Gardner	Perdue
Blunt	Grassley	Portman
Boozman	Hassan	Risch
Braun	Hawley	Roberts
Burr	Hoeven	Romney
Capito	Hyde-Smith	Rounds
Cardin	Inhofe	Rubio
Carper	Isakson	Sasse
Casey	Johnson	Scott (FL)
Cassidy	Kaine	Scott (SC)
Collins	Kennedy	Shaheen
Coons	King	Shelby
Cornyn	Lankford	Sinema
Cotton	Leahy	Sullivan
Cramer	Lee	Thune
Crapo	Manchin	Toomey
Cruz	McConnell	Warner
Daines	McSally	Wicker
Enzi	Moran	Wyden
Ernst	Murkowski	Young

NAYS—25

Baldwin	Hirono	Schatz
Blumenthal	Klobuchar	Schumer
Brown	Markey	Smith
Cantwell	Menendez	Stabenow
Cortez Masto	Merkley	Tester
Duckworth	Murray	Udall
Durbin	Peters	Van Hollen
Gillibrand	Reed	
Heinrich	Rosen	

NOT VOTING—9

Blackburn	Harris	Tillis
Booker	Jones	Warren
Graham	Sanders	Whitehouse

The PRESIDING OFFICER. The yeas are 66, the nays are 25.
The motion is agreed to.

EXECUTIVE CALENDAR

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

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

RECESS

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

Thereupon, the Senate, at 1:06 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from Iowa.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. GRASSLEY. Madam President, I want to address an issue for my colleagues, something a lot of Senators have been talking about more recently, and none too soon—the Mexico-Canada agreement with the United States, a very important trade agreement.

President Trump and the leaders of Mexico and Canada signed the USMCA on November 30, 2018, which was 43 weeks ago. More than 3 months have passed since Mexico ratified the USMCA, and Canada's ratification is well underway. However, the U.S. Congress must do its part, and time is running short.

We have a limited opportunity to ratify the USMCA before election politics get in the way of securing this very critical win for literally every broad industry sector in America. I therefore urge the administration and House Democrats not only to intensify discussions on the USMCA but also to expedite those discussions and to present USMCA to the Congress.

By now, everyone should know very well that Mexico and Canada are by far America's most important trading partners. In 2017, America sold more than a half trillion dollars of exports to Mexico and Canada. Those were more exports than we sold to the next 11 largest export markets combined. For Iowa, my State, 130,000 jobs were supported by the \$6.6 billion of exports to Mexico and Canada in the same year of 2017.

These numbers are not just academic statistics. During the August State work period, I completed my 39th year holding Q and A's in every one of Iowa's 99 counties, and I consistently heard from Iowans that passing the USMCA ought to be a very top priority for the Congress.

I joined the former Governor of Iowa and former U.S. Secretary of Agriculture, Tom Vilsack, at a dairy processing plant in Des Moines. This meeting, with one Republican and one Democrat appreciating the great contributions of Iowa agriculture to our Nation and to exports, demonstrated what I heard at my town meetings—that passing the USMCA should be a bipartisan priority.

In Cedar Falls, IA, the U.S. Department of Agriculture Under Secretary, Bill Northey, and I held a roundtable discussion with various commodity groups about the farm economy and the certainty that passing USMCA would bring to the agricultural community, particularly to the family farmers.

USMCA was also a focal point when I held meetings at manufacturing plants, such as Altec in Osceola, IA, and AIM Aerospace in Orange City, IA. I can state firsthand that people in the real world—people living outside of the Washington Beltway—want Congress to pass the USMCA as soon as possible.

My county meetings help me better represent Iowans, and it is clear to me

that Iowans support the USMCA. We can't squander this opportunity to update NAFTA, which has been critical to American farmers and businesses but is now a quarter century old. Issues negotiated in the USMCA were not issues 25 years ago, showing just how out of date NAFTA is, as well as the importance of the USMCA.

USMCA will bring greater market access for agriculture and important new commitments in areas such as customs, digital trade, intellectual property, labor, the environment, currency, and nontariff trade barriers. These updates and upgrades will translate into higher wages, greater productivity, and consequently more jobs for Americans.

In fact, the independent U.S. International Trade Commission found that USMCA will create nearly 176,000 new American jobs while adding more than \$68 billion to America's GDP.

Let's not forget, USMCA was a hard-fought negotiation. For Mexico, two Presidents worked across opposing administrations to get this job done. Canada initially held out of the agreement altogether, only to sign on at the last possible opportunity.

It is easy for Members of Congress to talk about how we would have negotiated the agreement differently. There is some talk like that going on. That would be true whether you are a Republican or Democrat. However, as the U.S. International Trade Commission report made very clear, USMCA is a major advancement from the 25-year-old NAFTA agreement. This is certainly true for labor and the environment, which were mere side agreements to NAFTA 25 years ago. Now these issues addressed in USMCA are some of the strongest obligations ever to have been included in any U.S. trade agreement. Simply put, we can't let the perfect be the enemy of the good, and calling the USMCA "good" would be a serious understatement.

The administration did its job and brought us a modernized trade agreement. Nevertheless, the administration has listened to the concerns of House Democrats and has proposed actions to address those concerns. For my part, I have kept an open mind throughout this process, and I welcome any workable, bipartisan solutions. However, given the political calendar that lies ahead, I need those solutions promptly. We simply don't have any more time to spare.

Iowans and all Americans deserve some much needed certainty on access to our half-trillion-dollar export markets in Mexico and Canada, and it is the job of this Congress to deliver. The time for USMCA is right now.

I yield the floor.
The PRESIDING OFFICER. The Senator from Wyoming.

BUDGET DEFICIT

Mr. ENZI. Madam President, I rise to call attention to our Federal Government's unsustainable fiscal path.

Earlier this month the Congressional Budget Office reported that Federal

revenues are up 3 percent, or \$102 billion, compared to the same time period last year. The problem is that Federal spending grew by 7 percent, or \$271 billion, over that same period. CBO projects the deficit for this year to reach \$960 billion, which means that 22 cents of every dollar the government spends is borrowed.

All of that borrowing doesn't come cheap. In the first 11 months of the year, net interest payments on the public debt totaled \$391 billion. That is up \$48 billion, or 14 percent, over the previous year.

To put that in context, \$391 billion is roughly 2½ times what we spend each year on the U.S. Air Force. It is more than 12 times the size of the budget of the entire U.S. Department of Justice and more than 5 times the size of the budget for the U.S. Department of Education. That is \$391 billion spent with nothing to show for it. It is just like running up credit card debt and owing a whole bunch of interest without getting anything for it. That is what our future generation is really going to have to worry about.

What is worse, unless something is done to change our current trajectory, annual net interest costs are projected to more than double in the next 10 years. CBO projects that over the next decade we will spend more than \$5.8 trillion on net interest costs. All the while, our debt will continue to mount. That doesn't pay down anything; that just pays the interest, and that is calculated at a pretty low interest rate. We could be faced with higher interest rates, which could easily double what we are paying right now.

We have been fortunate that despite Congress's spendthrift ways, the U.S. dollar remains the dominant global reserve currency, which allows our government to borrow more cheaply than anybody else. But what if that changes? What if foreign interests decide that our fiscal dysfunction is simply too great and the dollar is no longer a safe bet?

The threat of a fiscal crisis is not something anyone should take lightly. Last month, the CBO—that is the Congressional Budget Office, which does all the calculations—warned: “If Federal debt as a percentage of [gross domestic product] continued to rise at the pace the Congressional Budget Office projects that it would under current law . . . [t]hat debt path would [ultimately] pose significant risks to the fiscal and economic outlook.”

While the Congressional Budget Office notes that those risks are not currently apparent in financial markets, it goes on to warn that the projected path of rising debt would increase “the risk of a fiscal crisis . . . in which the interest rate on federal debt rises abruptly because investors have lost confidence in the U.S. government's fiscal position.”

As a father and a grandfather, this is a concern that keeps me up at night. What kind of burden are we placing on

our children and on our grandchildren? They could face a future of less growth and economic opportunity as a result of our refusal to make difficult fiscal decisions.

What if we actually had to make massive cuts? We don't make cuts at all. What if we had to do massive cuts? Of course, we could raise revenue, but there is always the side effect of raising revenue, which costs jobs and then reduces revenue. There are a lot of tricky balances that have to be done.

This problem didn't arise overnight, and it will not be fixed overnight either. Congress should be working together with the administration now to begin the long process of fiscal course correction. Unfortunately, we are not off to a great start.

Prior to the August State work period, Congress passed the Bipartisan Budget Act of 2019, which increased discretionary spending caps for fiscal years 2020 and 2021 by a combined \$322 billion. That is the increase. This essentially marks the end of the Budget Control Act period of federal budgeting. In a form that was all too common, a tool that was meant to bring fiscal constraint met its end with a whimper, when it probably should have been a scream.

The last cap deal—which CBO tells us will cost nearly \$2 trillion over the next 10 years if we continue spending at those levels over that time period—featured \$77 billion in offsets.

What is an offset? That is finding some money to cover the amount of spending. I think you heard correctly there. The cap deal put us on a path to spend nearly \$2 trillion over the next 10 years with \$77 billion—billion with a “b”—in offsets, which is money to cover the debt. To make matters worse, those offsets will not even begin to kick in until the latter part of the next decade. In other words, we are saying there is a little patch of money out there that we haven't spent in the future yet, and it isn't going to come in for 10 years, but let's go ahead and spend it right now, and we will call that an offset to reduce the amount of debt we are creating. Boy, everybody wishes they could do that with their own spending, I am sure.

The offsets—the money to cover the debt, which is the mere \$77 billion on \$2 trillion—will not come in until the latter part of the next decade. In other words, we are spending money from 10 years down the road right now and calling it payment on the money we are spending.

Even with this turn of events, everyone seems to agree that discretionary spending is not the main source of our budget challenge. The Congressional Budget Office projects America's debt will continue to increase rapidly over the next several decades because of mandatory spending.

What is mandatory spending? That is spending we don't make a decision on at all. Those payments go on no matter what, and they are pretty important

ones because they include things like Social Security and the major health programs and interest on the debt. That is mandatory. We can't bankrupt on paying the interest, so Social Security, Medicare, Medicaid, and interest on the debt are some of the main expenditures we make, and we never make any decisions on them. We do not change them. We don't improve them.

For decades, nonpartisan experts warned of budget pressures we would face as baby boomers aged and began to retire. That is already happening, but that crisis is always tomorrow. We only handle today's crises. I can't imagine how tomorrow's people are going to handle the crisis that is being created at the present time. The combination of aging population, longer lifespans, and rising per beneficiary healthcare costs put enormous pressure on our budget.

These warnings from the Congressional Budget Office, the actuaries, and many other people, you name it, continue to be ignored. We are now in a world where these pressures are very real and something we will need to face before we go off the cliff in a few short years.

We know the Social Security trust fund and Medicare's Hospital Insurance Trust Fund are now paying out more than they are taking in. We also know Social Security's combined trust funds will be exhausted in 2032. “That is way down the road.” No, it is not. The Medicare Hospital Insurance Trust Fund—which covers inpatient hospital services, hospice care, skilled nursing facilities, and home health services—is projected to be depleted in 2026. That is not very far. If we continue to do nothing once their respective trust funds are exhausted, these programs will still be able to pay out some money, but they will only be able to pay out as much in benefits as they have coming in. I mentioned that we have a lot less coming in than we are paying out. For Medicare, that means we will only be able to pay 86 percent of hospital-related Medicare spending. For Social Security, revenue is projected to cover only 76 percent of scheduled benefits. I don't know many seniors who can afford a 24-percent cut.

I want to make sure Social Security and Medicare are able to provide benefits to current beneficiaries, as well as those who need them in the future. That will require being clear-eyed about the problem and working together in a bipartisan manner to ensure that these programs are solvent. The normal technique on trying to solve any of these problems is to point the finger at the other side and say it is their fault and they are not doing anything about it. Well, we are all going to have to do something about it. We are talking about a 24-percent cut in Social Security.

The longer we wait to address the imbalance, the more severe the changes will be and the fewer options we will have. I remember looking at these

problems in the year 2000, and at that time there were quite a few options, but all were rejected. Today there are a lot less options and a bigger cliff. We need to change the way we do things in Washington. We simply cannot afford to continue ignoring the challenges our country faces.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. PERDUE. Madam President, I rise to talk about a topic that is boring at times but is absolutely critical, as you just heard in the last few minutes. My good friend from Wyoming, Senator ENZI, is a certified public accountant. He lived in the real world before he came here, like I did. He is chairman of the Budget Committee. When he speaks about this, he speaks with the level of experience and current information that we all should listen to.

I want to highlight some things he has already talked about but then talk about the potential we are looking at this week in terms of having our 187th continuing resolution since the 1974 Budget Act was put into law. Why is this important? As Senator ENZI just pointed out, our problem in America is twofold; one, we have a global security crisis, and we have a financial crisis. I use the word "crisis" in both because the world has never been more dangerous in my lifetime.

Today we have \$22 trillion in debt. Let me put a little history behind it. In the year 2000, we had \$6 trillion on about a \$12 trillion economy. At the end of President Bush's time, it went to \$10 trillion of debt—again, on something like a \$14 trillion or \$15 trillion economy. At the end of President Obama's term, it went to \$20 trillion. Under that administration, this government doubled America's debt to \$20 trillion. After just a couple of years of President Trump, we are now at \$22 trillion.

The projection is very draconian over the next decade, even though, by growing the economy in the last couple of years, the Trump administration has actually lowered the debt curve by an estimate that CBO says is about \$3 trillion over the next decade. That is not good enough. That is only a fraction of our problem.

This chart on the right talks about the problem. I call it the LAMAR ALEXANDER chart because when we talked about it 2 years ago, we started bringing this chart up. Working on the budget process is one of the ways we deal with this. This burgeoning debt that we have to talk about is really made up of one major contributing factor; that is, mandatory expenses.

This chart tries to explain that. It shows that the top line here is total U.S. spending. Today we spend about \$4.5 trillion—a little bit more—but about \$4.5 trillion funding the Federal Government. That includes everything: Military, Medicare, Social Security, Medicaid—the whole bit. The Federal Government spends about \$4.5 trillion on everything.

The red line is today. Today, however, we only spend \$1.3 trillion on discretionary spending. Yet in terms of the total, in 2000 we spent less than \$2 trillion. Now we are spending more than \$4 trillion. That has doubled in the last two decades. These are constant 2019 dollars.

In the next 20 years, this is projected to go from \$4 trillion to \$12 trillion per year, each year. In 1 year projected out here, we would almost double the amount of debt we have. This is untenable under anybody's estimate. It can't happen. It will not happen. Here is why. The world can't let it happen.

Today we have about \$200 trillion in total debt. Only \$60 trillion of that is sovereign debt, which is government debt. We have one-third of that. This says that because of mandatory spending, primarily, we will go to almost half of the world's debt with 5 percent of the population. That is not going to happen.

Yet what will happen to keep us from doing that or becoming that will be really draconian unless we act today. Senator ENZI is right. The sooner we act, the more alternatives and options we have. Let me try to explain the situation. We are actually spending less today in discretionary spending at \$1.3 trillion as a percentage of our economy than we did in 2011. In 2011, we were spending 9 percent of our total GDP on discretionary spending.

What is in discretionary spending? That is the military, most of the VA, and all discretionary spending, such as Health and Human Services, Labor, Agriculture, Justice Department, Treasury. All of the above are included in that. That is \$1.3 trillion today, which is about 6 percent. We have gone from 9 percent GDP to 6 percent GDP. Discretionary spending has actually been brought down.

What is the problem? The problem is in mandatory. What is in mandatory? As Senator ENZI just said, mandatory is Social Security, Medicare, Medicaid, pension benefits on Federal employees, and the interest on the debt. Just in the next 2 years alone, mandatory spending goes up \$420 billion. I can project that. That is within range of understanding. What I don't understand is how this really explodes out of control. This is because the baby boomers are maturing and going into the later years of their lives. As you just heard, both Social Security and Medicare—major trust funds—go to zero in a very short period of time. Medicare happens in 2026 and Social Security in 2032.

I am here to tell you this is the crisis of our time, and we have to deal with it. Yet today we are about to go into our 187th continuing resolution. Why? Because we don't have an agreement to fund the government. We are at the end of our fiscal year, which is September 30. We have 2 working days left, the way the Senate works, before that happens. It could still be fixed, but the reality of today is that we have not ap-

propriated one dime for the Federal Government yet.

Last year, going into August break on July 31, we had only funded 12 percent of the Federal Government. Because we stayed here in August, we funded up to 75 percent of the government. That was the first time in 22 years that we had gotten that far. As a matter of fact, in the last 45 years, this Congress has only funded the Federal Government on time four times. We have actually shut the government down 21 times because of the lack of funding. That is almost once every 2 years. It is unbelievable.

This year, in July, we had an agreement. We did a caps deal between the Democrats and Republicans. It was a bipartisan deal. Everybody went kumbaya and said: Yes, this is what we agreed to. We agree to this topline number. Appropriators had already been working all year. We had agreements in committee. All we had to do was come back in September and appropriate these bills, go to conference on the NDAA, and get the Defense Department funded along with the other major departments and go ahead down the road and get the government funded.

Here we are at the end of September. That obviously did not happen. Why? Our good friends across the aisle violated what we thought was a good-faith agreement in July that there would be no poison pills when we started appropriating. We see clearly now that wasn't the case. They are holding this up over \$5 billion that the President wants to move from military spending over to border security spending. It is almost like they want open borders. I just don't understand this.

We know President Obama built 135 miles of wall, and we know one thing now. We know that where President Obama built a wall, where President Bush built a wall, where President Clinton built a wall, where President George H. W. Bush—in every single case, illegal crossings at the border went down 95 percent.

By voting no on this spending bill, we are now getting into a situation where we have to go into a continuing resolution. Last week, we voted on the Defense bill, and Democrats voted it down. They voted against a 3.1-percent pay increase for our military brethren.

What is even worse than that, by going into a continuing resolution and by voting no last week, the Democrats are encouraging the Defense Department to actually spend \$4 billion. We did an audit last year. It was the first one in the history of the United States. President Trump ordered it. We had a law in 1991 that required it. Now we had that audit. This is the first pass. This is the tip of the iceberg. Because of that, we know that we found at least \$4 billion that they don't want to continue spending, yet are going to be obliged to continue to spend against those obsolete programs under a continuing resolution, in addition to not

getting a pay raise to our people in the military.

We should not have been here in the first place. We had a joint select committee last year, and we have been working on this for 5 years. It is time to fix this budget process once and for all. We have to hold Congress accountable, though. In most States, we don't have this problem. In 44 States, No. 1, you have a balanced budget law, but more importantly than that, in States like Georgia, if the legislature doesn't fund the government by the end of the legislative session, by law, the legislators don't go home.

Senator LANKFORD and I and others have bills that would require the same thing here. As a matter of fact, some of us have actually put in bills that would stop the pay for staff and employees and would stop Members' compensation until we get this done. A requirement of our job here is to get the government funded.

It is very simple. It is time for Congress to do its job. I am chagrined that we face another continuing resolution that we have educated people about and will cost hundreds of billions of dollars over a decade because of the damage it will do to the supply chain when we are trying to get readiness and recapitalization back in our U.S. military and talk about rationalization. It keeps us from doing each of those three things right now.

Anybody in the military who is before us in committee tells us over and over and over of the damaging effects a continuing resolution has on our military at the very time when we are trying to stand up to peer pressures in a unique, new way. We have five threats across five domains. We have never faced that before. Yet here we are, hamstringing our military once again.

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

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

SAUDI ARABIA

Mr. GARDNER. Madam President, last weekend, the world watched as an attack was launched on the oil processing infrastructure of the Kingdom of Saudi Arabia. The attack initially reduced Saudi Arabia's daily output capability by half, and that represents about 5 percent of the daily global production. Oil prices around the globe spiked by as much as 19 percent before starting to fall on the news that there was enough oil in reserves around the world to deal with any short-term reduction from Saudi Arabia. One of those reserve nations they were talking about, of course, included this great Nation, the United States.

The Strategic Petroleum Reserve is important to maintain. I think we all

recognize that, especially in light of the attack on Saudi Arabia. Yet I have always believed and had the mindset that we need long-term energy supply solutions in this country. As the attack on Saudi Arabia has displayed, there is no foreign substitute for American energy.

Should this attack on Saudi Arabia have happened before our Nation's energy renaissance, we would have been in a much worse situation. The near monopolistic control other nations once had on the oil and gas market no longer exist—a credit to American ingenuity and innovation. Over the last decade, we have had a turning point in this country on energy, which is something that leaders around the world talk to and point to in the United States. We have produced more oil and gas, we have improved energy conservation, and we have diversified our energy sources.

In 2015, we got rid of another handcuff to securing energy independence. We lifted the export ban on oil. That policy change both boosted America's domestic energy industry and is helping today to settle markets after the attack in Saudi Arabia. Lifting the ban has unleashed millions of barrels of oil into the marketplace, which has kept prices steady and reduced the influence of the Organization of the Petroleum Exporting Countries, or OPEC, and Russia. Think about that, what the United States has done to reduce that influence.

According to the U.S. Energy Information Administration, U.S. petroleum and natural gas production increased by 16 percent and 12 percent respectively in 2018. These totals combined established a new production record. The United States surpassed Russia in 2011 to become the world's largest producer of natural gas and surpassed Saudi Arabia in 2018 to become the world's largest producer of petroleum. Last year's increase in the United States was also one of the largest absolute petroleum and natural gas production increases in history from a single country.

The United States continues this trend toward energy independence, and that is a good thing. Yet, despite these successes, there are those who want to not just stop this trend but who fully intend to reverse our energy independence. Some of my colleagues on the other side of the aisle have endorsed a Federal fracking ban. They want to ban the very production that gave us energy independence, that gave us independence from OPEC and Russia. They have endorsed ending fossil fuel exports, and they have endorsed eliminating energy development on Federal land. Yet, tell me, do any of these policies actually result in more affordable energy prices? Do these policies make energy more reliable? Do these policies keep the price at the pump down? Do these policies keep our allies across the globe safer? Do these policies keep our troops safer?

Let's take gas prices. If my Democratic colleagues were truly concerned about the impact of gas prices on their constituents' pocketbooks, I am curious if any of them would come up with a calculation of what gas prices would be after the ban of hydraulic fracturing, the stopping of exporting fossil fuels to the global market, and the stopping of energy development on Federal land. What would the price be? I guarantee you that there wouldn't be very much opportunity or at least very much comfort for their constituents.

Over 20 percent of the crude oil produced in this country in 2018 came from Federal land. There is little doubt that eliminating 20 percent of the supply of oil would have a significant impact on gas prices. Yet that is exactly what several have called for. Fracking has extended the productive life and resource recovery at the Bakken, Eagle Ford Shale, Marcellus Shale, Niobrara, and Permian Basin formations, just to name a few.

As a matter of fact, the U.S. Geological Survey published an updated assessment of the Permian Basin's resources in 2018. By itself, the Permian already produces one-third of the Nation's oil, and the updated assessment estimates that over 46 billion barrels of oil, 280 trillion cubic feet of gas, and 20 billion barrels of natural gas liquids are trapped in these low-permeability shale formations. The Nation's supply of oil and gas reserves essentially doubled in the blink of an eye, according to that report.

Colorado's Western Slope is home to the Piceance Basin. In 2016, the USGS issued a similarly larger reassessment of the recoverable resources in the Piceance. The USGS estimated mean volumes of 66.3 trillion cubic feet of gas, 74 million barrels of oil, and 45 million barrels of natural gas liquids.

The Uinta-Piceance Basin that covers western Colorado and eastern Utah has an abundant supply of natural gas that could be exported through a west coast liquefied natural gas terminal, like Jordan Cove, to our allies in the Pacific.

We have enough energy resources to meet our domestic needs and to meet the needs of energy overseas. So let's relish that fact. Rarely do we have a chance to provide economic opportunities here at home, to provide energy security to our partners abroad and make sure our allies have those opportunities as well, and to use the innovation and the investments we have made here to weaken our enemies all in one area, like in energy production.

Let's think about what the world would look like if we had not moved in the direction of increased domestic production in recent years.

The decline of Venezuela's oil production over the last 12 years and the resulting political instability in the country would have hurt the import ability of the United States. OPEC and Russia would have a significantly larger role than they do today in determining the global production levels,

and we have seen how that has played out for the United States in the past. We could very well be where China is today—overly dependent on imports from Saudi Arabia and terrified at the slightest hiccup in its production ability, which could have far-reaching consequences for our economy or, rather, we would find ourselves exactly where we were in 1973.

That is where we will end up if my colleagues get their way and ban energy production, hydraulic fracturing, or pass the Green New Deal, as they would like. These policies would make us once again dependent on foreign sources of energy and make us vulnerable to the geopolitical manipulation that comes with that dependence.

As recently as 2005, we were dependent on imports for two-thirds of our oil consumption—more than twice what we were reliant on in 1973 when we had a supply crisis during the embargo. If that were still true today, this attack on Saudi Arabia would be a significant cause of concern for the United States and for the U.S. oil supply. Yet, because of the pursuit of energy independence in the United States and the security we have achieved through these innovations and developments, we are confident that we can weather short-term supply disruptions in the global market.

Banning production, banning the development of energy in Colorado, or implementing policies like the Green New Deal would kill not only our opportunity to be energy independent and weather the storm of a global supply crisis, but it would also kill millions of jobs around the United States that pay far above average wages. The oil and gas industry supports over 10 million jobs in the United States, and it accounts for almost 8 percent of the gross domestic product of the United States. The jobs have an average salary of over \$100,000 a year. These are good-paying jobs that enable people to provide for their families, contribute to domestic energy security and our goal of energy independence, and they will allow us the ability to send a responsibly developed resource to our allies overseas who want a dependable trade partner.

Many of my colleagues on the other side of the aisle, though, simply want to do away with this industry, those jobs, those salaries, that freedom, the independence, and the prosperity that it brings.

Instead of talking about putting our traditional energy sources out of business, why don't we talk about hardening our energy infrastructure, protecting these critical assets, and continuing to responsibly produce those resources for us, the environment, and for the world? Doing so is a win for the United States. It is also a win for our communities and those who wish to partner with us in order to fuel the world's economy.

It is incredibly important that we have energy independence, and I can't think of a more disruptive crisis the

world could have faced had this happened in a country in which we no longer had the production that we do today. I hope we can work together on energy policies that continue to create jobs and grow the American economy.

I yield the floor.

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

UNANIMOUS CONSENT REQUEST—S. CON. RES. 10

Mr. GARDNER. Madam President, several months ago, members of the Senate Foreign Relations Committee had the opportunity to sit down with the Secretary of State, Mike Pompeo, to talk about a number of concerns around the globe, including our concerns about Huawei and ZTE and the fact that Huawei and ZTE pose serious threats to the national security of the United States and its allies.

At the time, there had been a lot of discussion about what was happening in Europe and other places around the globe and about whether Huawei would be allowed to participate in our allies' networks and what that could mean for U.S. national security and our ability to continue to engage in national security conversations, intelligence operations, sharing of information, and the like.

In that conversation, Secretary Pompeo said—and this was the entire group of the Senate Foreign Relations Committee, both Republican and Democratic Members—in that conversation, Secretary Pompeo said that what would help would be to let Congress's voice be heard when it comes to Huawei and ZTE and that we should send a strong message to our allies that our concern with Huawei and ZTE is not a Republican issue, it is not a Democratic issue, it is not just a one-term-of-Congress concern, but it is an ongoing concern that we have with the security of our systems, our information, the lack of security and the vulnerability that Huawei and ZTE networks and equipment pose to the United States; that we send a message to our allies in a bipartisan, bicameral fashion that if they go forward and allow Huawei or ZTE to have access to their critical infrastructure networks, then that is going to pose problems for the United States; that we may have to tell them: Look, this kind of action could have consequences; that perhaps we don't share as much information with them as we otherwise would, or it could mean that certain facilities we were going to build together won't be built but all because of our concern over Huawei and ZTE.

I want to thank my colleagues, Senators COONS, MARKEY, CRUZ, and RUBIO, who have joined me in cosponsoring this resolution.

I want to thank Chairman RISCH and Ranking Member CARDIN for working with my office to get this resolution condemning and making a very strong statement against the actions of Huawei and ZTE back in July.

Again, Huawei and ZTE pose a serious threat to the United States and our

allies around the globe. This resolution makes clear many of the longstanding and bipartisan efforts we have made together to warn about the threats these companies pose to our critical telecommunications infrastructure. It further makes clear that the United States should reiterate to countries choosing to incorporate Huawei or ZTE into their new telecommunications infrastructure that the United States will seek to limit the risks posed to our government and military from use of such compromised networks.

This is an issue that shouldn't be bound by partisanship; it ought to cut across the Members of this Chamber who agree on condemning the actions of Huawei and ZTE and standing up for our national security. That is why I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 136, S. Con. Res. 10. I further ask that the committee-reported substitute amendment be agreed to; the concurrent resolution, as amended, be agreed to; the Gardner amendment at the desk to the preamble be considered and agreed to; the committee-reported amendment to the preamble, as amended, be agreed to; the preamble, as amended, be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

Mr. WYDEN. Madam President, reserving the right to object.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, Huawei presents a very real threat to the security of every American, both individually and collectively. I have long been concerned that the Trump administration was going to let Huawei off the hook in order to get a politically useful trade deal. As the ranking Democrat on the Senate Finance Committee, which has jurisdiction over trade matters, that concerns me greatly. In addition, I am concerned that the resolution being offered does not go far enough to protect America's national security and hold the Trump administration accountable.

Tomorrow there will be another bipartisan measure offered that, in my view, will better address the concerns I have just mentioned, and therefore I must object this afternoon.

The PRESIDING OFFICER. Objection is heard.

The Senator from Colorado.

Mr. GARDNER. Madam President, tomorrow I plan to vote for the motion to instruct, which is in regard to language within the Defense Authorization Act that talks about the importance of protecting our national security interests against Huawei and ZTE. But when we are objecting to resolutions that are bipartisan because of motions to instruct that have no binding nature, I am concerned that perhaps we are not doing enough work to

find those bipartisan solutions in this Chamber.

So I hope, as I come back to this floor again to consider S. Con. Res. 10, to warn our allies that if they use Huawei or ZTE, there will be repercussions.

The resolution itself is bipartisan. I hope we can come together as a Senate and recognize that motions to instruct are fine, but actual messages, condemnation, and understanding of our allies that actions will be taken are important.

I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

SAUDI ARABIA

Mr. BARRASSO. Madam President, I come to the floor today to discuss the need to bolster our Nation's energy security following the recent attacks on Saudi Arabian oil.

Having read the classified briefing in full, I am convinced that Iran is absolutely behind the attacks. Now, Iran wants to drive up world oil prices to hopefully, in their mind, increase the amount of revenue they would get from selling their oil. Basically, they need the money, and that is because the sanctions that the United States has imposed on Iran have worked. They have been punishing. That is why President Trump, I believe, made the right call in adding even tougher sanctions. The sanctions have been biting, and Iran's currency has been significantly devalued. Now is the time to step up our own American energy production.

Since my Senate arrival in 2007, I have worked to advance pro-growth energy policies throughout that entire time. My goal has always been to promote American energy, to safeguard U.S. workers, and to protect this great Nation.

Today, the United States is the world's top energy producer. We are a global leader in oil, as well as in natural gas. In fact, the United States is poised to become the world's top energy exporter, as well, and my home State of Wyoming has been a key driver in all of this success.

To reach this goal, we are going to need to leverage our energy sources. This includes zero-emission nuclear power, as well as renewable energy. We need it all. In the Senate, I believe both parties want Americans to use more carbon-free energy. So both parties should embrace sensible, scientific solutions. Yet Democrats, once again, are pushing more of their radical proposals. That is what we have to deal with.

Two weeks ago, House Democrats passed several anti-energy bills. These measures would lock up key offshore and Alaskan oil reserves. The majority of House Democrats have cosponsored these scary schemes that would damage our economy.

If the House Democrats' anti-energy bills ever were to become law—and I assure you that the Republican Senate

and President Trump will never allow that to happen—they would be a real gift to our foreign enemies and to our adversaries, like Russia, because Russia routinely uses natural gas as a geopolitical weapon.

Still, 2020 Presidential candidate ELIZABETH WARREN, a Member of our Senate, recently unveiled a plan to ban hydraulic fracturing. This revolutionary technique has led to a renaissance for American energy production, and she wants to ban it.

Last year, Senator WARREN's home State of Massachusetts imported Russian natural gas. Where did they import it from? People all across the country and the world saw the Russian natural gas tanker in Boston Harbor. Let me repeat. Let me be very clear. Last year, Senator WARREN's home State of Massachusetts imported Russian natural gas through the Boston Harbor. At the same time, the Senator has denounced U.S. pipelines and other U.S. energy infrastructure projects—this, as her own State pays one of the highest utility rates anywhere in the country.

Not only do the Democrats' politicized policies dramatically increase Americans' energy costs, but they are also a threat to our national security. No matter, Senator WARREN also wants to ban nuclear power. She doesn't like fracking. She doesn't like natural gas. She now wants to ban nuclear power. Has she forgotten that nuclear energy is America's chief carbon-free power source? Twenty percent of U.S. electricity comes from nuclear power. These reckless Democrat proposals would make the United States more dependent on unstable foreign energy markets.

Working families here in the United States should never overpay on their energy bills due to foolish policies—and that is what they are, foolish policies that make us all vulnerable. The American public is not going to stand for it.

According to a recent Washington Post-Kaiser Foundation poll, more than 70 percent of Americans have said they don't want to pay even \$10 more on their monthly electric bills to lower carbon emissions. We want to lower carbon emissions. How much are families willing to pay? Seventy percent say not \$10 a month. How about \$2 a month? A majority said, no, that is too much to pay.

So we need to pursue a commonsense energy strategy—one that keeps working families' costs down, one that keeps the economy strong, and one that helps keep our Nation safe.

Republicans are committed to protecting and advancing America's energy independence. President Trump understands how important this is. In the wake of the attacks on Saudi Arabia, not only is the President working to expand sanctions, but he is moving to approve major pipeline projects as well.

One of the energy issues I am addressing now in the Senate is reform-

ing the permit process for American energy exploration. Earlier this Congress, I introduced a piece of legislation called the ONSHORE Act. It stands for Opportunities for the Nation and States to Harness Onshore Resources for Energy. The ONSHORE Act will simplify the process for Federal onshore oil and gas permits. Whether we are talking about promoting energy exploration, utilities, carbon capturing, or nuclear power, we must engineer our way to American energy solutions.

Republicans recognize our Nation's unique ability to fill in the gaps from global supply disruptions. So our focus needs to be on promoting American energy independence. It is time to reject the Democrats' extreme schemes once and for all. What the Democrats are proposing is a real threat to our U.S. energy security, and they are offering a gift to American enemies.

We need to continue our America-first energy policy. That is what we are going to continue to do to keep us strong, to keep us safe, and to keep us prosperous as a nation.

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.

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

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

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

Ms. ROSEN. 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 Senator is necessarily absent: 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), 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 result was announced—yeas 88, nays 6, as follows:

[Rollcall Vote No. 298 Ex.]

YEAS—88

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

Gardner	McConnell	Schumer
Graham	McSally	Scott (FL)
Grassley	Menendez	Scott (SC)
Hassan	Moran	Shaheen
Hawley	Murkowski	Shelby
Heinrich	Murphy	Sinema
Hirono	Murray	Smith
Hoeven	Paul	Stabenow
Hyde-Smith	Perdue	Sullivan
Inhofe	Peters	Tester
Isakson	Portman	Thune
Johnson	Reed	Toomey
Kaine	Risch	Udall
Kennedy	Roberts	Van Hollen
King	Romney	Warner
Klobuchar	Rosen	Wicker
Lankford	Rounds	Wyden
Leahy	Rubio	Young
Lee	Sasse	
Manchin	Schatz	

NAYS—6

Brown	Gillibrand	Merkley
Casey	Markey	Warren

NOT VOTING—6

Booker	Jones	Tillis
Harris	Sanders	Whitehouse

The nomination was confirmed.
 The PRESIDING OFFICER. The Democratic leader.

EXPRESSING THE SENSE OF THE SENATE THAT THE WHISTLEBLOWER COMPLAINT RECEIVED ON AUGUST 12, 2019, BY THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY SHOULD BE TRANSMITTED IMMEDIATELY TO THE SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE AND THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE OF THE HOUSE OF REPRESENTATIVES

Mr. SCHUMER. Madam President, in August a public servant inside the intelligence community found the conduct of the President of the United States alarming enough to file an official whistleblower complaint. The inspector general of the intelligence community found this whistleblower complaint both credible and urgent. By law, the Director of National Intelligence must forward such a complaint to the congressional intelligence committees within 7 days of receiving it. Congress has been informed by the inspector general of the intelligence community in writing that the Trump administration is preventing that complaint from being sent to the relevant committees in Congress.

Those are the facts. The situation they describe is unacceptable. We know that the executive branch is blocking the legislative branch—a coequal branch of our government—from performing its constitutional oversight duties. The fact that the whistleblower complaint concerns our national security, our foreign policy, and potential misconduct by the President makes the situation even more serious.

In a short time, I will ask my colleagues' consent to pass a simple resolution. It essentially says "that the whistleblower complaint received on August 12, 2019, by the Inspector General of the Intelligence Community shall be transmitted immediately to

the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives."

I cannot imagine any legitimate or straight-faced reason for an objection to this unanimous consent request. The only reason for any Senator to object would be to shield the President's conduct from scrutiny by the public and the representatives they elect to represent them; that is, to protect the President from accountability.

In a moment, I hope this resolution will pass without a single dissenting Senator, and it should.

The request, despite its non-controversial nature, speaks to the issues that go back to the founding days of our Republic: checks and balances, the separation of powers, and the constitutional duty of the President and the executive branch to faithfully execute the laws of the United States. The Senate, today—right now—should speak with one unified voice to reaffirm those time-honored principles and defend the grand traditions of our democracy.

Mr. President, as in legislative session, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 325, submitted earlier today.

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

The legislative clerk read as follows:

A resolution (S. Res. 325) expressing the sense of the Senate that the whistleblower complaint received on August 12, 2019, by the Inspector General of the Intelligence Community should be transmitted immediately to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives.

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

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, reserving the right to object, all of us share the concern for protecting whistleblowers who use appropriate, established channels to raise legitimate concerns. The Senate's obligation is to treat such allegations in a responsible and deliberate manner, to avoid racing to judgment based on media leaks, and to not fuel media speculation with reckless accusations.

There is much we do not know about the complaint lodged with the intelligence community's inspector general, including whether the complaint involves intelligence activities at all.

Before the Democratic leader elected to go to the media yesterday, the chairman and vice chair of the Senate Select Committee on Intelligence had already been working together in a bipartisan manner—free from politicization—to get more information from both the Acting Director of National Intelligence and the intelligence community's inspector general. Given the progress the committee was making, I don't believe this made-for-TV moment was actually necessary. I

would have preferred the committee be allowed to do its work in a quiet and methodical manner. It doesn't serve the committee or its goals to litigate its business here on the floor or for the television cameras.

Nevertheless, I agree that the DNI should make additional information available to the committee so it can evaluate the complaint consistent with the statute and other procedures that exist to safeguard classified and sensitive information.

I also want to express my appreciation for President Trump's announcement that the White House will release tomorrow the "complete, fully-declassified, and unredacted transcript of [his] phone conversation with President Zelensky." I hope this will help to refocus the conversation away from reckless speculation and back toward the facts.

So, stipulating that our objective here is simply to conduct the kind of bipartisan oversight of intelligence matters that the committee has successfully conducted in the past, I have no objection to the Senator's request.

Mr. SCHUMER. Madam President, three brief points. First, this resolution is not aimed at the Senate Intelligence Committees. Senators BURR and WARNER do a diligent job in trying to figure out what is going on. It is aimed at a thus far recalcitrant executive branch which has blocked the ability for the committees to see the complaint even though law requires it.

Second, it is welcomed that we can join together to do our job of oversight. I want to thank the majority leader for not blocking this request, because I think every one of us in this Chamber realizes the importance of oversight and the need to prevent an overreaching executive from going that far. Getting the transcript is a good step, but it is the complaint we need.

That is the gravamen of this resolution. It is the whistleblower's complaint, not the transcript, that we need and are asking for in this resolution.

Madam President, I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 325) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. Madam President, I ask unanimous consent the remaining votes in the series be 10 minutes in length.

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

Under the previous order, the Senate will resume the Cella nomination.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

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

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: 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), and the Senator from Rhode Island (Mr. WHITEHOUSE) are necessarily absent.

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

The result was announced—yeas 56, nays 38, as follows:

[Rollcall Vote No. 299 Ex.]

YEAS—56

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

NAYS—38

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	Warren
Durbin	Peters	Wyden
Feinstein	Reed	

NOT VOTING—6

Booker	Jones	Tillis
Harris	Sanders	Whitehouse

The nomination was confirmed.

EXECUTIVE CALENDAR

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

The senior assistant bill clerk read the nomination of Daniel Habib Jorjani, of Kentucky, to be Solicitor of the Department of the Interior.

Mr. GRASSLEY. Mr. President, I want to address a matter relating to the nomination of Daniel Jorjani to be Solicitor at the Department of Interior. In March, I joined a bipartisan, bicameral letter to Interior raising concerns about proposed updates to its Freedom of Information Act, FOIA,

regulations. These changes appeared to shift the burden of identifying the location of agency hold records from the agency to the public, set limits on requests when they involve processing a “vast quantity of material,” and imposed a monthly limit on the processing of records for a given requester—all of which have no identifiable basis in the FOIA statute. Since then, reports indicated other concerning FOIA policies at Interior that could result in unlawful delays of FOIA responses—policies that were in place while Mr. Jorjani served as Deputy Solicitor, with key FOIA responsibilities. Over the weekend, Interior’s inspector general confirmed an investigation into the FOIA process at Interior. I look forward to reading the results of this investigation and learning more about the development of these policies. If confirmed as Solicitor at Interior, Mr. Jorjani would oversee and resolve FOIA appeals, among other critically important transparency policies. As we have seen in successive administrations, FOIA requests are often viewed as the skunk at the picnic. But the government’s business is the people’s business. Going forward, Mr. Jorjani would do well to consult with Congress on any FOIA policy matters at Interior to ensure compliance with the law. I intend to vote for Mr. Jorjani today, but let me be clear: I will be holding him—and any others under any administration—accountable to faithful compliance with both the letter and spirit of FOIA.

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

Mr. THUNE. 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 bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: 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), 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 result was announced—yeas 51, nays 43, as follows:

[Rollcall Vote No. 300 Ex.]

YEAS—51

Alexander	Cornyn	Gardner
Barrasso	Cotton	Graham
Blackburn	Cramer	Grassley
Blunt	Crapo	Hawley
Boozman	Cruz	Hoeben
Braun	Daines	Hyde-Smith
Burr	Enzi	Inhofe
Capito	Ernst	Isakson
Cassidy	Fischer	Johnson

Kennedy	Perdue	Scott (FL)
Lankford	Portman	Scott (SC)
Lee	Risch	Shelby
McConnell	Roberts	Sullivan
McSally	Romney	Thune
Moran	Rounds	Toomey
Murkowski	Rubio	Wicker
Paul	Sasse	Young

NAYS—43

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

NOT VOTING—6

Booker	Jones	Tillis
Harris	Sanders	Whitehouse

The nomination was confirmed.

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of David Fabian Black, of North Dakota, to be Deputy Commissioner of Social Security for a term expiring January 19, 2025 (Reappointment).

Mr. VAN HOLLEN. Mr. President, I oppose the nomination of David Black to be Deputy Commissioner of Social Security. I have longstanding concerns about how management at the Social Security Administration has treated the unions representing their workforce, and I am concerned about the role that Mr. Black may have played in these anti-union practices.

SSA was especially hostile towards its workers when it implemented the anti-union Executive orders that President Trump issued on May 25, 2018. SSA was one of the few agencies to evict unions from office space pursuant to the Executive orders, in the brief time before a Federal district court issued an injunction blocking key parts of the Executive orders. SSA also abrogated its unexpired contract with administrative law judges who are represented by the International Federation of Professional and Technical Engineers, which even the Executive orders themselves expressly prohibited.

After the Executive orders were blocked in court, SSA went to the Federal Service Impasses Panel to impose a contract on workers represented by the American Federation of Government Employees, and the terms of this contract were highly similar to provisions of the Executive orders. SSA is now using similar tactics against workers represented by National Treasury Employees Union.

We need to stop a bad situation from getting worse. The Senate should demand stronger commitments to improve labor relations from President Trump’s nominees for leadership positions at SSA.

When SSA took these anti-union actions, Mr. Black was the White House senior adviser at the Social Security Administration. Despite Mr. Black's responsibility for SSA, he claimed in a letter to me that, "I was not involved in SSA's implementation of the EOs."

It is my understanding, however, that there is a pending Freedom of Information Act request that may shed new light on Mr. Black's involvement with the Executive orders. SSA has stated that an email records search generated thousands of emails that need to be reviewed for pertinence and disclosure in response to the request, and that review is still ongoing. I certainly hope that SSA's response will confirm Mr. Black's statement that he was not involved with the Executive orders, but the Senate should wait until all the facts are in before moving forward with his confirmation.

For those reasons, I will oppose Mr. Black's nomination at this time.

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

Mr. HOEVEN. 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 Senator is necessarily absent: 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), 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 result was announced—yeas 68, nays 26, as follows:

[Rollcall Vote No. 301 Ex.]

YEAS—68

Alexander	Feinstein	Murphy
Barrasso	Fischer	Paul
Bennet	Gardner	Perdue
Blackburn	Graham	Portman
Blunt	Grassley	Risch
Boozman	Hassan	Roberts
Braun	Hawley	Romney
Burr	Hoeven	Rounds
Capito	Hyde-Smith	Rubio
Cardin	Inhofe	Sasse
Carper	Isakson	Scott (FL)
Casey	Johnson	Scott (SC)
Cassidy	Kaine	Shaheen
Collins	Kennedy	Shelby
Coons	King	Sinema
Cornyn	Lankford	Sullivan
Cotton	Leahy	Thune
Cramer	Lee	Toomey
Crapo	Manchin	Warner
Cruz	McConnell	Wicker
Daines	McSally	Wyden
Enzi	Moran	Young
Ernst	Murkowski	

NAYS—26

Baldwin	Cantwell	Durbin
Blumenthal	Cortez Masto	Gillibrand
Brown	Duckworth	Heinrich

Hirono	Peters	Stabenow
Klobuchar	Reed	Tester
Markey	Rosen	Udall
Menendez	Schatz	Van Hollen
Merkley	Schumer	Warren
Murray	Smith	

NOT VOTING—6

Booker	Jones	Tillis
Harris	Sanders	Whitehouse

The nomination was confirmed.

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

The Senator from Texas.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. CORNYN. 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 up to 10 minutes.

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

PRIME MINISTER NARENDRA MODI

Mr. CORNYN. Mr. President, on Sunday I had the great honor of joining President Trump in welcoming Prime Minister Modi to the Lone Star State in an event that was appropriately named "Howdy, Modi."

When his trip was announced, people on the west coast and the east coast wondered, "Why Texas?" They thought, maybe, he would go to Silicon Valley to talk to Big Tech executives or spend some time in Washington hobnobbing with diplomats and legislative leaders. Those are great places to visit, but Houston is the energy capital of the world. It is providing literal fuel for our growing relationship with the Nation of India.

After nearly a four-decade ban on U.S. crude oil exports was lifted, Texas sent the first American crude oil to India, and today India is increasingly running on American natural gas. The reason that is important is, when I visited India for the first time in 2004, I witnessed a country that is a study in contrast—some highly populated areas like Delhi and others, and then rural areas on the way to the Taj Mahal in Agra, you can see people literally living off the land and using dried cow manure as fuel for their food and for warmth. Obviously, India needs access to affordable energy that America—and Texas, in particular—can provide to help improve their standard of living.

This trade is also vital to our economy in Texas, and we will keep exporting our greatest natural resource to our friends in India and around the world as a result of the energy renaissance we have seen and as a result of the use of unconventional extraction techniques like fracking and horizontal drilling.

Those must sound like foreign words to people in Washington, DC, who think we ought to be able to live on solar panels and windmills exclusively, but I always say, as important as renewable energy is—and it is important—Texas generates the most electricity for any State in the Nation from wind turbines. The wind doesn't always blow and the Sun doesn't always shine, and you need some sort of baseload to try to keep the electricity flowing so people can be afforded the comforts of life and particularly in hot Texas summers make sure the air-conditioner continues to work.

For as deep as our economic ties are, our cultural ties are just as strong. Texas is home to a vibrant Indian diaspora, with more than 150,000 Indian Americans living in the Houston area alone and perhaps about half a million across our entire State. I was glad the Prime Minister had a chance to witness the Indian culture that is woven into the fabric of our State and meet a number of proud Indian Americans, including the 50,000 who showed up for the "Howdy, Modi" events in Houston on Sunday, from 48 States, I am told.

Knowing the importance of a strong U.S.-India relationship, 15 years ago I cofounded the U.S.-India Caucus in the Senate. That was at the request of one of my constituents who founded one of the Indo-American Chambers in the metroplex in Dallas, TX, years ago. He is the one who encouraged my wife and I to travel to India in the first place, where I learned a lot about the country—the study in contrasts I mentioned but also that this is the world's largest democracy, and we shared so many values with that country because of our common English heritage and particularly our respect for the rule of law and use of the English language predominantly.

We also saw the advantage of collaborating with India economically—1.3 billion people—a great market for the things we make and grow in the United States and a great way to raise the standard of living in India as we deepen our ties militarily and from a national security standpoint. The difference between today and what things were like as recently as 2008, in terms of trade, is just like night and day.

In 2016, the United States designated India as a "major defense partner," with the goal of elevating our partnership with India to the same level as those of our other closest allies.

Since then, we have taken a number of steps to strengthen our defense relationship, such as establishing ministerial dialogue, increasing arms sales to India, and the first U.S.-India triservice exercise later this year. We have made real progress, but there is more we can do to ensure that our efforts are aligned, just as our interests are aligned. Particularly as China is on the march, having a strong and vibrant economy and a strong defense partner in India is more important than ever.

Earlier this year, I also introduced an amendment to the National Defense

Authorization Act, which requires the Secretary of Defense to submit a report on U.S.-India defense cooperation in the Western Indian Ocean within 180 days of enactment.

It will allow us to get a clearer picture of current military activities and will enable the Secretary of Defense to enter into military cooperation agreements and conduct regular joint military training and operations with India in the Western Indian Ocean. This would be a major step to bolster our relationship and strengthen our defense cooperation.

I am hopeful this provision will ultimately be included in the Defense authorization bill that is now going through the conference committee between the House and the Senate, and I am optimistic we will be able to get the President's signature and see this critical legislation enacted into law.

(Ms. MCSALLY assumed the Chair.)

TROPICAL STORM IMELDA

Madam President, briefly, on one other matter, Tropical Storm Imelda made landfall in Southeast Texas last week and dumped massive amounts of rain all across the region.

It is just 2 years after Hurricane Harvey, which is a more familiar name to people up here in DC, but the scenes are heartbreakingly similar. It wasn't the high winds so much as it was the incredible amount of water that was dumped into the Houston area and the surrounding counties. Neighborhood streets began to look more like rivers than roads. Folks were wading in the water, carrying children on their shoulders, and personal belongings washed away with raging floodwaters.

We have learned before, and we were reminded again, that these storms aren't only disruptive; they are incredibly dangerous. Five people have died as a result of the storm, and hundreds more remain displaced.

Imelda was the fifth wettest tropical cyclone in the continental United States, with some areas receiving more than 3½ feet of rain in a very short period of time. But as we have learned before, these trying times seem to somehow bring out the best in people.

A group of residents in the small community of Cheek, TX, waded through chest-high water to rescue nine horses. Furniture store owner Jim McIngvale, known to all of us as "Mattress Mack," once again opened up his stores as a shelter for victims. His employees were running rescue operations, taking furniture trucks out to pick up those who had been stranded by high water. There was even a 21-year-old college student who worked all night alone at a Beaumont hotel for 32 hours straight. Not only did he singlehandedly manage a hotel, he and other guests ventured out into the flood to help distribute food and water to truckers stranded in their trucks.

I am grateful to the countless people who have helped their neighbors in big and small ways alike and who will no doubt continue supporting their communities in the months ahead.

For many Texans, this is the second time in 2 years they have had to recover from extraordinary flooding. The storm completely devastated communities throughout the southeast part of my State, and folks are just now beginning what will undoubtedly be a major cleanup effort.

With waters receding, local officials are now taking stock of the damage and moving from response to recovery. These rain events—these huge floods—are often more than any one city or one county can manage alone. It is an all-hands-on-deck moment that brings together local, State, and Federal officials, as well as nongovernmental organizations.

Governor Abbott declared a state of disaster in several counties to ensure State resources are available to local government agencies.

Last week, I spoke to many of the county judges who have jurisdiction over much of these flooded areas, the hardest hit areas, and I offered my support. I want to assure everyone who has been impacted by the storm that they are not alone and that we are committed to working together as State, local, and Federal officials to ensure that they have what they need to recover from this devastating Tropical Storm Imelda.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, I want to express to the Senator from Texas our concern and our thoughts for all of those who have been so impacted.

DIGITAL RESPONSIBILITY

Madam President, the Senator from Texas mentioned the floods and the impact that had happened. I found out about some of the good work of the Good Samaritans in the area by watching what was taking place on social media, and I am certain millions of Americans saw firsthand some of the generosity and the help that was given there.

Indeed, the internet and social media platforms have transformed the way we communicate, the way we send out information, and many times the way we receive it. Correspondence that, just a few years ago, would have taken pen, paper, and postage is now sent and received with a simple click of a mouse.

Everything happens online, from communicating about disasters to shopping to party planning and to campaigning. We share photos and milestones with our "friends." We let people know that we are OK in times of disasters or that we need help. We share all of this not only with our friends, but we are also sharing it with companies that have built multibillion-dollar empires based on their ability to convince us to surrender just one more little piece of unique data about us or about our families.

Beyond social media, we live our everyday transactional lives online also. We bank via apps. We sign up for credit

cards using codes we have received in an email and manage our finances with cloud-based software. Information we once would have locked securely in a desk drawer, we now plug into an online forum without ever giving it a second thought.

We have contributed to our own, as I call it, "virtual you"; that is, our personal online footprint unique to us, unique only to us. We have done this by trusting these platforms to keep our data secure. In a way, this level of connectivity and trust has made life a lot easier and more convenient, but it has also made us vulnerable to exploitation and exposure.

I have spoken before about consumers' justifiable expectation of a right to privacy online. This year, I introduced the BROWSER Act, which I had previously introduced when I was in the House. It is an effort to codify this right to privacy that consumers expect. BROWSER gives Big Tech basic guidelines to follow when collecting and selling user data, and that user is you.

It has become understood that you are the product when you are using these social media apps and experiencing this connectivity. You are the product. You have the right to know that you are that product, and you have the right to decide what is shared about your life. But protecting an individual's data is only part of this picture.

Last week, the Senate Committee on Commerce, Science, and Technology held a hearing to address the role that digital services play in the distribution of violent and extremist content. We welcomed testimony from Facebook, Twitter, and Google, detailing what they are doing to remove extremist content on platforms.

I will tell you, before we talk about policing content, we, as Members of this body, need to make sure we understand how the American people view their use of social media and the internet.

Whether social media platforms should be regulated under the First Amendment is beside the point. Americans view these services as open public forums, where they can speak their minds on everything from defense funding to the Emmy Awards. These consumers don't want the Wild West, nor do they want to be censored based on a content reviewer's subjective opinion. What they want is an objective cop on the beat—just as in the public square, an objective cop on the beat who is equipped to properly identify incitement, threats, and other types of speech that could put lives at risk.

This, of course, is easier said than done. In the case of Facebook, for example, that translates to creating a set of standards that 30,000 in-house engineers and analysts and 15,000 content reviewers will be able to apply—45,000 people, and that is just one platform.

There is a reason that time and again Big Tech executives look at Congress

and say “Oh, more regulatory control over the way we do business,” and it is this: Policing legitimately dangerous content is a big job, and policing “awful but lawful” content as Facebook CEO Mark Zuckerberg likes to call it, is an even bigger, more daunting task.

It takes 45,000 people to do a bare-minimum job for one company. Imagine trying to create easy-to-understand, bright-line standards that 45,000 employees will be able to digest and apply quickly enough to keep up with the flow of content. That has to be an intimidating task.

I will tell you, if those executives think the government could do a better job of deciding down to the letter what those standards should be, I think they are mistaken. Only the engineers and innovators know their companies well enough to set their own internal policies for acceptable uses of their platform, but that is not to say that I will not be taking an interest in their ideas.

We need to have a Federal standard of privacy and data security. We need to review censorship and prioritization, competition, and antitrust.

For example, Facebook is in the process of putting together a content oversight board to adjudicate users whose posts have been deemed in violation and taken down. They have pledged to make the identities of the moderators and their decisions public—barring any safety risks—and to choose a diverse panel. The biggest unanswered questions here are these: Will the moderators really reflect the American political spectrum? How will they be chosen? The American people will demand more than a promise to be fair and impartial.

As I said, government cannot make these decisions in total for Big Tech, but we can help guide them along the way by passing privacy and data security standards. This is where working groups like the Judiciary Committee’s Tech Task Force come into play.

Last week, I was speaking to a group of private sector tech gurus, and I told them that the only way we will be able to move forward is if the government does more listening and they do more talking and work with us on setting these basic standards.

I stand by what I said. It is not—and should not be—Congress’s job to decide in retrospect what sort of culture companies like Facebook and Twitter meant to create. It is imperative that these companies understand the American public views them as a public square, an online public square, and it is up to them to be certain that there is an objective cop on the beat.

I yield the floor.

THE PRESIDING OFFICER. The Senator from New Mexico.

DECLARATION OF NATIONAL EMERGENCY

Mr. UDALL. Madam President, thank you for the recognition.

The Constitution demands that “No Money shall be drawn from the Treasury but in Consequence of Appropriations made by Law.”

Like any other matter, it is Congress’s power and responsibility to

determine how much taxpayer money is spent on the President’s request for a border wall.

Like most Presidents, he didn’t get every dollar he wanted. Now the President, through a sham national emergency declaration, is taking \$3.6 billion of funds we appropriated for military construction projects to pay for his wall. The real question is not whether the President is usurping our article I power to appropriate; he is, no doubt about it. The real question is, Will we do something about it?

Today I urge all my colleagues to vote in favor of our resolution terminating the President’s national emergency declaration.

Madam President, starting off the debate, I ask unanimous consent to have printed in the RECORD the following materials: a joint declaration from former national security officials outlining why the President’s border emergency does not qualify under the National Emergencies Act and a September 18, 2019, Washington Post article outlining the dire outcomes warned by the Pentagon if the military construction projects don’t go forward.

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

JOINT DECLARATION OF FORMER UNITED STATES GOVERNMENT OFFICIALS

We, the undersigned, declare as follows:

1. We are former officials in the U.S. government who have worked on national security and homeland security issues from the White House as well as agencies across the Executive Branch. We have served in senior leadership roles in administrations of both major political parties, and collectively we have devoted a great many decades to protecting the security interests of the United States. We have held the highest security clearances, and we have participated in the highest levels of policy deliberations on a broad range of issues. These include: immigration, border security, counterterrorism, military operations, and our nation’s relationship with other countries, including those south of our border.

Madeleine K. Albright, Secretary of State from 1997 to 2001; Jeremy B. Bash, Chief of Staff of the U.S. Department of Defense from 2011 to 2013; John B. Bellinger III, Legal Adviser to the U.S. Department of State from 2005 to 2009; Daniel Benjamin, Ambassador-at-Large for Counterterrorism at the U.S. Department of State from 2009 to 2012; Antony Blinken, Deputy Secretary of State from 2015 to 2017; John O. Brennan, Director of the Central Intelligence Agency from 2013 to 2017; R. Nicholas Burns, Under Secretary of State for Political Affairs from 2005 to 2008; William J. Burns, Deputy Secretary of State from 2011 to 2014; Johnnie Carson, Assistant Secretary of State for African Affairs from 2009 to 2013; James Clapper, U.S. Director of National Intelligence from 2010 to 2017; David S. Cohen, Under Secretary of the Treasury for Terrorism and Financial Intelligence from 2011 to 2015; Elliot A. Cohen, Counselor of the U.S. Department of State from 2007 to 2009; Ryan Crocker, U.S. Ambassador to Afghanistan from 2011 to 2012; Thomas Donilon, National Security Advisor to the President from 2010 to 2013; Jen Easterly, Special Assistant to the President and Senior Director for Counterterrorism from 2013 to 2016; Nancy Ely-Raphel, Senior Adviser to the Secretary of State and Director of the Office to Monitor and Combat Trafficking in Persons from 2001 to 2003; Daniel P. Erikson, Special Advisor for Western

Hemisphere Affairs to the Vice President from 2015 to 2017; John D. Feeley, U.S. Ambassador to Panama from 2015 to 2018; Daniel F. Feldman, Special Representative for Afghanistan and Pakistan at the U.S. Department of State from 2014 to 2015; Jonathan Finer, Chief of Staff to the Secretary of State from 2015 to 2017.

Jendayi Frazer, Assistant Secretary of State for African Affairs from 2005 to 2009; Suzy George, Executive Secretary and Chief of Staff of the National Security Council from 2014 to 2017; Phil Gordon, Special Assistant to the President and White House Coordinator for the Middle East, North Africa and the Gulf from 2013 to 2015; Chuck Hagel, Secretary of Defense from 2013 to 2015; Avril D. Haines, Deputy National Security Advisor to the President from 2015 to 2017; Luke Hartig, Senior Director for Counterterrorism at the National Security Council from 2014 to 2016; Heather A. Higginbottom, Deputy Secretary of State for Management and Resources from 2013 to 2017; Roberta Jacobson, U.S. Ambassador to Mexico from 2016 to 2018; Gil Kerlikowske, Commissioner of Customs and Border Protection from 2014 to 2017; John F. Kerry, Secretary of State from 2013 to 2017; Prem Kumar, Senior Director for the Middle East and North Africa at the National Security Council from 2013 to 2015; John E. McLaughlin, Deputy Director of the Central Intelligence Agency from 2000 to 2004; Lisa O. Monaco, Assistant to the President for Homeland Security and Counterterrorism from 2013 to 2017; Janet Napolitano, Secretary of Homeland Security from 2009 to 2013; James D. Nealon, Assistant Secretary for International Engagement at the U.S. Department of Homeland Security from 2017 to 2018; James C. O’Brien, Special Presidential Envoy for Hostage Affairs from 2015 to 2017; Matthew G. Olsen, Director of the National Counterterrorism Center from 2011 to 2014; Leon E. Panetta, Secretary of Defense from 2011 to 2013; Anne W. Patterson, Assistant Secretary of State for Near Eastern Affairs from 2013 to 2017; Thomas R. Pickering, Under Secretary of State for Political Affairs from 1997 to 2000. He served as U.S. Permanent Representative to the United Nations from 1989 to 1992; Amy Pope, Deputy Homeland Security Advisor and Deputy Assistant to the President from 2015 to 2017.

Samantha J. Power, U.S. Permanent Representative to the United Nations from 2013 to 2017; Jeffrey Prescott, Deputy National Security Advisor to the Vice President from 2013 to 2015; Nicholas Rasmussen, Director of the National Counterterrorism Center from 2014 to 2017; Alan Charles Raul, Vice Chairman of the Privacy and Civil Liberties Oversight Board from 2006 to 2008; Dan Restrepo, Special Assistant to the President and Senior Director for Western Hemisphere Affairs at the National Security Council from 2009 to 2012; Susan E. Rice, National Security Advisor to the President from 2013 to 2017; Anne C. Richard, Assistant Secretary of State for Population, Refugees, and Migration from 2012 to 2017; Eric P. Schwartz, Assistant Secretary of State for Population, Refugees, and Migration from 2009 to 2011; Andrew J. Shapiro, Assistant Secretary of State for Political-Military Affairs from 2009 to 2013; Wendy R. Sherman, Under Secretary of State for Political Affairs from 2011 to 2015; Vikram Singh, Deputy Special Representative for Afghanistan and Pakistan from 2010 to 2011; Dana Shell Smith, U.S. Ambassador to Qatar from 2014 to 2017; Jeffrey H. Smith, General Counsel of the Central Intelligence Agency from 1995 to 1996; Jake Sullivan, National Security Advisor to the Vice President from

2013 to 2014; Strobe Talbott, Deputy Secretary of State from 1994 to 2001; Linda Thomas-Greenfield, Assistant Secretary for the Bureau of African Affairs from 2013 to 2017; Arturo A. Valenzuela, Assistant Secretary of State for Western Hemisphere Affairs from 2009 to 2011.

2. On February 15, 2019, the President declared a “national emergency” for the purpose of diverting appropriated funds from previously designated uses to build a wall along the southern border. We are aware of no emergency that remotely justifies such a step. The President’s actions are at odds with the overwhelming evidence in the public record, including the administration’s own data and estimates. We have lived and worked through national emergencies, and we support the President’s power to mobilize the Executive Branch to respond quickly in genuine national emergencies. But under no plausible assessment of the evidence is there a national emergency today that entitles the President to tap into funds appropriated for other purposes to build a wall at the southern border. To our knowledge, the President’s assertion of a national emergency here is unprecedented, in that he seeks to address a situation: (1) that has been enduring, rather than one that has arisen suddenly; (2) that in fact has improved over time rather than deteriorated; (3) by reprogramming billions of dollars in funds in the face of clear congressional intent to the contrary; and (4) with assertions that are rebutted not just by the public record, but by his agencies’ own official data, documents, and statements.

3. Illegal border crossings are near forty-year lows. At the outset, there is no evidence of a sudden or emergency increase in the number of people seeking to cross the southern border. According to the administration’s own data, the numbers of apprehensions and undetected illegal border crossings at the southern border are near forty-year lows. Although there was a modest increase in apprehensions in 2018, that figure is in keeping with the number of apprehensions only two years earlier, and the overall trend indicates a dramatic decline over the last fifteen years in particular. The administration also estimates that “undetected unlawful entries” at the southern border “fell from approximately 851,000 to nearly 62,000” between fiscal years 2006 to 2016, the most recent years for which data are available. The United States currently hosts what is estimated to be the smallest number of undocumented immigrants since 2004. And in fact, in recent years, the majority of currently undocumented immigrants entered the United States legally, but overstayed their visas, a problem that will not be addressed by the declaration of an emergency along the southern border.

4. There is no documented terrorist or national security emergency at the southern border. There is no reason to believe that there is a terrorist or national security emergency at the southern border that could justify the President’s proclamation.

a. This administration’s own most recent Country Report on Terrorism, released only five months ago, found that “there was no credible evidence indicating that international terrorist groups have established bases in Mexico, worked with Mexican drug cartels, or sent operatives via Mexico into the United States.” Since 1975, there has been only one reported incident in which immigrants who had crossed the southern border illegally attempted to commit a terrorist act. That incident occurred more than twelve years ago, and involved three brothers from Macedonia who had been brought into the United States as children more than twenty years earlier.

b. Although the White House has claimed, as an argument favoring a wall at the south-

ern border, that almost 4,000 known or suspected terrorists were intercepted at the southern border in a single year, this assertion has since been widely and consistently repudiated, including by this administration’s own Department of Homeland Security. The overwhelming majority of individuals on terrorism watchlists who were intercepted by U.S. Customs and Border Patrol were attempting to travel to the United States by air; of the individuals on the terrorist watchlist who were encountered while entering the United States during fiscal year 2017, only 13 percent traveled by land. And for those who have attempted to enter by land, only a small fraction do so at the southern border. Between October 2017 and March 2018, forty-one foreign immigrants on the terrorist watchlist were intercepted at the northern border. Only six such immigrants were intercepted at the southern border.

5. There is no emergency related to violent crime at the southern border. Nor can the administration justify its actions on the grounds that the incidence of violent crime on the southern border constitutes a national emergency. Factual evidence consistently shows that unauthorized immigrants have no special proclivity to engage in criminal or violent behavior. According to a Cato Institute analysis of criminological data, undocumented immigrants are 44 percent less likely to be incarcerated nationwide than are native-born citizens. And in Texas, undocumented immigrants were found to have a first-time conviction rate 32 percent below that of native-born Americans; the conviction rates of unauthorized immigrants for violent crimes such as homicide and sex offenses were also below those of native-born Americans. Meanwhile, overall rates of violent crime in the United States have declined significantly over the past 25 years, falling 49 percent from 1993 to 2017. And violent crime rates in the country’s 30 largest cities have decreased on average by 2.7 percent in 2018 alone, further undermining any suggestion that recent crime trends currently warrant the declaration of a national emergency.

6. There is no human or drug trafficking emergency that can be addressed by a wall at the southern border. The administration has claimed that the presence of human and drug trafficking at the border justifies its emergency declaration. But there is no evidence of any such sudden crisis at the southern border that necessitates a reprogramming of appropriations to build a border wall.

a. The overwhelming majority of opioids that enter the United States across a land border are carried through legal ports of entry in personal or commercial vehicles, not smuggled through unauthorized border crossings. A border wall would not stop these drugs from entering the United States. Nor would a wall stop drugs from entering via other routes, including smuggling tunnels, which circumvent such physical barriers as fences and walls, and international mail (which is how high-purity fentanyl, for example, is usually shipped from China directly to the United States).

b. Likewise, illegal crossings at the southern border are not the principal source of human trafficking victims. About two-thirds of human trafficking victims served by non-profit organizations that receive funding from the relevant Department of Justice office are U.S. citizens, and even among non-citizens, most trafficking victims usually arrive in the country on valid visas. None of these instances of trafficking could be addressed by a border wall. And the three states with the highest per capita trafficking reporting rates are not even located along the southern border.

7. This proclamation will only exacerbate the humanitarian concerns that do exist at the southern border. There are real humanitarian concerns at the border, but they largely result from the current administration’s own deliberate policies towards migrants. For example, the administration has used a “metering” policy to turn away families fleeing extreme violence and persecution in their home countries, forcing them to wait indefinitely at the border to present their asylum cases, and has adopted a number of other punitive steps to restrict those seeking asylum at the southern border. These actions have forced asylum-seekers to live on the streets or in makeshift shelters and tent cities with abysmal living conditions, and limited access to basic sanitation has caused outbreaks of disease and death. This state of affairs is a consequence of choices this administration has made, and erecting a wall will do nothing to ease the suffering of these people.

8. Redirecting funds for the claimed “national emergency” will undermine U.S. national security and foreign policy interests. In the face of a nonexistent threat, redirecting funds for the construction of a wall along the southern border will undermine national security by needlessly pulling resources from Department of Defense programs that are responsible for keeping our troops and our country safe and running effectively.

a. Repurposing funds from the defense construction budget will drain money from critical defense infrastructure projects, possibly including improvement of military hospitals, construction of roads, and renovation of on-base housing. And the proclamation will likely continue to divert those armed forces already deployed at the southern border from their usual training activities or missions, affecting troop readiness.

b. In addition, the administration’s unilateral, provocative actions are heightening tensions with our neighbors to the south, at a moment when we need their help to address a range of Western Hemisphere concerns. These actions are placing friendly governments to the south under impossible pressures and driving partners away. They have especially strained our diplomatic relationship with Mexico, a relationship that is vital to regional efforts ranging from critical intelligence and law enforcement partnerships to cooperative efforts to address the growing tensions with Venezuela. Additionally, the proclamation could well lead to the degradation of the natural environment in a manner that could only contribute to long-term socioeconomic and security challenges.

c. Finally, by declaring a national emergency for domestic political reasons with no compelling reason or justification from his senior intelligence and law enforcement officials, the President has further eroded his credibility with foreign leaders, both friend and foe. Should a genuine foreign crisis erupt, this lack of credibility will materially weaken this administration’s ability to marshal allies to support the United States, and will embolden adversaries to oppose us.

9. The situation at the border does not require the use of the armed forces, and a wall is unnecessary to support the use of the armed forces. We understand that the administration is also claiming that the situation at the southern border “requires use of the armed forces,” and that a wall is “necessary to support such use” of the armed forces. These claims are implausible.

a. Historically, our country has deployed National Guard troops at the border solely to assist the Border Patrol when there was an extremely high number of apprehensions, together with a particularly low number of Border Patrol agents. But currently, even

with retention and recruitment challenges, the Border Patrol is at historically high staffing and funding levels, and apprehensions—measured in both absolute and per-agent terms—are near historic lows.

b. Furthermore, the composition of southern border crossings has shifted such that families and unaccompanied minors now account for the majority of immigrants seeking entry at the southern border; these individuals do not present a threat that would need to be countered with military force.

c. Just last month, when asked what the military is doing at the border that couldn't be done by the Department of Homeland Security if it had the funding for it, a top-level defense official responded, "[n]one of the capabilities that we are providing [at the southern border] are combat capabilities. It's not a war zone along the border." Finally, it is implausible that hundreds of miles of wall across the southern border are somehow necessary to support the use of armed forces. We are aware of no military- or security-related rationale that could remotely justify such an endeavor.

10. There is no basis for circumventing the appropriations process with a declaration of a national emergency at the southern border. We do not deny that our nation faces real immigration and national security challenges. But as the foregoing demonstrates, these challenges demand a thoughtful, evidence-based strategy, not a manufactured crisis that rests on falsehoods and fearmongering. In a briefing before the Senate Intelligence Committee on January 29, 2019, less than one month before the Presidential Proclamation, the Directors of the CIA, DNI, FBI, and NSA testified about numerous serious current threats to U.S. national security, but none of the officials identified a security crisis at the U.S.-Mexico border. In a briefing before the House Armed Services Committee the next day, Pentagon officials acknowledged that the 2018 National Defense Strategy does not identify the southern border as a security threat. Leading legislators with access to classified information and the President's own statements have strongly suggested, if not confirmed, that there is no evidence supporting the administration's claims of an emergency. And it is reported that the President made the decision to circumvent the appropriations process and reprogram money without the Acting Secretary of Defense having even started to consider where the funds might come from, suggesting an absence of consultation and internal deliberations that in our experience are necessary and expected before taking a decision of this magnitude.

11. For all of the foregoing reasons, in our professional opinion, there is no factual basis for the declaration of a national emergency for the purpose of circumventing the appropriations process and reprogramming billions of dollars in funding to construct a wall at the southern border, as directed by the Presidential Proclamation of February 15, 2019.

Respectfully submitted,

Madeleine K. Albright, Jeremy B. Bash, John B. Bellinger III, Daniel Benjamin, Antony Blinken, John O. Brennan, R. Nicholas Burns, William J. Burns, Johnnie Carson, James Clapper, David S. Cohen, Eliot A. Cohen, Ryan Crocker, Thomas Donilon, Jen Easterly, Nancy Ely-Raphel, Daniel P. Erikson, John D. Feeley, Daniel F. Feldman, Jonathan Finer.

Jendayi Frazer, Suzy George, Phil Gordon, Chuck Hagel, Avril D. Haines, Luke Hartig, Heather A. Higginbottom, Roberta Jacobson, Gil Kerlikowske, John F. Kerry, Prem Kumar, John E. McLaughlin, Lisa O. Monaco, Janet Napolitano, James D. Nealon, James C. O'Brien, Matthew G. Olsen.

Leon E. Panetta, Anne W. Patterson, Thomas R. Pickering, Amy Pope, Samantha J. Power, Jeffrey Prescott, Nicholas Rasmussen, Alan Charles Raul, Dan Restrepo, Susan E. Rice, Anne C. Richard, Eric P. Schwartz, Andrew J. Shapiro, Wendy R. Sherman, Vikram Singh, Dana Shell Smith, Jeffrey H. Smith, Jake Sullivan, Strobe Talbott, Linda Thomas-Greenfield, Arturo A. Valenzuela.

[From the Washington Post, Sept. 18, 2019]

PENTAGON HAS WARNED OF DIRE OUTCOMES IF MILITARY PROJECTS CANCELED FOR WALL DON'T HAPPEN

(By Aaron Gregg and Erica Werner)

The Pentagon warned of dire outcomes unless Congress paid for urgently needed military construction projects nationwide—the same projects that have now been canceled to fund President Trump's border wall.

The warnings are contained in Defense Department budget requests sent to lawmakers in recent years. They include potentially hazardous living conditions for troops and their families, as well as unsafe schools that would impede learning. In numerous cases, the Defense Department warned that lives would be put at risk if buildings don't meet the military's standards for fire safety or management of explosives.

Even before \$3.6 billion in construction funding was pulled to support a wall along the U.S.-Mexico border, military buildings across the country often had been neglected in favor of other priorities. The defense spending limits that took effect after a 2013 budget deal designed to end a government shutdown starved the military's construction budget for years, officials and analysts say, meaning many construction projects are long overdue.

The details in the budget documents—annual requests the Pentagon sends to Capitol Hill that are mostly public—underscore the risky trade-offs Trump made in declaring a national emergency that allowed him to divert funding for the wall.

A Pentagon spokesman did not immediately respond to a message seeking comment.

In requests to Congress over the past three years, military officials describe dilapidated World War II-era warehouses with "leaking asbestos panel roof systems," a drone pilot training facility with sinkholes and a bat infestation, explosives being stored in buildings that didn't meet safety standards and a mold-infested middle school. In numerous instances, Defense Department officials wrote that the infrastructure problems were hurting the military's readiness and impeding the department's national security mission.

Democrats and some Republicans strongly oppose the emergency declaration. The Senate is expected to vote for a second time in the coming weeks to overturn it, but Congress does not appear to have enough votes to overcome Trump's veto of such a disapproval resolution.

A list of the military construction projects being defunded to pay for the wall was released in early September. But it did not contain details of the Pentagon's explanations to Congress about why the projects were needed—and what would happen if they were not completed. The Washington Post's review of the budget documents is the first attempt to detail those Pentagon warnings.

The Post uncovered budget documents pertaining to 29 of the 43 military construction projects in the mainland United States—not including those in territories such as Puerto Rico and Guam—that are being canceled to pay for the wall. The review excluded two projects that had been canceled before the emergency authorization. Many of these doc-

uments are publicly available but have not been previously reported.

The Pentagon insists that the projects are merely being delayed, not canceled, and Republicans say they will try to "backfill" the money in question, but Democrats oppose that strategy. In recent days, the fight over the border wall money has caused angry divisions among lawmakers trying to write annual spending bills to keep the government running, raising the specter of another shutdown this year. Last winter's record-long 35-day partial government shutdown ended only after Trump declared a national emergency because Congress wouldn't give him all the money he wanted for his wall. (During his campaign, Trump repeatedly vowed that Mexico would pay for the construction.)

Congressional Democrats have rallied around the issue, decrying unsafe conditions in their home districts and nationwide.

"We see across the country—communities, military bases and people in the military—saying, 'Taking away this money hurts us,'" Minority Leader Charles E. Schumer (N.Y.) said on the Senate floor this week. "All the Democrats are asking for is to protect the troops from having their resources robbed for a border wall—resources that Congress said should go to the military."

Sen. Tim Kaine (D-Va.) said "it shocks me that, as commander in chief, [Trump] now insists that it's got to be our troops, our military families and our nation's security that have to be sacrificed for his foolishness," noting that \$77 million had been "raided" from projects in his state.

OMINOUS WARNINGS

This month, the Pentagon announced that 127 military construction projects stood to lose funding to pay for Trump's wall. Although Pentagon officials have expressed confidence that the projects ultimately will go forward, there is no guarantee that they will.

In many cases, the Pentagon has been ominous in describing the potential outcomes should the projects not happen.

The Air Force has been seeking a new training facility for drone pilots at Holloman Air Force Base in New Mexico because the current training facility had sinkholes and a bat infestation.

It also prevents pilot trainees from operating in a classified environment, the Air Force wrote in its publicly accessible budget request. This means trainees could not use a safety system designed to alert drone pilots to the location of ground-based personnel, as well as a separate system designed to prevent aircraft from crashing into one another.

The Air Force has been seeking a new control center at Hill Air Force Base in Utah, designed to replace a pair of "dilapidated WWII-era warehouses" used for air traffic control and mission control operations even though they have been labeled "structurally deficient" and don't meet regulations. The Air Force noted in its budget request that air traffic control equipment is at risk of being destroyed by "roof leaks from failing asbestos panel roof systems."

If the \$28 million project is not finished, the Air Force warned in 2017, service members will continue to operate in "aging dilapidated buildings that were never intended for the purpose they are now serving."

The Air National Guard has been seeking to replace the aircraft parking ramp at a New Orleans facility, which abuts a public roadway. This means munitions-loaded aircraft—which are kept on alert so they can be scrambled quickly in the event of a terrorist attack—expose the public to the "unacceptable risk" of being affected by an explosive accident, the Air Force wrote in 2018. An Air Force analysis calculated that members of

the public are inside the jets' "explosive arc" for about 3,800 hours per year as they pass by the base.

In addition, the shelters that hold the aircraft when they aren't parked on the runway are on concrete slabs that are sinking, causing pipes and electrical connections to pull loose. The shelters also did not have fire protections, the Defense Department wrote in 2018.

The Defense Department also warned that overly decentralized weapons maintenance buildings in Anniston, Ala., would continue to increase the risk of accidents because of the "unnecessary movement of artillery pieces."

The Air Force has been seeking \$41 million to repair a central heat power plant boiler at Eielson Air Force Base in Alaska. The Air Force warned in its budget justification to Congress that the boiler, installed in 1951, is expected to fail within the next several years at a base where winter temperatures can plunge as low as 65 degrees below zero. That outcome "would be devastating to facilities and the missions housed in those facilities," the Air Force said. The base could be forced to evacuate, and the facilities would then freeze and require "many millions of dollars" to make them usable again.

The system in question is one of two 1950s-era boilers that require urgent replacement at Eielson. The failure of the other one is described as "imminent" and also could force an evacuation, followed by a deep freeze that would cost millions of dollars to recover from, according to the Air Force's description from 2017.

'SUBSTANDARD,' 'UNSAFE'

A different issue looms at Camp Lejeune, N.C., where medical and dental care is provided in "substandard, inefficient, decentralized and uncontrolled facilities," according to the military, which has sought congressional approval to build a new ambulatory care center on the base. Not doing so "will result in compromised readiness, uncoordinated care delivery, and inappropriate use of medical resources," the Pentagon said.

At Marine Corps Air Station Beaufort in South Carolina, the military sought funding to build a satellite fire station, without which "personnel . . . will continue to work from a significantly undersized and unsafe facility."

In another example, the military is seeking to repair a middle school at Fort Campbell in Kentucky, a project that has been championed by Senate Majority Leader Mitch McConnell (R-Ky.) and that he has vowed to protect even after its appearance on the list of installations at risk of being canceled to pay for Trump's wall.

The Pentagon described conditions at the middle school as "substandard" and told lawmakers in requesting \$62.6 million to repair it that "the continued use of deficient, inadequate, and undersized facilities that do not accommodate the current student population will continue to impair the overall education program for students."

At Joint Base Andrews in Maryland, meanwhile, construction of a much-needed new child-care center has been put on hold in favor of Trump's wall. The Pentagon notes that the facility "has suffered from sewage backups, heating, ventilation and air conditioning failures and mold and pest management issues." The upgraded facility is supposed to accommodate 165 children and staff members. As of February 2018, 115 children were on a waiting list to get in.

Joint Base Andrews is also home to the hangar that holds Air Force One. That hangar is being relocated at a cost of \$154 million to accommodate a larger Boeing model now being used for Trump. But the new hangar

displaces a specialized area designed for unloading hazardous cargo and a separate disposal range where Air Force officials could be trained to defuse bombs. The Air Force requested \$37 million for a new hazardous-cargo pad and explosive-ordnance center, but that project has been included on the list of those being canceled to pay for the barrier along the border. The Air Force One hangar project was left untouched.

As a result, a temporary facility will be provided. But not replacing the hazardous-cargo pad would cause "enduring systemic weaknesses" at the base, while the lack of an explosive-ordnance range would "adversely impact" training, which would have to happen somewhere off the base at greater cost, the military said.

Mr. UDALL. Madam President, with that, I yield to Senator MURRAY.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, I join my Democratic colleagues on the floor to once again speak out against this President and his administration's outrageous abuses of Executive power.

While, unfortunately, there is a myriad of Presidential abuses to which I could be referring, today, this evening, I am here to discuss two of his most recent and most egregious actions that have not only run afoul of Congress's authority and our constitutional system of checks and balances but also compromise our national security.

It began with the President making a phony national emergency declaration to bypass Congress and steal money to build his border wall under the auspices of a "crisis"—one of the President's own making—in pursuit of advancing the most anti-immigrant agenda this country has seen in generations, all manufactured to secure Federal funds to build his often-touted vanity wall on our southern border. This is a wall the American people were not supposed to pay for and that we, time and again, have indicated we do not want.

Now, one would think this extreme overreach of Executive authority alone would get our colleagues on the other side of the aisle riled up enough to defend the Constitution's system of checks and balances, but in declaring his national emergency, President Trump took his overreach one step further, ransacking critical Federal funds—taxpayer dollars—that were appropriated by Congress to fund important military construction projects and national security priorities across the country. To do what with? To put money toward building his border wall.

To be clear, instead of Federal funds going toward military infrastructure priorities such as a new pier and maintenance facility at Naval Base Kitsap in my home State of Washington that would help guide and protect our Navy's vital nuclear submarines, those funds are now going to pay for Trump's border wall.

Instead of our military using Federal funds already authorized by Congress to increase access to childcare for our servicemembers and their families, those funds are now going into paying for Trump's wall.

While this behavior from our President is predictable, it is no less wrong, underhanded, and unacceptable, and I know I am not the only one who thinks that way.

Since the President's rash move to reprogram billions of dollars from our military construction budget toward his border wall, I have heard repeatedly from constituents who are upset by this President's brazen acts of recklessness and are wondering how the President of the United States can just step over Congress to do whatever he wants with our Federal budget, especially when it is on the backs of our troops and their families.

I refuse to stand by and do nothing while this President hurts my State and so many others. Why? Because he cares more about his vanity project than our troops, the military community, or the American people.

That is why, in the coming days, I plan to introduce new legislation that will not only recoup the military construction funds that were shamefully raided for Trump's border wall but put in place new safeguards to make sure no President today or in the future can so effortlessly bypass the will of Congress to loot the Federal budget.

We need to put a check on this President, plain and simple. Right now, we can do so by standing up for Congress and our constitutional authority to set the Federal budget and pay our Nation's bills.

So I urge my colleagues to join Democrats in voting to rescind President Trump's bogus national emergency declaration, taking that first step to roll back the President's plunder and hold him accountable because as a coequal branch of our Federal Government, it is not just our job, it is our sworn duty and one this body and our Republican colleagues cannot ignore.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Madam President, I agree with my distinguished colleagues from Washington State and New Mexico for what they have said.

Sometimes casting a vote on the Senate floor is just a matter of course. It is something we do routinely, often without considering the impact of that vote on the Senate as an institution, let alone our constitutional Republic as we know it, but this week's vote on President Trump's national emergency declaration is different. It is a pivotal moment in this body's history. It is a stress test of the very notion of separation of powers. The Constitution speaks of Congress as being a coequal branch of government. Well, this is going to be viewed as a moment when Congress either asserted itself as a coequal branch of government or surrendered as a subordinate to the will of a President who now claims his powers are absolute.

This is a President who has said out loud that the Constitution gives him the right to do "whatever I want as

President." It makes one wonder if the President has ever actually read the Constitution of the United States. This President is attempting to ignore the explicit will of Congress by simply declaring a national emergency to fund his "big, beautiful" wall. That is after, time and time and time again, he gave us his word that Mexico would pay for the wall.

For 3 years, he failed to convince Congress that the wall was a good idea. Even when his own party controlled both the House of Representatives and the U.S. Senate, his tweets and tantrums could not convince enough Members that his cynical campaign promise was worthy of tens of billions of dollars of taxpayers' money. He could not convince anybody, Republican or Democrat, that he was telling the truth when he said Mexico would pay for it.

So when Congress did not comply, he directed his yes-people to tell them he could fund his pet project, nonetheless, by declaring a national emergency out of thin air and stealing the money from our troops and their families.

He even admitted his national emergency declaration was a matter of political expediency rather than justified by facts. I remember him standing in the Rose Garden. He said he did not "need" to invoke a national emergency; he could "build the wall over a longer period of time," but he just wanted to do it "faster." Once again, the whims and tweets of the President were used to trample our Constitution.

President Trump's declaration of a national emergency to build his wall should offend all 100 Senators—Republicans and Democrats alike—in this body. First and foremost, he is using it to steal \$3.6 billion from critical military construction projects that would benefit our men and women in uniform and their families. This impacts 127 military construction projects, including a child development center, an elementary school, a fire and rescue station—all falling victim to his fixation on the wall. He is telling the families of our military who are living in substandard housing—some of it with mold and other damaging health conditions—that, no, you are not going to get that money you need to fix that up. I am going to put it toward my wall.

We already ask our military families to sacrifice so much to keep our country safe. Now they have to sacrifice, yet again, and to what end? To keep this President's ego safe.

Furthermore, I would note that his national emergency declaration is a transparent end-run around Congress's constitutional power of the purse. Article I, section 9 of the Constitution, which I doubt the President has ever bothered to read, states that Congress—and Congress alone—decides how to spend Americans' hard-earned tax dollars. That has been the case from the time of the founding of this country until today. It is one of the most critical checks and balances in our constitutional system. In our de-

mocracy, Presidents must respect—and normally do—the appropriations decisions of Congress but, for the first time, not this President.

I was here when Congress enacted the National Emergencies Act of 1976. When we passed it then, we assumed that any President would have enough respect for the office to invoke the extraordinary powers granted under it judiciously and only in times when there was, in fact, an emergency to be addressed.

But not this President. Where the world sees women and children seeking refuge at our southern border, he sees criminals and terrorists invading our country. Where the world sees declining border crossings—crossings have dropped steeply since June—he sees an escalating border crisis that only his wall can fix. Facts may not matter to a President willing to invent a hurricane path with a sharpie marker, but they should matter to us. We must not allow this President to invoke such sweeping powers—powers we granted to him for real emergencies—simply to address some emergency he has concocted in his head.

So this week I hope all Senators, no matter what their political background is, will think carefully about their vote on the President's national emergency declaration. I hope each of us thinks long and hard about what it would mean for our role as a coequal branch, for the separation of powers, for the Constitution, which has protected our country all these years, and what would it mean if we fail to reject this naked power grab by President Trump.

In March, 12 of my Republican friends joined Democrats in rejecting the President's emergency declaration, forcing him to override our vote with a veto. I hope every one of us tonight will go home and read the Constitution and realize what we must do. I hope more Republicans will join Democrats this time in voting aye on the joint resolution of disapproval. We must send this President a veto-proof message that Congress will rise above party to protect what is most precious in our American democracy; the Senate will stand for the Constitution above all else; that the Senate will be the conscience of the Nation, as we should be.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Madam President, I am pleased to join my colleagues and very much appreciate Senator UDALL's leadership on the joint resolution we are speaking to today. This is the resolution that would end the President's unconstitutional emergency declaration, which is diverting money from critical military construction projects to fund a costly and ineffective border wall.

Congress has made it abundantly clear that we did not provide funding for the President's border wall and that we don't approve of raiding military re-

sources to fund his campaign promise—which, by the way, the President vowed Mexico would pay for.

It is important to note that Congress works on a bipartisan basis to provide funding to secure the southern border. According to the Constitution, it is Congress and not the President who holds the power of the purse. Just 6 months ago, in a strong bipartisan vote, a majority of this body—59 Senators—successfully passed the resolution disapproving of the President's emergency declaration. Unfortunately, President Trump chose to veto that legislation, which is why we have brought it to the floor again for a vote.

It is imperative that this legislative body—this Senate—defend its authority as derived from the Constitution and protect funding that is vital to our troops and to our national security.

I think it is difficult to overstate the critical role military construction projects play in maintaining military readiness and supporting our national defense. Yet this administration is treating funding set aside for our national security like a slush fund.

Take military construction, for instance. At the Portsmouth Naval shipyard in New Hampshire and Maine—it is on the border between New Hampshire and Maine—any disruptions for funding in construction projects can result in costly delays to our military's carefully crafted plans to upgrade aging infrastructure. Delays in projects that support the shipyard's mission threaten to exacerbate the Navy's already high demand for submarine maintenance and the projected submarine shortfall in the coming years.

In addition, New Hampshire's National Guard readiness centers are in desperate need of modernization, and they can't afford further delays to readiness center improvements. All those projects are funded through the military construction program.

While New Hampshire's and Maine's shipyard and National Guard were spared from President Trump's latest money grab, the same can't be said for 127 other important military construction projects across this country.

The 552 middle school children at Fort Campbell in the majority leader's home State of Kentucky will have to wait for a new school as President Trump diverts construction funding to the border.

Critical projects in Virginia that would improve a cyber operations facility and replace hazardous materials in warehouses are another casualty of President Trump's political games.

The Child Development Center in Maryland, the missile field in Alaska, the weapon maintenance shop in Alabama—the list of projects that are affected by the President's unconstitutional mandate just goes on and on. It includes hundreds of millions of dollars for critical infrastructure to support the Defense Department's European Deterrence Initiative. What message does that send to our European allies

on our efforts to deter Russian aggression?

The impact of the President's actions and Congress's own complacency is painfully real to the men and women who serve our Nation. These are the same men and women who are being deprived of the resources they need to complete their mission.

Perhaps not surprising, there are now reports indicating that the Trump administration is again planning to take military construction funds appropriated by Congress to build the border wall. According to the Washington Post, you can see this pretty clearly. The administration plans to pitch its appropriations request to Congress as replenishment money to the Department of Defense for the money they took this year to fund the border wall.

A Trump administration official said:

The plan is to sell it as replenishment money. . . . Then once they got it from Congress, they would take it again.

This isn't just a one-time deal. We are talking about the administration setting us up to do this again and again and again. This type of deception from the administration makes funding the government extremely difficult for Congress because we can't trust—we don't know if the President is negotiating in good faith.

The Members of the legislative branch are endowed by the Constitution with the power to fund the government. We must be sure that the resources we provide in spending legislation are being used as they were intended by the Congress. This constitutional duty is particularly salient when the President has shown such a flagrant disregard for congressional intent and the constitutional separation of powers. The authority of the Congress is very clear: The power of the purse is held by the legislative branch. Those powers were enumerated for the very reason that we are here today—to shield against an overreaching Executive.

This isn't about Democrat versus Republican; this is about whether Congress votes to uphold its powers and responsibilities—powers and responsibilities that are enshrined in the Constitution. We must take action now in defense of both our Constitution and our national security.

I would urge my colleagues on both sides of the aisle to protect our constitutional authority as Members of Congress, to defend our national security, and to support the resolution to terminate President Trump's emergency declaration.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Madam President, I very much appreciate being joined on the floor by my colleagues at this critical time in history. Senator SHAHEEN just spoke. We also had Senator MURRAY and Senator LEAHY down here.

This issue will come to a head tomorrow. We are really at a crossroads. This

body can continue to allow the President to subvert our constitutional authority to appropriate, or we can take back our power of the purse and exercise it as the Founders intended. The issue before us is not partisan; it is constitutional. If we don't put the Constitution above party, above politics, we might as well pack up our bags and go home. The voters did not send us here to shirk our responsibilities. History will not be kind to us if we allow the Executive to run roughshod over our constitutional authority.

For the second time, we have introduced a bipartisan resolution to terminate the President's national emergency declaration along our southern border. I thank Senators COLLINS and SHAHEEN for once again joining this resolution and affirming their commitment to the Constitution.

Our first vote on this resolution in March passed 59 to 41. We had strong bipartisan support because the President's emergency declaration is clearly an end run around Congress. We have the power to bring this resolution back every 6 months. I hope we can add to our majority this time because what were once fears about a so-called emergency in March have become a stark reality in September.

While I firmly oppose the President's approach on immigration, this vote is not about whether you oppose or support that approach. In March, a Republican Senator wrote in conviction about the President's emergency declaration:

It is my responsibility to be a steward of the article I branch, to preserve the separation of powers and to curb the kind of executive overreach that Congress has allowed to fester for the better part of the past century. I stood by that principle during the Obama administration, and I stand by it now.

We all have another opportunity to stand with the Constitution and to object to a President actively diverting billions in defense funding for a political purpose. Congress, not the President, was given the power of the purse to make sure taxpayer money was spent on projects with broad public support.

We have different views in Congress, but as a whole, we have responded to the American people, and we have not appropriated all the funds the President has sought for his wall. But instead of allowing Congress to decide on spending, which is what the Constitution envisions, the President caused the longest shutdown in American history to get his wall. That 35-day shutdown caused a lot of pain and anxiety for many Federal workers and contractors and their families in New Mexico and across the Nation. When the shutdown didn't work, the President issued his emergency declaration.

If we allow this President to issue an emergency declaration to get funding for his wall, we will be setting a dangerous precedent—a precedent that could be used by future Presidents on issues my Republican colleagues surely wouldn't like.

The President is now taking \$3.6 billion from 127 military construction projects that we have approved and funded. We all know the rigor with which these projects have been vetted, scrutinized, and approved. According to the Pentagon, these projects are necessary for national security and military readiness, necessary to ensure the safety of our men and women in uniform and their children. In other words, they are not projects simply designed to fulfill a campaign slogan.

Two projects in New Mexico are on the chopping block, and both are critical. One is an \$85 million drone pilot training center at Holloman Air Force Base to replace a facility that is falling apart, and the other is a \$40 million secure information technology facility at White Sands Missile Range. Both of those are gone.

In Utah, the Air Force has sought a new control center at Hill Air Force Base to replace "structurally deficient, dilapidated World War II-era warehouses" for mission control.

In Louisiana, the Air National Guard sought to replace an aircraft parking ramp in a New Orleans facility that exposes the public to "unacceptable risks" of being impacted by an explosive accident.

In Indiana, Army servicemembers have worked in violation of safety standards for handling explosives and need additional space from munitions.

In Kentucky, the military seeks to repair substandard, deficient, inadequate, and undersized facilities at a majority school at Fort Campbell that impairs the overall education program for the children of servicemembers.

Back in March, we worried that this would happen, but now it is a reality. Our men and women in uniform and their children are paying for the wall. And if we do not stand up and stop it today, it will happen again and again. This is unacceptable, and I believe it is unlawful and unconstitutional. We here in the Senate have decided to fund these projects and others in 23 States instead of a border wall, and with good reason.

Some in Congress are calling for us to backfill 127 projects and reappropriate the funds for them. Backfilling does not solve the problem. It does not repair the constitutional violation. It only gives license to the President to continue raiding funds we have already appropriated for military construction projects. Unless we stop the emergency, the backfilled money will be subject to being raided again. If your house is robbed, it is foolish to buy new valuables without putting a new lock on the door.

Canceling these 127 projects is not just a one-off; we all know the President fully intends to keep it. It has already been reported that if the President doesn't get the \$5 billion he has requested for his wall in 2020, the administration plans to take another \$3.6 billion from the Pentagon's construction budget.

I will come back in a minute.

I yield to the majority leader.

The PRESIDING OFFICER. The majority leader.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

Mr. McCONNELL. Madam President, I move to proceed to executive session to consider Calendar No. 415.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Gen. John E. Hyten for appointment as Vice Chairman of the Joint Chiefs of Staff and for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility in accordance with title 10, U.S.C., sections 154 and 601: to be General.

CLOTURE MOTION

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

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Gen. John E. Hyten for appointment as Vice Chairman of the Joint Chiefs of Staff and for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility in accordance with title 10, U.S.C., sections 154 and 601: to be General.

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

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. McCONNELL. Madam 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 up to 10 minutes each.

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

THE PHILIPPINES

Mr. LEAHY. Madam President, killings of environmental defenders are shockingly common in Latin America, Africa, and Asia. The assassination of Berta Caceres in Honduras 3 years ago, orchestrated by top officials of a hydroelectric company and carried out by

retired and Active-Duty soldiers who had received training from the United States, was emblematic of the widespread use of harassment, threats, and murder to silence those who courageously call for changes in policies and practices to protect the environment.

According to a report released today by Global Witness, the Philippines has the highest number of killings in Asia of people who oppose illegal logging, destructive mining, and corrupt agribusiness, with at least 30 cases documented in 2018. The total number is likely higher, as some investigations are ongoing. Many of the victims simply wanted a say in how their land and the country's natural resources are used. The perpetrators are almost never arrested or prosecuted.

On July 25, 2016, the Philippines' newly elected President Rodrigo Duterte delivered his first state of the nation address. He promised to safeguard the country's rural and indigenous communities, tackle corruption, and protect the environment. The results since then paint a very different and distressing picture. If President Duterte meant what he said, he has failed miserably. According to Global Witness, in the 3 years before Duterte took office at least 65 land and environmental defenders were murdered. That was appalling enough. But in the 3 years since he came to power, that number rose to 113. At least 31 of those murders were reportedly committed by the Philippine Armed Forces, whose soldiers and officers act with near total impunity.

The Philippines is a major recipient of U.S. military aid, and we are perceived by the families of the victims to be enablers of these crimes. In addition to increasing support for local environmental defenders, the Secretary of State and Administrator of the U.S. Agency for International Development should urge the Duterte government to ensure that the right to free, prior, and informed consent of those impacted by policies and practices that threaten their land and natural resources is respected. This is necessary not only to prevent the destruction of forests and farms, the pollution of watersheds, and the extinction of species, but to avoid confrontations and violence that result when extractive industries, supported by the Armed Forces and police, run roughshod over local communities.

The Secretaries of State and Defense should also ensure that those in the Philippine Armed Forces who receive our aid respect the rights of civilians and are accountable to the rule of law. When abuses occur they should be thoroughly investigated and the individuals responsible brought to justice. The Leahy Laws require that, and it is the responsibility of U.S. officials to ensure that they are enforced.

ARMS SALES NOTIFICATION

Mr. RISCH. Madam President, section 36(b) of the Arms Export Control

Act requires that Congress receives prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

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

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

DEFENSE SECURITY
COOPERATION AGENCY,
Arlington, VA.

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

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 19-62 concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of Thailand for defense articles and services estimated to cost \$400 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

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

Enclosures.

TRANSMITTAL NO. 19-62

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

(i) Prospective Purchaser: Government of Thailand.

(ii) Total Estimated Value:
Major Defense Equipment*: \$300 million.
Other: \$100 million.
Total: \$400 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE): Eight (8) AH-6i Helicopters, Light Attack-Reconnaissance.

Fifty (50) AGM-114R Hellfire.

Two-hundred (200) Advance Precision Kill Weapon System (APKWS) Rockets.

Non-MDE: Also included are ten (10) M134 Mini Guns, ten (10) M260 Rocket Launchers, ten (10) M299 Longbow Hellfire Launcher, ten (10) AN/APN-209 Radar Altimeter, eight (8) AN/APR-39(V)(4), four (4) GAU-19/B .50 Cal Machine Gun, five-hundred (500) Hydra 70 Rockets, twenty (20) AN/AVS-6 Night Vision Goggles, eight (8) WESCAM MX-10Di Cameras, ten (10) AN/APX-123 IFF, ten (10) AN/ARC 201E-VHF-FM, ten (10) AN/ARC-231 w/MX-4027, ten (10) LN-251 Inertial Navigation System/Global Positioning System (EGI), Aircrew Trainer (ACT), Pilot Desktop Trainer (PDT), Virtual Maintenance Trainer (VMT), contractor provided pilot and maintainer training, peculiar ground support equipment, spares, publications, integrated product support, technical assistance, quality assurance team, transportation, and other related elements of logistics and program support.

(iv) Military Department: Army (TH-B-WHB).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Annex Attached.

(viii) Date Report Delivered to Congress: September 24, 2019.

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

POLICY JUSTIFICATION

Thailand—AH-6i Helicopters

The Government of Thailand has requested to buy eight (8) AH-6i light attack reconnaissance helicopters; fifty (50) AGM-114R Hellfire missiles; and two-hundred (200) Advance Precision Kill Weapon System (APKWS) Rockets. Also included are ten (10) M134 Mini Guns, ten (10) M260 Rocket Launchers; ten (10) M299 Longbow Hellfire Launcher; ten (10) AN/APN-209 Radar Altimeter; eight (8) AN/APR-39(V)(4) four (4) GAU-19/B .50 Cal Machine Gun; five-hundred (500) Hydra 70 Rockets; twenty (20) AN/AVS-6 Night Vision Goggles; eight (8) WESCAM MX-10Di Cameras; ten (10) AN/APX-123 IFF; ten (10) AN/ARC 201E-VHF-FM; ten (10) AN/ARC-231 w/ MX-4027; ten (10) LN-251 Inertial Navigation System/Global Positioning System (EGI); Aircrew Trainer (ACT); Pilot Desktop Trainer (PDT); Virtual Maintenance Trainer (VMT); contractor provided pilot and maintainer training peculiar ground support equipment; spares; publications; integrated product support; technical assistance; quality assurance team; transportation; and other related elements of logistics and program support. The total estimated program cost is \$400 million.

This proposed sale will support the foreign policy and national security objectives of the United States by helping to improve the security of a Major Non-NATO ally in INDO-PACOM. Thailand is a strategic partner committed to contributing to regional security.

The proposed sale of the AH-6i helicopter will improve the Royal Thai Army's (RTA) light attack capability to strengthen its homeland defense and deter regional threats. These AH-6i helicopters will replace the RTA's aging fleet of seven AH-IF Cobra helicopters. As part of a broader military modernization effort, these AH-6i helicopters will provide light attack reconnaissance for close air support to special operations forces, Stryker infantry soldiers and border guard units. Thailand will have no difficulty absorbing this equipment into its armed forces.

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

The principal contractor for the AH-6i is Boeing Company, Mesa, Arizona. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will not require the assignment of any permanent additional U.S. Government or Contractor representatives to Thailand.

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

TRANSMITTAL NO. 19-62

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

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The AH-6i Light Attack Helicopter is a commercial-off-the-shelf, light attack/reconnaissance helicopter to include AN/APX-123 Identification Friend or Foe (IFF) Mode S Transponder, AN/ARC 201E-VHF/FM Radio, AN/ARC-231 w/MX-4027 Radio and LN 251

Embedded GPS/INS (EGI). The helicopter will be equipped with the WESCAM MX-10Di Sight/Targeting Sensor to ensure commonality and interoperability with the other aircraft platforms. The airframe itself does not contain sensitive technology.

2. Identification and security classification of sensitive technological information and/or restricted information contained in the equipment, major components, subsystems, software, technical data (Performance, Maintenance, R&M, etc.) documentation, training devices and services to be conveyed with the proposed sale. Also a brief explanation of why information is sensitive:

a. The AN/APX-123, Identification Friend or Foe (IFF) Transponder, is a space diversity transponder and is installed on various military platforms. When installed in conjunction with platform antennas and the RCU (or other appropriate control unit), the transponder provides identification, altitude and surveillance reporting in response to interrogations from airborne, ground-based and/or surface interrogators. The transponder provides operational capabilities for Mark XII Identification IFF capabilities of Modes 1, 2, 2/ A, C and 4&5 and Modes S (levels 1, 2, and 3 capable).

b. The LN-251 INS/GPS is a satellite based positioning system coupled to the aircraft inertial navigation system to provide aircraft position and navigation. The INS/GPS has an embedded SAASM and has gyro and accelerometers that have been evaluated as MTCR Category II controlled items, specifically items 9.A.6 and 9.A.8.

c. The WESCAM MX-10Di is a small Multi-Sensor, Multi-Spectral Imaging System with Inertial Measurement Unit (IMU) and Embedded with Global Positioning System (GPS) Standard Positioning Service (SPS). WESCAM MX-10 is embedded with GPS SPS. SPS is a three-dimensional position and time determination capability provided to a user equipped with a minimum capability GPS SPS receiver in accordance with GPS national policy. The LN-200 is a small, lightweight fiber optic IMU comprised of gyro and accelerometers that have been evaluated as MTCR Category II controlled item, specifically item 9.A.6.

d. The M 134 Mini Gun has variable rates of fire-up to 4000 rounds per minute-and has seen increasingly widespread deployment over the last several years.

e. The AN/APR-39 (V)(4) Radar Signal Detecting Set is a system that provides warning of a radar directed air defense threat and allow appropriate countermeasures.

f. The 12.7mm (.50 caliber) GAU-19/B Externally Powered Gatling Gun, has variable rates of fire-up to 2000 rounds per minute-and has seen increasingly widespread deployment over the last several years.

g. The M299 Longbow Hellfire Launcher (LBHL) is a digital missile launcher capable of carry and launch of up to four of any combination of AGM-114 missiles. The launcher provides electronic functions required for the missile and launcher to communicate with the platform through MIL-STD-1760 and MIL-STD-1553 interfaces. The production quad-rail configuration was designed for use on the AH-640 Apache Longbow but is also commonly used on a wide variety of other rotary-wing platforms across all services. The M299 launcher has also been successfully re-configured into a dual rail launcher for weight savings and/or use on smaller platforms and also into a single-rail configuration for use on Un-manned Air System (UAS) platforms where the launcher electronics is integrated within the platform airframe.

h. The AGM-114 Hellfire II is a precision strike, Semi-Active Laser (SAL) guided missile and is the principal air-to-ground weap-

on for the Army AH-64 Apache. It provides the warfighter with an air-to-ground, point target precision strike capability to defeat advanced armor and an array of traditional and non-traditional targets. The Hellfire AGM-114R model is a selectable multipurpose warhead providing effects against a diverse target set.

1. The M260 Rocket Launcher with APKWS capability is a seven tube rocket launcher with a remote fuze setting function. Once the target is located, single or multiple pairs of the Hydra 70 APKWS folding-fin rockets can be launched toward the target when a predetermined time signal is sent to the electronic time fuze.

J. The APKWS is a low cost semi-active laser guidance kit developed by BAE Systems which is added to current unguided 70 mm rocket motors and warheads similar to and including the Hydra 70 rocket. It is a low collateral damage weapon that can effectively strike both soft and lightly armored targets. APKWS turns a standard unguided 2.75 inch (70 mm) rocket into a precision laser-guided rocket.

k. AN/AVS-6 (Helmet Mounted) Night Vision Goggles. The AN/AVS-6 NVG is a 3rd generation aviation NVG offering higher resolution, high gain, and photo response to near infrared. AN/AVS-6 is a lightweight, binocular, night vision imaging system developed by the US Army specifically for helicopter flying. The system can be mounted to a variety of aviator helmets, including the SPH-4B, HGU-56P, HGU-55/P, HGU-55/G, HGU-26/P and Alpha. A 25mm eye relief eyepieces easily accommodate eyeglasses. Low-profile battery pack improves aviator head mobility and increases battery life. Other features include flipup/flop-down capability, simple binocular attachment, individual interpupillary adjustment, tilt, vertical and fore-aft adjustments to fit all aviators.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures that might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Thailand can provide substantially the same degree of protection for the technology being released as the U.S. Government. This sale supports the U.S. foreign policy and national security objectives as outlined in the Policy Justification.

5. All defense articles and services listed in this transmittal have been authorized for release and export to Thailand.

TRIBUTE TO ESTHER CODY SPLITT

Ms. BALDWIN. Madam President, today I wish to recognize and honor Esther Cody Splitt, on the occasion of her 100th birthday.

Her incredible life of "firsts" and extraordinary service to her community and country began with her birth in the historic year of 1919, the year women earned the right to vote. With encouragement from her smart and strong-willed Irish mother, Cody grew up in Wausau during the Great Depression, when money for entertainment was nonexistent. Instead of sending Cody to the movies, she told her to go to the county courthouse and watch the lawyers for free. "Enchanted" by what she saw, Cody returned home and told her mother she had decided to become a lawyer. Her mother supported

her dreams and told her there was “no reason she could not be a wife, mother and a lawyer, just as a man is a husband, father and lawyer.” That prescient inspiration became reality when Cody graduated from the University of Wisconsin Law School, one of only five women in the class of 1949.

Before attending law school, Cody already had a successful career as one of the first women to serve in the U.S. Navy. She said the day she was admitted to the WAVES—Women Accepted for Volunteer Services—was the turning point of her life. Fascinated by politics, Cody was disappointed to learn she was assigned to Wright Patterson Air Force Base in Ohio. She said to the assigning officer, “That’s lovely, but I really would like to go to Washington, D.C. What do you suppose?” She was granted assignment to a naval intelligence unit in Washington, DC, where she worked on cracking the Japanese code during World War II. She was quickly promoted to lead her fellow WAVES in Washington, a post where she oversaw the careers and well-being of 200 women. At the end of the war, Cody heard the GI bill would pay for her tuition to law school, a fact she confirmed by going to the Library of Congress and reading the entire bill.

Cody married her husband, Harley, also a UW law student, and moved to Appleton after graduation to open the second woman-owned law firm in Outagamie County. It was not easy for even a highly skilled female attorney to attract clients in the 1940s. In fact, her first client walked out of her office upon learning “Cody Splitt” was a woman. The scarcity of a client base forced her to close her practice after a year. Undaunted, Cody dedicated herself to her community, serving as a supervisor on the Outagamie County Board, president of the Outagamie County Bar Association, and a member of the American Association of University Women, the Fox Valley Human Rights Council, and the Alliance for the Mentally Ill. She also held various leadership roles in the Republican Party. She built a thriving law practice from which she retired at the age of 75.

Cody has received many well-deserved accolades for her work, including a Lifetime Achievement Award from the Wisconsin Law Journal and a Woman of the Year Award from the National Organization for Women. Her legacy will live on for decades to come through her scholarship and other charitable funds with the Appleton Community Foundation.

I am privileged to acknowledge the life and work of Cody Splitt, and on the occasion of her 100th birthday, I wish her good health and happiness for many years to come.

TRIBUTE TO DR. GAIL
ZIMMERMAN

Mr. BARRASSO. Madam President, today I wish to celebrate the St. An-

thony Tri-Parish Catholic School Foundation’s 2019 honoree, Dr. Gail Zimmerman.

The foundation supports the wonderful work of the St. Anthony Tri-Parish Catholic School in Casper, WY. The school is dedicated to achieving academic excellence in a faith-filled community and living a life committed to Christian service. Since 1927, the school and staff have provided a high standard of academic achievement while instilling Christian values. The schools strong religious and educational leadership to Casper students from pre-school through eighth grade.

On October 10, 2019, the foundation will host their annual Joy Breakfast. The foundation honors individuals who make outstanding contributions to St. Anthony School and provide exceptional support to the Casper community. Dr. Gail Zimmerman is the perfect choice for this honor. Gail, with his late wife Anne, has a long history of personal beneficence and public service. The community looks forward to this breakfast and recognizing the annual honoree’s invaluable contribution and dedication to the St. Anthony’s Tri-Parish Catholic School Foundation.

Gail is an accomplished academic, a selfless servant, and an avid sportsman. His father was a farmer and pastor, contributing greatly to Gail’s work ethic and Christian values. Gail attended high school in Nebraska, then served in the U.S. Army. While serving, Gail met his wife, Lois. The ceasefire in Korea occurred while he was in training, enabling him to return to Nebraska for his undergraduate education.

Gail received his master’s at the University of Montana while teaching in Torrington, WY, and earned his Ph.D. in physiology and microbiology at the University of Wyoming while teaching in Casper, WY. He taught nurses and premedical students at Casper College for 23 years before furthering his education and becoming a broker. Dr. Zimmerman was elected to the Wyoming House of Representatives in 1985, then to the Wyoming Senate in 1989. He served a total of 14 years in our State legislature.

In 1975, Lois passed away. Together they had four children: Rhonda, Mitchell, Michael, and Renee. Five years later, Gail married Anne Templeton, a surgeon with whom I worked. They spent 24 happy years until her passing in 2004.

Gail’s community involvement, philanthropic engagements, and hobby interests are extensive. He has been influential with the Casper Petroleum Club, Rocky Mountain Elk Foundation, National Rifle Association, Safari Club International, Polestar Outdoors, the Dallas Safari Club Wyoming Chapter, and the Wyoming Water Quality and Pollution Control Association. He also served as the Director of the Werner Wildlife Museum and Wyoming State Wastewater Training Center, Chairman

and CEO of the Wyoming Employee Resource Capital & Service, and Trustee of the John Templeton Foundation as well as the Zimmerman Family Foundation. He somehow finds time to attend collector car shows and Alaskan fishing trips. Gail is also a member of the Casper Rotary Club.

Gail and his wife Anne generously contributed their time and resources to Wyoming’s schools and spiritual growth. They promoted human rights and supported fellow Christians around the world. The Zimmerman Science Awards and Zimmerman Family Foundation helped countless Wyoming students and people in need to further their education. They provided a much needed lift to those seeking to unlock their true potential. Gail is a pillar of the Casper community. He exemplifies Christian values and is a testament to the Code of the West.

Madam President, it is with great honor that I recognize this outstanding member of our Wyoming community. My wife, Bobbi, joins me in extending our congratulations to Dr. Gail Zimmerman upon his selection for this special award.

ADDITIONAL STATEMENTS

CENTENNIAL OF JOHN BROWN
UNIVERSITY

• Mr. BOOZMAN. Madam President, today I wish to honor John Brown University’s centennial anniversary.

On September 29, 1919, John E. Brown, Sr., founded a school in Siloam Springs, AR, to educate young men and women of any means ready to dedicate themselves to a life of public service. Guided by one fundamental belief, “Christ over all,” education at JBU has never been merely academic. The school’s founder was committed to the holistic development of students and sought to form an institution that would serve as a place to learn, as well as a place to worship and work with emphasis placed equally on the head, heart and hands.

In its early days, JBU offered an associate’s degree program and consisted of three colleges: Siloam Springs School of the Bible, John E. Brown Vocational College, and John E. Brown College. Students were required to choose an academic major, attend classes half the day, and work the other half.

In 1934, JBU expanded into a 4-year university with degree programs in construction, engineering, agriculture, and education, along with a core of liberal arts and Bible classes. By 1962, it was nationally accredited. Since then, academic emphasis and growth have continued to flourish with the establishment of an honors program, a degree completion program, and a graduate school. JBU now has an enrollment of nearly 2,500 undergraduate and graduate students from 38 States and 53 foreign countries.

Although much has changed over the past 100 years, John Brown University remains committed to its spiritual identity and mission to educate students in the head, heart, and hand. I congratulate JBU for reaching this milestone and look forward to its next century of continued success.●

100TH ANNIVERSARY OF THE RENO + SPARKS CHAMBER OF COMMERCE

● Ms. CORTEZ MASTO. Madam President, I come forward today to recognize the 100th anniversary of the Reno + Sparks Chamber of Commerce. In 1890, the Reno Commercial Club and Reno Business League were born out of a need to enhance the city of Reno as a commercial center. In 1919, the two merged to form the Reno Chamber of Commerce, and in 1970, the chamber expanded to include the city of Sparks. In 2018, the Latino Chamber of Commerce merged with the Reno + Sparks Chamber of Commerce to provide wider representation for the community's diversity of businesses and people.

Today, the Reno + Sparks Chamber of Commerce is the largest business organization in northern Nevada with over 1,800 registered businesses that employ over 85,000 individuals in Washoe County. The Chamber has 42 ambassadors, as well as volunteers from a wide variety of industries who meet monthly to celebrate success stories and aid in event planning. The chamber also delivers more than 4 million annual leads and referrals through its online directory and offers free educational programs, training events, and countless opportunities for member connectivity. Through the Reno + Sparks Leadership Program, now in its 34th year with 1,100 alumni, the chamber cultivates leaders by providing opportunities to volunteer and support the community while immersing participants in the issues and challenges of the region. It also hosts elected officials and issues its public policy platform each State legislative session to advocate on behalf of free enterprise and a robust economy.

Since 1919, the Reno + Sparks Chamber of Commerce has advocated on behalf of all businesses, provided resources and support to its members, and connected its members with new customers and partners. The northern Nevada economic landscape is stronger and more diverse because of the Reno + Sparks Chamber of Commerce's many efforts to support local leaders and small businesses throughout the region.

Through booms and busts, the Reno + Sparks Chamber of Commerce has been a steadfast force in our community. From ribbon-cutting ceremonies to its long-running leadership program, the Reno + Sparks Chamber of Commerce has been a reliable and valuable resource for northern Nevadans. Its dedication to economic prosperity and communal inclusivity for northern Ne-

vada has stood for a century, and I am excited to see what they have in store for the next 100 years.●

TRIBUTE TO MARK DUFFIN

● Mr. CRAPO. Madam President, along with my colleagues Senator James Risch, Representative Mike Simpson, and Representative Russ Fulcher, I congratulate Mark Duffin on his retirement from the Idaho Sugarbeet Growers Association, after serving as the association's executive director for the past more than 28 years.

We have greatly valued Mark's insight and partnership on agricultural and related issues over the years. Mark has not only been an Idaho agricultural leader, but also a national agricultural leader, given the high profile of the sugarbeet industry and the crucial role Idaho plays in supplying the market. Mark has been a stalwart advocate for Idaho's sugarbeet growers and provided essential guidance on Federal policy matters impacting the industry, particularly trade, transportation and labor. From sharing the growers' perspective on multiple farm bill reauthorizations, international trade agreement negotiations, natural resource management, and much more. Mark has provided helpful perspective on Federal policy over the years. Throughout, his judicious, considerate, and experienced approach has been instrumental.

His understanding of the challenges of agricultural production and appreciation for those he represents is apparent in his thoughtful advocacy. Mark grew up on a farm in southeastern Idaho and farmed with his brother before leading the association. The majority of this Idaho congressional delegation had the honor of serving with him in the Idaho State Legislature, as Mark served in the legislature from 1984-1990. Mark also served as the Power County Farm Bureau president, president of Food Producers of Idaho, and president of the University of Idaho College of Agriculture's Agricultural Consulting Council.

We thank Mark for his assistance on behalf of Idahoans and the producers he has represented and wish him well on his retirement. We hope Mark enjoys his retirement, but should he find himself with some spare time, he can always find work driving trucks for his friends and neighbors in the Idaho sugarbeet industry.●

TRIBUTE TO JERI BARR

● Mr. ISAKSON. Madam President, today, I am honored to recognize in the RECORD Mrs. Jeri Barr of Marietta, GA, who announced earlier this year that she would step down from the Center for Family Resources and whose service to the community will soon be celebrated at a special event in her honor.

The Center for Family Resources provides service to families and individuals who are homeless or who are in

danger of becoming homeless. Through short-term housing, job-hunting help, food assistance, and other services, the organization accomplishes much for the community.

Jeri Barr has been at the helm of the Center for Family Resources in Cobb County, GA, for 35 years. Cobb is my home county, and I have been glad to watch this organization grow under her leadership.

When Jeri took over in 1984, the organization had a staff of 11 and a budget of \$350,000. Today, the Center for Family Resources owns and operates the Mansour Center, a \$10 million, 60,000-square-foot facility that offers space to other nonprofits and conference space for the public, allowing for additional revenue to benefit the center's mission. Now, there are 25 staff members, and the organization's budget is nearly \$3.5 million.

For many years, Jeri has given back to the community. She served the United Way, including as the director of their Volunteer Cobb service. She also led the East Cobb Newcomers Club, Cobb Christmas, Cobb County Rape Crisis Center, and Cobb County Community Council. Numerous other organizations have also benefitted from her work on their boards. Thanks to her leadership, each of these organizations has benefitted.

While she will be missed by the staff and all those involved with the Center for Family Resources, I am confident that she has prepared the organization well for the future. As Jeri and her husband, former U.S. Representative Bob Barr, prepare for this next exciting chapter, I congratulate them and wish them much happiness enjoying their children and grandchildren.●

REMEMBERING COLONEL GARY ALLEN JONES

● Mr. PERDUE. Madam President, sadly, the State of Georgia has said goodbye to one of its finest sons, COL (ret) Gary Allen Jones of Columbus.

Bonnie and I offer our deepest condolences to Gary's family, friends, and colleagues.

Gary served as a member of my Georgia strategic military advisory group, where he provided me and my staff with valuable insight, advice, and encouragement.

I first met Gary during a visit to Fort Benning in 2016, and I had the good pleasure of meeting him many times after that. I was always struck by Gary's warmth, his wisdom, and his stalwart dedication to service. No matter who you are, Gary treated you like a friend. He always went out of his way to help.

Gary was the epitome of a servant hero.

Like many brave Americans, Gary heeded the call of duty and entered the Armed Services. While in the Army, he received many prestigious awards, including the Silver Star, for his bravery and dedication to service. In 2018, Gary

was awarded the Fort Benning Commanding General's Award for Public Service.

Gary's dedication extended far beyond his time in the military. He was always a tireless advocate for his community, holding leadership positions in organizations like the Greater Columbus Chamber of Commerce, the Historic Chattahoochee River Club, and the Columbus Uptown Board, among many others. In addition, Gary was a leader in his local church.

The Columbus area and the entire State of Georgia have been made better thanks in large part to people like Gary.

As we mourn Gary's passing, we should recognize his incredible legacy. It is one of warmth, decency, service, and honor.●

MESSAGES FROM THE HOUSE

At 10:02 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate:

H.R. 1423. An act to amend title 9 of the United States Code with respect to arbitration.

ENROLLED BILL SIGNED

At 2:28 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

H.R. 1058. An act to amend the Public Health Service Act to enhance activities of the National Institutes of Health with respect to research on autism spectrum disorder and enhance programs relating to autism, and for other purposes.

The enrolled bill was subsequently signed by the President pro tempore (Mr. GRASSLEY).

MEASURES REFERRED

The following bill was read the first and the second times by unanimous consent, and referred as indicated:

H.R. 1423. An act to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with an amendment in the nature of a substitute:

S. 903. A bill to direct the Secretary of Energy to establish advanced nuclear goals, provide for a versatile, reactor-based fast neutron source, make available high-assay, low-enriched uranium for research, development, and demonstration of advanced nuclear reactor concepts, and for other purposes (Rept. No. 116-114).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. 1201. A bill to amend the fossil energy research and development provisions of the Energy Policy Act of 2005 to enhance fossil

fuel technology, and for other purposes (Rept. No. 116-115).

S. 1706. A bill to amend the National Energy Conservation Policy Act to encourage the increased use of performance contracting in Federal facilities, and for other purposes (Rept. No. 116-116).

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. ALEXANDER for the Committee on Health, Education, Labor, and Pensions.

*Eugene Scallia, of Virginia, to be Secretary of Labor.

*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.

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. CARDIN:

S. 2531. A bill to require the Attorney General to make competitive grants to State, tribal, and local governments to establish and maintain witness protection and assistance programs; to the Committee on the Judiciary.

By Mr. GARDNER:

S. 2532. A bill to require the Federal Trade Commission to promulgate regulations requiring manufacturers to give notice to consumers as to whether internet-connected devices contain cameras or microphones; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI:

S. 2533. A bill to amend the Alaska Native Claims Settlement Act to exclude certain payments to Alaska Native elders for determining eligibility for certain programs, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MURKOWSKI:

S. 2534. A bill to amend the Alaska Native Claims Settlement Act to exclude certain payments to Alaska Native elders for determining eligibility for certain programs, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. KLOBUCHAR (for herself and Mr. SCOTT of South Carolina):

S. 2535. A bill to require the Secretary of Commerce to conduct an assessment and analysis relating to the decline in the business formation rate in the United States; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Ms. MURKOWSKI, Mr. DURBIN, Mr. BLUMENTHAL, and Mrs. SHAHEEN):

S. 2536. A bill to establish standards for the design of electronic nicotine delivery systems; to the Committee on Health, Education, Labor, and Pensions.

By Mr. MENENDEZ:

S. 2537. A bill to ensure that recent actions involving Ukraine are not withheld from Congress and the people of the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. PAUL:

S. 2538. A bill to amend title XI of the Social Security Act to repeal the requirement

for unique health identifiers; to the Committee on Finance.

By Mr. RUBIO (for himself, Mr. CARDIN, Mr. GRAHAM, Mrs. FEINSTEIN, Mr. COTTON, and Mr. MARKEY):

S. 2539. A bill to modify and reauthorize the Tibetan Policy Act of 2002, and for other purposes; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself and Mr. LEAHY):

S. 2540. A bill to reauthorize the EB-5 Regional Center Program in order to prevent fraud and promote and reform foreign capital investment and job creation in American communities; to the Committee on the Judiciary.

By Ms. MURKOWSKI (for herself, Mr. UDALL, Mr. SULLIVAN, Ms. BALDWIN, Mr. HEINRICH, Ms. CORTEZ MASTO, Ms. ROSEN, Mr. WYDEN, Mr. MERKLEY, Ms. SMITH, Mr. TESTER, Ms. WARREN, and Mr. SCHATZ):

S. 2541. A bill to amend the Indian Health Care Improvement Act to authorize advance appropriations for the Indian Health Service by providing 2-fiscal-year budget authority, and for other purposes; to the Committee on Indian Affairs.

By Mr. BROWN (for himself and Mr. ROBERTS):

S. 2542. A bill to amend the Internal Revenue Code of 1986 to make qualified biogas property and qualified manure resource recovery property eligible for the energy credit and to permit renewable energy bonds to finance qualified biogas property, and for other purposes; to the Committee on Finance.

By Mr. PAUL:

S.J. Res. 55. A joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Acting Secretary of Homeland Security relating to "Immigrant Investor Program Modernization"; to the Committee on the Judiciary.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. GARDNER (for himself and Mr. BENNET):

S. Res. 324. A resolution designating September 29, 2019, as "National Urban Wildlife Refuge Day"; to the Committee on the Judiciary.

By Mr. SCHUMER:

S. Res. 325. A resolution expressing the sense of the Senate that the whistleblower complaint received on August 12, 2019, by the Inspector General of the Intelligence Community should be transmitted immediately to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives; considered and agreed to.

By Mr. COONS (for himself, Mr. CASIDY, Mr. JONES, Mr. MARKEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. CARPER, Mr. BOOZMAN, Mr. CASEY, Mr. CARDIN, Mr. WICKER, Ms. COLLINS, Mr. BROWN, Mrs. SHAHEEN, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. REED, Mr. KING, Mr. MANCHIN, Mr. BOOKER, Ms. BALDWIN, Mr. HEINRICH, Mr. SANDERS, Mr. TESTER, Mr. KAINE, Ms. HASSAN, Mr. PETERS, Mr. BENNET, Mr. BLUMENTHAL, Ms. HARRIS, Ms. HIRONO, and Ms. SMITH):

S. Res. 326. A resolution recognizing the 25th anniversary of AmeriCorps; considered and agreed to.

By Ms. COLLINS (for herself, Mr. CASEY, Mr. SCOTT of South Carolina, Mrs. GILLIBRAND, Ms. MCSALLY, Mr. BLUMENTHAL, Mr. HAWLEY, Ms. WARREN, Mr. BRAUN, Mr. JONES, Mr. SCOTT of Florida, Ms. SINEMA, and Ms. ROSEN):

S. Res. 327. A resolution designating September 23, 2019, as "National Falls Prevention Awareness Day" to raise awareness and encourage the prevention of falls among older adults; considered and agreed to.

By Ms. DUCKWORTH (for herself, Mr. DURBIN, and Mr. MENENDEZ):

S. Res. 328. A resolution honoring the life, legacy, and achievements of Marca Bristo; considered and agreed to.

By Mr. RUBIO (for himself and Ms. BALDWIN):

S. Res. 329. A resolution designating September 2019 as "National Spinal Cord Injury Awareness Month"; considered and agreed to.

ADDITIONAL COSPONSORS

S. 61

At the request of Mr. GRASSLEY, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 61, a bill to amend the Federal Food, Drug, and Cosmetic Act to allow for the personal importation of safe and affordable drugs from approved pharmacies in Canada.

S. 120

At the request of Ms. KLOBUCHAR, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 120, a bill to protect victims of stalking from gun violence.

S. 183

At the request of Mr. LANKFORD, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 183, a bill to amend the Public Health Service Act to prohibit governmental discrimination against providers of health services that are not involved in abortion.

S. 427

At the request of Mr. MENENDEZ, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 427, a bill to amend the Public Health Service Act to enhance activities of the National Institutes of Health with respect to research on autism spectrum disorder and enhance programs relating to autism, and for other purposes.

S. 433

At the request of Ms. COLLINS, the name of the Senator from Minnesota (Ms. KLOBUCHAR) 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. 479

At the request of Mr. TOOMEY, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 479, a bill to revise section 48 of title 18, United States Code, and for other purposes.

S. 500

At the request of Mr. WARNER, the name of the Senator from Hawaii (Mr.

SCHATZ) was added as a cosponsor of S. 500, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 541

At the request of Mr. WARNER, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from Delaware (Mr. COONS) were added as cosponsors of S. 541, a bill to require the Secretary of Labor to establish a pilot program for providing portable benefits to eligible workers, and for other purposes.

S. 596

At the request of Mr. BARRASSO, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 596, a bill to amend title XVIII of the Social Security Act to provide for direct payment to physician assistants under the Medicare program for certain services furnished by such physician assistants.

S. 638

At the request of Mr. CARPER, the names of the Senator from Montana (Mr. TESTER), the Senator from Virginia (Mr. WARNER) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 638, a bill to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, Liability Act of 1980, and for other purposes.

S. 640

At the request of Mr. KENNEDY, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 640, a bill to amend title XVIII of the Social Security Act to require pharmacy-negotiated price concessions to be included in negotiated prices at the point-of-sale under part D of the Medicare program, and for other purposes.

S. 743

At the request of Mr. ISAKSON, the names of the Senator from North Dakota (Mr. CRAMER), the Senator from Texas (Mr. CORNYN), the Senator from North Dakota (Mr. HOEVEN), the Senator from Pennsylvania (Mr. TOOMEY), the Senator from Iowa (Mr. GRASSLEY), the Senator from New York (Mrs. GILLIBRAND) and the Senator from Kentucky (Mr. PAUL) were added as cosponsors of S. 743, a bill to award a Congressional Gold Medal to the soldiers of the 5307th Composite Unit (Provisional), commonly known as "Merrill's Marauders", in recognition of their bravery and outstanding service in the jungles of Burma during World War II.

S. 775

At the request of Mr. SCHATZ, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 775, a bill to amend the America COM-

PETES Act to require certain agencies to develop scientific integrity policies, and for other purposes.

S. 778

At the request of Ms. MURKOWSKI, the names of the Senator from Massachusetts (Mr. MARKEY) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 778, a bill to direct the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to conduct coastal community vulnerability assessments related to ocean acidification, and for other purposes.

S. 785

At the request of Mr. TESTER, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 785, a bill to improve mental health care provided by the Department of Veterans Affairs, and for other purposes.

S. 894

At the request of Mr. DURBIN, the names of the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 894, a bill to authorize dedicated domestic terrorism offices within the Department of Homeland Security, the Department of Justice, and the Federal Bureau of Investigation to analyze and monitor domestic terrorist activity and require the Federal Government to take steps to prevent domestic terrorism.

S. 897

At the request of Mr. GRASSLEY, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 897, a bill to amend title 11, United States Code, with respect to the definition of "family farmer".

S. 970

At the request of Mr. TESTER, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 970, a bill to amend the Public Health Service Act to provide for the participation of physical therapists in the National Health Service Corps Loan Repayment Program, and for other purposes.

S. 982

At the request of Ms. CORTEZ MASTO, the names of the Senator from Montana (Mr. DAINES) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 982, a bill to increase intergovernmental coordination to identify and combat violent crime within Indian lands and of Indians.

S. 1032

At the request of Mr. PORTMAN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1032, a bill to amend the Internal Revenue Code of 1986 to modify the definition of income for purposes of determining the tax-exempt status of certain corporations.

S. 1037

At the request of Mr. BARRASSO, the name of the Senator from Arkansas

(Mr. BOOZMAN) was added as a cosponsor of S. 1037, a bill to amend title XVIII of the Social Security Act to modernize provisions relating to rural health clinics under Medicare.

S. 1067

At the request of Mrs. GILLIBRAND, her name was added as a cosponsor of S. 1067, a bill to provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific, technical, engineering, and mathematics workforce and to examine policies to reduce the prevalence and negative impact of such harassment, and for other purposes.

S. 1168

At the request of Mr. BLUNT, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. 1168, a bill to amend the Higher Education Act of 1965 to ensure campus access at public institutions of higher education for religious groups.

S. 1188

At the request of Mr. CARDIN, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 1188, a bill to promote United States-Mongolia trade by authorizing duty-free treatment for certain imports from Mongolia, and for other purposes.

S. 1190

At the request of Mrs. CAPITO, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 1190, a bill to amend title XVIII of the Social Security Act to provide for payments for certain rural health clinic and Federally qualified health center services furnished to hospice patients under the Medicare program.

S. 1198

At the request of Mr. DURBIN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1198, a bill to ensure that significantly more students graduate college with the international knowledge and experience essential for success in today's global economy through the establishment of the Senator Paul Simon Study Abroad Program in the Department of Education.

S. 1218

At the request of Mr. VAN HOLLEN, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 1218, a bill to require the review of the service of certain members of the Armed Forces during World War I to determine if such members should be awarded the Medal of Honor, to authorize the award of the Medal of Honor based on the results of the review, and for other purposes.

S. 1263

At the request of Ms. CORTEZ MASTO, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 1263, a bill to re-

quire the Secretary of Veterans Affairs to establish an interagency task force on the use of public lands to provide medical treatment and therapy to veterans through outdoor recreation.

S. 1368

At the request of Mr. BURR, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 1368, a bill to provide for the recognition of the Lumbee Tribe of North Carolina, and for other purposes.

S. 1541

At the request of Mr. MCCONNELL, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 1541, a bill to increase the minimum age for sale of tobacco products to 21.

S. 1590

At the request of Mr. MERKLEY, the names of the Senator from Maryland (Mr. CARDIN), the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. 1590, a bill to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

S. 1618

At the request of Mr. SCHATZ, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 1618, a bill to amend the Public Health Service Act to expand the capacity to improve health outcomes and increase access to specialized care.

S. 1627

At the request of Mrs. CAPITO, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1627, a bill to amend the Internal Revenue Code of 1986 to extend and modify the section 45 credit for refined coal from steel industry fuel, and for other purposes.

S. 1838

At the request of Mr. RUBIO, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Utah (Mr. ROMNEY) were added as cosponsors of S. 1838, a bill to amend the Hong Kong Policy Act of 1992, and for other purposes.

S. 1841

At the request of Mr. COONS, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 1841, a bill to amend the Internal Revenue Code of 1986 to extend the publicly traded partnership ownership structure to energy power generation projects and transportation fuels, and for other purposes.

S. 1918

At the request of Mr. BOOZMAN, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1918, a bill to amend the Richard B. Russell National School Lunch Act to require alternative options for summer food service program delivery.

S. 1954

At the request of Mr. SCOTT of South Carolina, the name of the Senator from

Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1954, a bill to require the Secretary of the Treasury to mint commemorative coins in recognition of the 75th anniversary of the integration of baseball.

S. 2179

At the request of Mr. CARDIN, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2179, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 2203

At the request of Mr. BLUNT, the names of the Senator from Maryland (Mr. CARDIN) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 2203, a bill to extend the transfer of Electronic Travel Authorization System fees from the Travel Promotion Fund to the Corporation for Travel Promotion (Brand USA) through fiscal year 2027, and for other purposes.

S. 2322

At the request of Ms. COLLINS, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 2322, a bill to amend the Animal Welfare Act to allow for the retirement of certain animals used in Federal research.

S. 2417

At the request of Mr. KENNEDY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 2417, a bill to provide for payment of proceeds from savings bonds to a State with title to such bonds pursuant to the judgment of a court.

S. 2427

At the request of Ms. CORTEZ MASTO, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 2427, a bill to amend title 31, United States Code, to require the Secretary of the Treasury to mint and issue quarter dollars in commemoration of the 19th Amendment to the Constitution of the United States, and for other purposes.

S. 2461

At the request of Mr. MARKEY, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 2461, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. 2487

At the request of Ms. ERNST, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 2487, a bill to improve the effectiveness and efficiency and reduce the cost of the supply chain and inventory management of the Department of Defense by consolidating unnecessary and unneeded storage centers.

S. CON. RES. 9

At the request of Mr. ROBERTS, the name of the Senator from Michigan

(Mr. PETERS) was added as a cosponsor of S. Con. Res. 9, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 318

At the request of Mr. RISCH, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. Res. 318, a resolution to support the Global Fund to fight AIDS, Tuberculosis and Malaria, and the Sixth Replenishment.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 324—DESIGNATING SEPTEMBER 29, 2019, AS “NATIONAL URBAN WILDLIFE REFUGE DAY”

Mr. GARDNER (for himself and Mr. BENNET) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 324

Whereas over 80 percent of people in the United States live in or near cities, which typically have limited opportunities for residents to access nature and experience outdoor recreation;

Whereas the National Wildlife Refuge System under the United States Fish and Wildlife Service manages 567 national wildlife refuges that constitute a national network of land and water managed for the conservation of fish, wildlife, and plants in the United States;

Whereas national wildlife refuges provide opportunities for people to discover and appreciate nature;

Whereas there is a refuge located within a 1-hour drive of every metropolitan area in the United States;

Whereas the Urban Wildlife Conservation Program under the United States Fish and Wildlife Service—

(1) focuses on introducing people living in densely populated areas to the more than 100 national wildlife refuges near urban areas; and

(2) promotes wildlife conservation and the enjoyment of hunting, fishing, and other wildlife-dependent recreational activities close to where people live;

Whereas the Urban Wildlife Conservation Program focuses on public-private partnerships—

(1) to improve wildlife conservation; and
(2) to promote access to recreation on and off national wildlife refuges, including recreational activities such as hunting and fishing; and

Whereas by exploring community-centered approaches to address local needs, engaging the next generation of anglers and hunters, and providing infrastructure and safe access, the Urban Wildlife Conservation Program helps local organizations, cities, and towns across the United States engage in conservation activities: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 29, 2019, as “National Urban Wildlife Refuge Day”;

(2) encourages the United States Fish and Wildlife Service to increase access to outdoor recreational opportunities for urban communities; and

(3) encourages the people of the United States to visit and experience the more than

100 urban national wildlife refuges of the United States.

SENATE RESOLUTION 325—EXPRESSING THE SENSE OF THE SENATE THAT THE WHISTLEBLOWER COMPLAINT RECEIVED ON AUGUST 12, 2019, BY THE INSPECTOR GENERAL OF THE INTELLIGENCE COMMUNITY SHOULD BE TRANSMITTED IMMEDIATELY TO THE SELECT COMMITTEE ON INTELLIGENCE OF THE SENATE AND THE PERMANENT SELECT COMMITTEE ON INTELLIGENCE OF THE HOUSE OF REPRESENTATIVES

Mr. SCHUMER submitted the following resolution; which was considered and agreed to:

S. RES. 325

Resolved, That—

(1) the whistleblower complaint received on August 12, 2019, by the Inspector General of the Intelligence Community shall be transmitted immediately to the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives; and

(2) the Select Committee on Intelligence of the Senate and the Permanent Select Committee on Intelligence of the House of Representatives should be allowed to evaluate the complaint in a deliberate and bipartisan manner consistent with applicable statutes and processes in order to safeguard classified and sensitive information.

SENATE RESOLUTION 326—RECOGNIZING THE 25TH ANNIVERSARY OF AMERICORPS

Mr. COONS (for himself, Mr. CASSIDY, Mr. JONES, Mr. MARKEY, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. CARPER, Mr. BOOZMAN, Mr. CASEY, Mr. CARDIN, Mr. WICKER, Ms. COLLINS, Mr. BROWN, Mrs. SHAHEEN, Mr. VAN HOLLEN, Ms. DUCKWORTH, Mr. REED, Mr. KING, Mr. MANCHIN, Mr. BOOKER, Ms. BALDWIN, Mr. HEINRICH, Mr. SANDERS, Mr. TESTER, Mr. KAINE, Ms. HASSAN, Mr. PETERS, Mr. BENNET, Mr. BLUMENTHAL, Ms. HARRIS, Ms. HIRONO, and Ms. SMITH) submitted the following resolution; which was considered and agreed to:

S. RES. 326

Whereas the spirit of service has defined the United States and strengthened the bonds of community for nearly 250 years;

Whereas September 12, 2019, will mark the 25th anniversary of the first class of AmeriCorps members, who pledged to “get things done”;

Whereas, since 1994, more than 1,100,000 individuals of all ages and backgrounds have joined AmeriCorps, serving more than 1,500,000 hours and improving the lives of countless people in the United States;

Whereas AmeriCorps members address the most pressing challenges facing the United States by educating students for jobs of the 21st century, expanding economic opportunity, addressing the needs of military families and a generation of veterans returning from war, helping communities rebuild after natural disasters, supporting communities combatting the opioid epidemic, and preserving the parks and public lands of the United States;

Whereas approximately 75,000 AmeriCorps members serve each year in more than 21,000 locations nationwide and, along with more than 200,000 Senior Corps volunteers serving in more than 23,000 locations, bolster the civic, neighborhood, and faith-based organizations that are so vital to the well-being of the United States;

Whereas AmeriCorps expands opportunities for AmeriCorps members by providing experience, career skills, and support for higher education, and, since 1994, AmeriCorps members have earned more than \$3,700,000,000 in Segal AmeriCorps Education Awards to repay qualified student loans or pay for other higher education expenses;

Whereas AmeriCorps is a model public-private partnership that generates hundreds of millions of dollars of nongovernmental resources each year to strengthen community impact and increase return on taxpayer dollars;

Whereas AmeriCorps, working hand-in-hand with its network of Governor-appointed State service commissions, has developed an efficient and effective structure for engaging individuals in results-driven service that is poised for further growth and success in the future;

Whereas AmeriCorps was built upon decades-old legacies of citizen service established by the Peace Corps, the Civilian Conservation Corps, the Volunteers in Service to America (VISTA) program, the Senior Companion Program, the Foster Grandparent Program, and the Retired and Senior Volunteer Program (RSVP);

Whereas national service programs create understanding that unites citizens and bridges gaps across races, generations, social classes, and geographic boundaries;

Whereas national service brings tangible benefits to the communities being served as well as to individuals providing the service, including improved health, expanded economic opportunity, and increased civic participation;

Whereas AmeriCorps members and Senior Corps volunteers demonstrate commitment, dedication, and patriotism by making an intensive commitment to service and, after their terms of service, remain engaged in our communities as volunteers, public servants, and civic leaders at disproportionately high rates; and

Whereas the Corporation for National and Community Service has led efforts to improve lives, strengthen communities, and foster civic engagement through service and volunteering in the United States for the last quarter century: Now, therefore, be it

Resolved, That the Senate—

(1) acknowledges the significant impact and value of AmeriCorps members, alumni, and community partners over the past 25 years;

(2) recognizes the legacy of service of Senior Corps volunteers and all of the national service members in the United States; and

(3) encourages citizens of all ages to find ways to give back to their communities and the United States through AmeriCorps and Senior Corps programs.

SENATE RESOLUTION 327—DESIGNATING SEPTEMBER 23, 2019, AS “NATIONAL FALLS PREVENTION AWARENESS DAY” TO RAISE AWARENESS AND ENCOURAGE THE PREVENTION OF FALLS AMONG OLDER ADULTS

Ms. COLLINS (for herself, Mr. CASEY, Mr. SCOTT of South Carolina, Mrs. GILLIBRAND, Ms. MCSALLY, Mr.

BLUMENTHAL, Mr. HAWLEY, Ms. WARREN, Mr. BRAUN, Mr. JONES, Mr. SCOTT of Florida, Ms. SINEMA, and Ms. ROSEN) submitted the following resolution; which was considered and agreed to:

S. RES. 327

Whereas individuals who are 65 years of age or older (referred to in this preamble as “older adults”) are the fastest growing segment of the population in the United States, and the number of older adults in the United States will increase from approximately 52,000,000 in 2018 to an estimated 95,000,000 by 2060;

Whereas approximately 30 percent of older adults in the United States fall each year, with each 5-year increment in age increasing the risk of falls;

Whereas falls are the leading cause of both fatal and nonfatal injuries among older adults;

Whereas, in 2018, approximately 3,000,000 older adults were treated in hospital emergency departments for fall-related injuries, and nearly 870,000 of those older adults were subsequently hospitalized;

Whereas, in 2017, more than 31,000 older adults died from injuries related to unintentional falls, and the death rate from falls of older adults in the United States is expected to continue to sharply rise to more than 100,000 per year by 2030;

Whereas, in 2015, the total direct medical cost of fall-related injuries for older adults, adjusted for inflation, was approximately \$50,000,000,000;

Whereas, if the rate of increase in falls is not slowed, the annual cost of fall injuries will surpass \$100,000,000,000 by 2030; and

Whereas evidence-based programs reduce falls by utilizing cost-effective strategies, such as exercise programs to improve balance and strength, medication management, vision improvement, reduction of home hazards, and fall prevention education: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 23, 2019, as “National Falls Prevention Awareness Day”;

(2) recognizes that there are proven, cost-effective falls prevention programs and policies;

(3) commends the 72 member organizations of the Falls Free Coalition and the falls prevention coalitions in 43 States and the District of Columbia for their efforts to work together to increase education and awareness about preventing falls among older adults;

(4) encourages businesses, individuals, Federal, State, and local governments, the public health community, and health care providers to work together to raise awareness of falls in an effort to reduce the incidence of falls among older adults in the United States;

(5) recognizes the Centers for Disease Control and Prevention for its work developing and evaluating interventions for all members of health care teams to make falls prevention a routine part of clinical care;

(6) recognizes the Administration for Community Living for its work to promote access to evidence-based programs and services in communities across the United States;

(7) encourages State health departments and State units on aging, which provide significant leadership in reducing injuries and related health care costs by collaborating with organizations and individuals, to reduce falls among older adults; and

(8) encourages experts in the field of falls prevention to share their best practices so that their success can be replicated by others.

SENATE RESOLUTION 328—HONORING THE LIFE, LEGACY, AND ACHIEVEMENTS OF MARCA BRISTO

Ms. DUCKWORTH (for herself, Mr. DURBIN, and Mr. MENENDEZ) submitted the following resolution; which was considered and agreed to:

S. RES. 328

Whereas Marca Bristo was born on June 23, 1953, in Albany, New York, and earned a bachelor's degree in sociology from Beloit College in Beloit, Wisconsin, and a bachelor's degree in nursing from Rush University in Chicago, Illinois;

Whereas Marca Bristo became paralyzed from the chest down after a diving accident at age 23;

Whereas Marca Bristo founded Access Living, one of the leading disability rights and service organizations in the United States, in 1980, and advised and mentored disability, political, civic, and business leaders in Chicago, in the State of Illinois, and across the United States for almost four decades while growing the global influence of Access Living as a model for disability-led advocacy and peer support;

Whereas Marca Bristo co-founded the National Council on Independent Living in 1983;

Whereas Marca Bristo played a critical role in the passage of the Civil Rights Restoration Act of 1987 (Public Law 100-259; 102 Stat. 28), the Fair Housing Amendments Act of 1988 (Public Law 100-430; 102 Stat. 1619), the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), and the ADA Amendments Act of 2008 (Public Law 110-325; 122 Stat. 3553);

Whereas Marca Bristo received the Distinguished Service Award of the President of the United States in 1992;

Whereas, in 1994, President Bill Clinton appointed Marca Bristo to serve as chairperson on the National Council on Disability, making Bristo the first person with a disability to serve in that role, which she held until 2002;

Whereas Marca Bristo—

(1) served as Vice President of North America for Rehabilitation International;

(2) participated in the negotiation sessions for the Convention on the Rights of Persons with Disabilities, which the United Nations adopted in 2006; and

(3) worked tirelessly in 2012 and 2014 for ratification of the Convention on the Rights of Persons with Disabilities; and

Whereas Marca Bristo dedicated her life to the principle that all people with disabilities deserve social inclusion and the right to determine their own life choices: Now, therefore, be it

Resolved, That the Senate honors the life, legacy, and achievements of Marca Bristo, one of the leading advocates in the United States for people with disabilities.

SENATE RESOLUTION 329—DESIGNATING SEPTEMBER 2019 AS “NATIONAL SPINAL CORD INJURY AWARENESS MONTH”

Mr. RUBIO (for himself and Ms. BALDWIN) submitted the following resolution; which was considered and agreed to:

S. RES. 329

Whereas more than 291,000 individuals in the United States live with spinal cord injuries, which cost society billions of dollars in health care costs and lost wages;

Whereas there are approximately 17,730 new spinal cord injuries in the United States each year;

Whereas more than 42,000 individuals with spinal cord injuries are veterans;

Whereas motor vehicle accidents are the leading cause of spinal cord injuries;

Whereas more than half of all spinal cord injuries to individuals 30 years of age or younger occur as a result of motor vehicle accidents;

Whereas the average remaining years of life for individuals living with spinal cord injuries has not improved significantly since the 1980s;

Whereas there is an urgent need to develop new neuroprotection, pharmacological, and regeneration treatments to reduce, prevent, and reverse paralysis; and

Whereas increased education and investment in research are key factors in improving outcomes for individuals living with spinal cord injuries, enhancing the quality of life of individuals with spinal cord injuries, and ultimately curing paralysis: Now, therefore, be it

Resolved, That the Senate—

(1) designates September 2019 as “National Spinal Cord Injury Awareness Month”;

(2) supports the goals and ideals of National Spinal Cord Injury Awareness Month;

(3) continues to support research to find better treatments, therapies, and a cure for spinal cord injuries;

(4) supports clinical trials for new therapies that offer promise and hope to individuals living with paralysis; and

(5) commends the dedication of national, regional, and local organizations, researchers, doctors, volunteers, and people across the United States who are working to improve the quality of life of individuals living with spinal cord injuries and their families.

AMENDMENTS SUBMITTED AND PROPOSED

SA 941. Mr. MCCONNELL (for Ms. HASSAN (for herself, Mr. PORTMAN, and Mr. PETERS)) proposed an amendment to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes.

TEXT OF AMENDMENTS

SA 941. Mr. MCCONNELL (for Ms. HASSAN (for herself, Mr. PORTMAN, and Mr. PETERS)) proposed an amendment to the bill H.R. 1158, to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “DHS Cyber Hunt and Incident Response Teams Act of 2019”.

SEC. 2. DEPARTMENT OF HOMELAND SECURITY CYBER HUNT AND INCIDENT RESPONSE TEAMS.

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659) is amended—

(1) in subsection (d)(1)(B)(iv), by inserting “, including cybersecurity specialists” after “entities”;

(2) by redesignating subsections (f) through (m) as subsections (g) through (n), respectively;

(3) by inserting after subsection (e) the following:

“(f) CYBER HUNT AND INCIDENT RESPONSE TEAMS.—

“(1) IN GENERAL.—The Center shall maintain cyber hunt and incident response teams for the purpose of leading Federal asset response activities and providing timely technical assistance to Federal and non-Federal

entities, including across all critical infrastructure sectors, regarding actual or potential security incidents, as appropriate and upon request, including—

“(A) assistance to asset owners and operators in restoring services following a cyber incident;

“(B) identification and analysis of cybersecurity risk and unauthorized cyber activity;

“(C) mitigation strategies to prevent, deter, and protect against cybersecurity risks;

“(D) recommendations to asset owners and operators for improving overall network and control systems security to lower cybersecurity risks, and other recommendations, as appropriate; and

“(E) such other capabilities as the Secretary determines appropriate.

“(2) ASSOCIATED METRICS.—The Center shall—

“(A) define the goals and desired outcomes for each cyber hunt and incident response team; and

“(B) develop metrics—

“(i) to measure the effectiveness and efficiency of each cyber hunt and incident response team in achieving the goals and desired outcomes defined under subparagraph (A); and

“(ii) that—

“(I) are quantifiable and actionable; and

“(II) the Center shall use to improve the effectiveness and accountability of, and service delivery by, cyber hunt and incident response teams.

“(3) CYBERSECURITY SPECIALISTS.—After notice to, and with the approval of, the entity requesting action by or technical assistance from the Center, the Secretary may include cybersecurity specialists from the private sector on a cyber hunt and incident response team.”; and

(4) in subsection (g), as so redesignated—

(A) in paragraph (1), by inserting “, or any team or activity of the Center,” after “Center”; and

(B) in paragraph (2), by inserting “, or any team or activity of the Center,” after “Center”.

(b) REPORT.—

(1) DEFINITIONS.—In this subsection—

(A) the term “Center” means the national cybersecurity and communications integration center established under section 2209(b) of the Homeland Security Act of 2002 (6 U.S.C. 659(b));

(B) the term “cyber hunt and incident response team” means a cyber hunt and incident response team maintained under section 2209(f) of the Homeland Security Act of 2002 (6 U.S.C. 659(f)), as added by this Act; and

(C) the term “incident” has the meaning given the term in section 2209(a) of the Homeland Security Act of 2002 (6 U.S.C. 659(a)).

(2) REPORT.—At the conclusion of each of the first 4 fiscal years after the date of enactment of the DHS Cyber Hunt and Incident Response Teams Act of 2019, the Center shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report that includes—

(A) information relating to the metrics used for evaluation and assessment of the cyber hunt and incident response teams and operations under section 2209(f)(2) of the Homeland Security Act of 2002 (6 U.S.C. 659(f)(2)), as added by this Act, including the resources and staffing of those cyber hunt and incident response teams; and

(B) for the period covered by the report—

(i) the total number of incident response requests received;

(ii) the number of incident response tickets opened; and

(iii) a statement of—

(I) all interagency staffing of cyber hunt and incident response teams; and

(II) the interagency collaborations established to support cyber hunt and incident response teams.

(c) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized to be appropriated.

NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator RON WYDEN, intend to object to proceeding to S. 1273, a bill to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes, dated September 24, 2019 for the reasons as stated in the RECORD.

OBJECTION TO THE COPYRIGHT ALTERNATIVE IN SMALL-CLAIMS ENFORCEMENT (CASE) ACT OF 2019

Mr. WYDEN. Mr. President, our laws and rules don't work unless they work for everyone. Individuals and small businesses should have the same rights—and the same ability to enforce those rights—as big corporations. I agree that individual creators are less likely than Disney or Sony to reap the full benefits of the copyright system when their creations are stolen for unfair commercial gain. That is a problem. However, the Copyright Alternative in Small-Claims Enforcement Act (CASE Act) of 2019 is not the right solution.

The CASE Act would create an extrajudicial, virtually unappealable tribunal that could impose statutory damages of \$30,000 on an individual who posts a couple of memes on social media, even if the claimant sustained little or no economic harm. Even the threat of such a judgment could stifle the legitimate fair use of content and be a boon to copyright trolls who harass and threaten innocent internet users to win settlements. That is a terrible result for freedom of expression, and it isn't even the type of activity the supporters of this bill are trying to target.

Our copyright system is a careful balance between protecting our First Amendment values and ensuring that authors, photographers, graphic designers, and other creators can protect their works and earn a living. The CASE Act does not get the balance right, and that is why I am placing a hold on this bill.

For these reasons, I will object to any unanimous consent agreement to take up or pass the CASE Act by unanimous consent.

AUTHORITY FOR COMMITTEES TO MEET

Ms. MURKOWSKI. Mr. President, I have 5 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 HEALTH, EDUCATION, LABOR,
AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, September 24, 2019, at 10 a.m., to conduct a hearing on the nomination of Eugene Scalia, of Virginia, to be Secretary of Labor.

COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Tuesday, September 24, 2019, at 2:30 p.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, September 24, 2019, at 2:30 p.m., to conduct a closed briefing.

SUBCOMMITTEE ON AVIATION AND SPACE

The Subcommittee on Aviation and Space of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, September 24, 2019, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON ANTITRUST, COMPETITION
POLICY AND CONSUMER RIGHTS

The Subcommittee on Antitrust, Competition Policy and Consumer Rights of the Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, September 24, 2019, at 2:30 p.m., to conduct a hearing.

ORDER OF BUSINESS

Mr. McCONNELL. Madam President, I ask unanimous consent that at 10:30 a.m. on Wednesday, September 25, S.J. Res. 54 be discharged from the Committee on Armed Services and that the Senate proceed to its immediate consideration. Further, I ask that the time until 12:15 p.m. be equally divided between the leaders or their designees on the joint resolution and that following the use or yielding back of that time, the joint resolution be read a third time and the Senate vote on the resolution. Finally, I ask unanimous consent that following the disposition of the joint resolution, the Senate proceed to the consideration of resolutions to instruct conferees to be submitted pursuant to the order of September 18, 2019; that they be made pending and reported by number with concurrent consideration until 3:45 p.m., equally divided between the leaders or their designees; and that at 3:45 p.m., the Senate vote on the resolutions in the order listed, with 2 minutes of debate equally divided prior to the votes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TERRORIST AND FOREIGN FIGHTER TRAVEL EXERCISE ACT OF 2019

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 109, H.R. 1590.

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

The bill clerk read as follows:

A bill (H.R. 1590) to require an exercise related to terrorist and foreign fighter travel, and for other purposes.

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

Mr. McCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1590) was ordered to a third reading, was read the third time, and passed.

DHS CYBER INCIDENT RESPONSE TEAMS ACT OF 2019

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 113, H.R. 1158.

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

The bill clerk read as follows:

A bill (H.R. 1158) to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes.

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

Mr. McCONNELL. I ask unanimous consent that the Hassan substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 941) in the nature of a substitute was agreed to, as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “DHS Cyber Hunt and Incident Response Teams Act of 2019”.

SEC. 2. DEPARTMENT OF HOMELAND SECURITY CYBER HUNT AND INCIDENT RESPONSE TEAMS.

(a) IN GENERAL.—Section 2209 of the Homeland Security Act of 2002 (6 U.S.C. 659) is amended—

(1) in subsection (d)(1)(B)(iv), by inserting “, including cybersecurity specialists” after “entities”;

(2) by redesignating subsections (f) through (m) as subsections (g) through (n), respectively;

(3) by inserting after subsection (e) the following:

“(f) CYBER HUNT AND INCIDENT RESPONSE TEAMS.—

“(1) IN GENERAL.—The Center shall maintain cyber hunt and incident response teams for the purpose of leading Federal asset response activities and providing timely technical assistance to Federal and non-Federal entities, including across all critical infrastructure sectors, regarding actual or potential security incidents, as appropriate and upon request, including—

“(A) assistance to asset owners and operators in restoring services following a cyber incident;

“(B) identification and analysis of cybersecurity risk and unauthorized cyber activity;

“(C) mitigation strategies to prevent, deter, and protect against cybersecurity risks;

“(D) recommendations to asset owners and operators for improving overall network and control systems security to lower cybersecurity risks, and other recommendations, as appropriate; and

“(E) such other capabilities as the Secretary determines appropriate.

“(2) ASSOCIATED METRICS.—The Center shall—

“(A) define the goals and desired outcomes for each cyber hunt and incident response team; and

“(B) develop metrics—

“(i) to measure the effectiveness and efficiency of each cyber hunt and incident response team in achieving the goals and desired outcomes defined under subparagraph (A); and

“(ii) that—

“(I) are quantifiable and actionable; and

“(II) the Center shall use to improve the effectiveness and accountability of, and service delivery by, cyber hunt and incident response teams.

“(3) CYBERSECURITY SPECIALISTS.—After notice to, and with the approval of, the entity requesting action by or technical assistance from the Center, the Secretary may include cybersecurity specialists from the private sector on a cyber hunt and incident response team.”; and

(4) in subsection (g), as so redesignated—

(A) in paragraph (1), by inserting “, or any team or activity of the Center,” after “Center”; and

(B) in paragraph (2), by inserting “, or any team or activity of the Center,” after “Center”.

(b) REPORT.—

(1) DEFINITIONS.—In this subsection—

(A) the term “Center” means the national cybersecurity and communications integration center established under section 2209(b) of the Homeland Security Act of 2002 (6 U.S.C. 659(b));

(B) the term “cyber hunt and incident response team” means a cyber hunt and incident response team maintained under section 2209(f) of the Homeland Security Act of 2002 (6 U.S.C. 659(f)), as added by this Act; and

(C) the term “incident” has the meaning given the term in section 2209(a) of the Homeland Security Act of 2002 (6 U.S.C. 659(a)).

(2) REPORT.—At the conclusion of each of the first 4 fiscal years after the date of enactment of the DHS Cyber Hunt and Incident Response Teams Act of 2019, the Center shall submit to the Committee on Homeland Security and Governmental Affairs of the Senate and the Committee on Homeland Security of the House of Representatives a report that includes—

(A) information relating to the metrics used for evaluation and assessment of the cyber hunt and incident response teams and operations under section 2209(f)(2) of the Homeland Security Act of 2002 (6 U.S.C. 659(f)(2)), as added by this Act, including the

resources and staffing of those cyber hunt and incident response teams; and

(B) for the period covered by the report—

(i) the total number of incident response requests received;

(ii) the number of incident response tickets opened; and

(iii) a statement of—

(I) all interagency staffing of cyber hunt and incident response teams; and

(II) the interagency collaborations established to support cyber hunt and incident response teams.

(c) NO ADDITIONAL FUNDS AUTHORIZED.—No additional funds are authorized to be appropriated to carry out the requirements of this Act and the amendments made by this Act. Such requirements shall be carried out using amounts otherwise authorized to be appropriated.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 1158), as amended, was passed.

GOLD STAR FAMILIES REMEMBRANCE WEEK

Mr. McCONNELL. Madam President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration of S. Res. 313 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 313) designating the week of September 22 through September 28, 2019, as “Gold Star Families Remembrance Week”.

There being no objection, the committee was discharged, and the Senate proceeded to consider the resolution.

Mr. McCONNELL. Madam President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and that the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 313) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of September 17, 2019, under “Submitted Resolutions.”)

RESOLUTIONS SUBMITTED TODAY

Mr. McCONNELL. Madam President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions, which were submitted earlier today: S. Res. 326, S. Res. 327, S. Res. 328, and S. Res. 329.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. McCONNELL. Madam President, I know of no further debate on the resolutions.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the resolutions en bloc.

The resolutions (S. Res. 326, S. Res. 327, S. Res. 328, and S. Res. 329) were agreed to.

Mr. McCONNELL. Madam President, I ask unanimous consent that the preambles be agreed to and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

ORDERS FOR WEDNESDAY, SEPTEMBER 25, 2019

Mr. McCONNELL. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m. Wednesday, September 25; 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; further, that following leader remarks, the Senate be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each until 10:30 a.m.

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

ORDER FOR ADJOURNMENT

Mr. McCONNELL. Madam President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order following the remarks of our Democratic colleagues.

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

The PRESIDING OFFICER. The Senator from New Mexico.

DECLARATION OF NATIONAL EMERGENCY

Mr. UDALL. Madam President, we are at a crucial point in our democracy, with a big decision to be made. Tomorrow, we can correct this unconstitutional violation by the President of the United States of taking military money, military readiness money, national security money, and moving it over for a border wall.

Canceling these 127 projects is not just a one-off. Let's remember that. We all know the President fully intends to keep at it. It has already been reported that if the President doesn't get the \$5 billion he has requested for his wall in 2020, the next budget year, the administration plans to take another \$3.6 billion from the Pentagon's construction budget. This President will not stop raiding funds we have appropriated, unless we stop him and terminate his sham emergency declaration.

The careful planning for the 127 canceled projects contrasts sharply with

the administration's haphazard rush to build the President's wall. The President wants 500 miles of wall before the 2020 election. To do so, the administration may need to skirt the Federal procurement process and aggressively take lands away from private landowners through eminent domain.

Don't worry, says the President to his staff: I will pardon you if you break any laws.

This is no way to run a government, and, certainly, no way to spend taxpayer dollars.

Don't get me wrong. I support strong border security. We need well-trained officers, mobile assets, surveillance technology, and adequate resources. But a multibillion dollar wall is wasteful, ineffective, and offensive.

Now, I know some in this Chamber disagree with that opinion. The place to debate and decide how we spend taxpayer dollars to keep our border secure is in the Appropriations Committee, its various subcommittees, and on the floor of the Senate. That is what the Constitution says.

James Madison wrote in Federalist 84: "An elective despotism was not the government we fought for; but one in which the powers of government should be so divided and balanced . . . that no one could transcend their legal limits without being effectually checked and restrained by the others."

It is time for this body to check and restrain the executive branch. The President is invading our constitutional prerogative. He is not a despot. His constitutional powers are limited. It is up to us to support and defend the Constitution of the United States, as we swore an oath to do, and to do the work we were elected to do.

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

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

REMEMBERING MARY GAUTREAUX

Mr. WYDEN. Madam President, scores and scores of my friends and neighbors at home in Oregon have been grieving since they learned the sad news about the passing of a remarkable woman, Mary Gautreaux, who died at her home over the weekend.

Mary Gautreaux was an astounding bundle of energy and passion. She had an incandescent smile, a huge heart for people who didn't have any power and clout, and the ability to make just about everybody she met more optimistic about the policies, opportunities, for the days ahead.

Mary came to our office back in the 1990s, after working at the U.S. Forest Service, planting trees and fighting fires. I can tell you that no resume or

job title could have ever captured what Mary Gautreaux was all about or how hard she worked to protect the qualities that make Oregon different—the very special place she was proud to call home.

Mary Gautreaux, simply stated, was an all-star Oregonian. She loved her family and her coworkers with fierce loyalty. All of Mary's friends and neighbors knew, up close and personal, what an indomitable force she was. It didn't matter where you lived—from Portland to Burns and everywhere in between, Democrats, Republicans, Independents, the left, the right, mayors, county officials, everybody liked being with Mary. They liked working with Mary. They admired her professionalism, and they were so impressed that she always tried to involve everybody. She always wanted everybody to believe that they were special, that they counted. That is something we will always remember.

My office saw her as an anchor, as I did personally. For the better part of two decades, she and I traveled to hundreds of townhalls and community meetings in every nook and cranny of our State.

Mary and I always shared a kind of special joke. At one of these town meetings, somebody invariably would ask me something that I didn't know a lot about, and I would always say the same thing. I would say: Folks, I want you to know I am really digging into that issue, but Mary Gautreaux is one of the leading authorities on the subject.

She would be rolling her eyes. Then I would say: Well, feel free to call Mary on nights and weekends. She is always available for people.

My sense is that she got a kick out of it the first hundred times I did that. It was a special kind of bond we had, and that was vintage Mary Gautreaux.

But the fact is, she really did make herself available—always, any time, any day. She was always ready to pick up the phone and travel the State to solve a problem.

If I were to talk about all of the accomplishments and all of the results she produced for the people of Oregon, we would be here until New Year's Eve 2020. But I do want to talk about a handful that stand out for their exceptional breadth and impact.

Mary Gautreaux was an early advocate of reopening the Willamette River for the benefit of everybody in Portland. She knew it had the potential to be a treasure for the community. She was out there swimming every chance she could get, and she loved every time she could get out into the Willamette. But she recognized that not everybody had her physical abilities. So as was always her way, when Mary recognized a problem that needed fixing, she got to work. She pushed locally with the city and community activists to get a ladder installed at a popular swim spot.

As a result of this kind of effort and, frankly, her imagination—I don't know

that finding ladders is always in the job description, she just figured out how more people could have the opportunity to get in and out of the Willamette safely and take a swim in one of the country's most impressive urban rivers.

The whole metropolitan area of my hometown has her to thank for other important achievements. We have exceptional drinking water. Mary was instrumental in the creation of Portland's Bull Run water reserve being still, I believe, the only urban water source closed to people, entirely, for its protection. Everybody in Oregon, as they learn about this—because Mary never sought any publicity for herself—really has to thank Mary Gautreaux for that effort.

She really went to bat for rural Oregonians. She recognized, because I lived in southeast Portland and she lived in northeast, we loved Portland, but we didn't have the job of representing the "state of Portland." Our job is to get into every nook and cranny of our State, and, particularly, when so many rural communities are so hard-hit, Mary would be there, helping small airports, tiny airports get bigger, helping veterans who couldn't get over icy roads to get to healthcare in the urban areas. She would help, from food pantries to rural hospitals. She did everything to make sure that, in those small communities, they would understand that they counted.

Sometimes people would point out to her: A lot of those communities had more cows than people. I always thought to myself: I probably didn't have the cows with me half the time, either.

That wasn't Mary's measure of public service. Mary's measure was to make sure that nobody was left behind.

One of her recent accomplishments for rural Oregon is also going to be treasured for a long time: the designation of the Frank and Jeanne Moore Wild Steelhead Special Management Area.

Frank Moore and Mary had a wonderful bond. Frank is a World War II hero. After the war, he came home to the Umpqua River. He has guided generations of fishing families on the river for years and years. Now he is 96. Mary made a judgment a few years ago. She was concerned that Frank might not get the designation and recognition he deserved while he was alive.

Mary basically pushed and pushed and pushed in order to make sure that the legislation I just mentioned would pass and actually get done. What a wonderful party we had for Frank Moore. If there was something Mary Gautreaux loved, it was a good party. You will hear a little more about that in just a moment.

On the national level, in southern Oregon, Mary's work on the designation of the Cascade-Siskiyou National Monument created unique wilderness protections, unique protections for ranchers and environmental folks. It is

something that is going to be a model for generations to come. She was the key to the creation of the Badlands Wilderness. I remember when Mary Gautreaux pulled it off, people said: Because of Mary, it was a good day for the Badlands.

It is a wonderful accomplishment for folks in Central Oregon. In eastern Oregon, Mary's work on the East Moraines in the Wallows was significant. She helped Oregonians everywhere, and she always tried to look ahead. Mary was one of the first who recognized in our State that recreation would be a powerful economic engine for years to come, billions of dollars coming into the State. There would be jobs for everybody from kayakers, to guides, to craft brewers. It was a huge economic multiplier.

What did we get out of it? We also got a chance to have a new focus on recreation. We have seen the creation of Oregon's Office of Recreation. It is a State office borne out of Mary's tireless work, organizing people all over the State to highlight the 7 Wonders of Oregon. I am here to say tonight that Mary Gautreaux, for lots of us, was the 8th Wonder of Oregon.

All of these achievements are part of her enduring legacy in our State, places people will visit, lands that are protected, ranchers, environmentalists. They are people who, before Mary showed up, might hardly ever talk to each other, let alone work together. She figured out a way to find common ground and achieve what I have just described.

I want to talk a little bit about travels with Mary, the laughs that we had on the long car rides, bouncing around ideas, occasionally a passionate debate on something that was important to Mary. She always recognized—like Patton, Mary knew that an Army marches on its stomach. She generously stocked our car with apples and oranges and fruits and every manner of snacks—some healthy, some perhaps not so healthy—as we drove around Oregon.

Let me tell you something, when Mary Gautreaux saw hungry folks as we made our way through the State of Oregon, what she did along the way is made sure the car—because she didn't want anybody to go hungry—got a whole lot lighter because she gave away so much healthy food to hungry folks who were hurting.

No task seemed trivial or thankless. I will tell you, when you rode around in a car with her—and, you know, most of the time in government, people are talking about bills and amendments or polls and the like. What Mary was always talking about was how it might be possible to help more people at the next stop. The key was, at the end of a trip, she would always say to a person or two: Give me your phone number. I want to be able to stay in touch. I want to check in.

That is the way she was, and sometimes, she would ask them to give her a name or two of somebody else they

were worried about who had fallen on hard times—and Mary would reach out to them.

Another memory I wanted to share is a little bit raw, and the Senate may know how it is going to play out in the months ahead. A few months ago, while she lay in her hospital bed coming to terms with a fresh diagnosis of terminal cancer, she learned that a group of young doctors at the Oregon Health and Sciences University had been in training to do a rotation in Ontario, OR, in Malheur County—a city of 11,000 people, the gateway to the Owyhee Canyonlands, spectacular high desert landscapes that were near and dear to Mary's heart. But it seemed these young doctors never got to go outside.

Mary said: We better do something for all these young doctors. So she began asking for their supervisor so she could help these young doctors get out into the landscape.

I do want people to know that there is going to be an opportunity to enjoy that landscape, work in that landscape, particularly in traditional industries like agriculture, to a great extent because of what Mary inspired in Malheur County. She dedicated her last days talking to anyone and everyone who she thought could come together and help stabilize the small community in eastern Oregon.

I want people to be able to picture it because Nancy and I went to Mary's home in northeast Portland over these last difficult weeks. Mary always managed to cheer us up, rather than vice versa. One of the things that finally made us smile—and the hospice folks nearby—her whole room was built around the maps of the Owyhee, where she was looking at places for various uses that would be appropriate, how to protect the beauty of this extraordinary part of Oregon.

You would talk to her about the beauty. She would always say that the first time she saw it, it brought tears to her eyes when she viewed it, and she so wanted to help the ranchers and folks in that area. She was dedicated to preserving this part of the world.

It was Mary Gautreaux's dying wish that we could make this possible. Many of my colleagues may have seen me waiting on the floor of the Senate over the last few hours. Our chair, Senator MURKOWSKI, has had a busy schedule today. When I chaired the Energy and Natural Resources Committee, we worked very close together. LISA MURKOWSKI has a big heart too. She is always interested in trying to bring people together.

I told Chair MURKOWSKI that, very shortly, I was going to be introducing legislation to recognize Mary's extraordinary work in Malheur County. We were going to have a community board, a community board to empower the ranchers and the small businesses and the families that had been there for years and wanted to know that there was a future. We wanted to call it the Mary Gautreaux Malheur County Community Empowerment for Owyhee Act,

or the Mary Gautreaux Malheur County CEO Act.

Stay tuned because you are going to hear me talk more about Mary's extraordinary efforts in this regard.

In the meantime, this weekend, we are going to do what Mary Gautreaux wanted us to do. We talked to her about it. We said: Mary, we want to make sure that we tell Oregon—and in this case, the country—about your life and your accomplishments and how much we loved you.

The way we are going to show her how much we loved her, this weekend, we are going to do what she wanted. We are going to have one heck of a giant party in her neighborhood, at her home, in northeast Portland. We are bringing together friends and family. She has so many of them.

I am looking down this row. I guess we broke most of the rules of the Senate because you are only supposed to have a couple of people here. As far as I can tell, the people I am honored to represent in the U.S. Senate—there are more than 4 million of them—half of them would have showed up and sat

with the folks on that row if they could have.

This weekend, we are going to have a chance to tell each other stories. We are going to have a chance to talk about all of the people Mary helped. I am working now—because Mary loved bright colors—to make sure that her home and everybody there really sees what she wanted, was a lot of color and a lot of passion and a lot of friends and a lot of people talking about what a special place Oregon is and all these young people, who have done so much, are building on her approach for bringing people together, her values of caring, standing up for people who didn't have very much and were outside the power circle of Washington.

This is a hard talk to give, but it is sure easy to always remember what a wonderful person Mary Gautreaux was, how she represented the very best our State has been able to offer.

I told her privately right before she died: Mary, we love you. We will always be thinking of you.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M.
TOMORROW

The PRESIDING OFFICER. The Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:55 p.m., adjourned until Wednesday, September 25, 2019, at 10 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate September 24, 2019:

DEPARTMENT OF STATE

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.

SOCIAL SECURITY ADMINISTRATION

DAVID FABIAN BLACK, OF NORTH DAKOTA, TO BE DEPUTY COMMISSIONER OF SOCIAL SECURITY FOR A TERM EXPIRING JANUARY 19, 2025.

DEPARTMENT OF THE INTERIOR

DANIEL HABIB JORJANI, OF KENTUCKY, TO BE SOLICITOR OF THE DEPARTMENT OF THE INTERIOR.

DEPARTMENT OF THE TREASURY

BRIAN MCGUIRE, OF NEW YORK, TO BE A DEPUTY UNDER SECRETARY OF THE TREASURY.