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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, thank You for Your sanctifying truth. Use our lawmakers to live Your truth for the glory of Your Name. May Your truth keep them from the things that can pollute their lives and dishonor You.

Lord, forgive us when we are reluctant to submit to You with our bodies, minds, and spirits. Make us all vessels of honor prepared for every good work.

We pray in Your strong Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

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

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

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

### UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. GRASSLEY. We are getting toward the end of the year, and one of the issues I would like to get done—which has to go through the House of Representatives first—is the U.S.-Mexico-Canada Agreement. In regard to that agreement's helping agriculture, I want to start by laying out the fact that there is a lot of anxiety in agricultural America.

Even though the harvest is about to start across Iowa, we had a really dif-

ficult, tough spring getting the crops in. There is a crop to be harvested, however, and farmers will now be doing that job. They hope they can cover their costs. And while they are doing that, they are thinking about putting in next year's crop.

Passing the U.S.-Mexico-Canada Agreement would inject more certainty into the plans that the farmers have about this year's harvest and the plans they have for next year's crop. Passage of that would signal to the world that we here in the Congress are very serious about passing new, modern trade arrangements.

Yet we are running out of calendar days in 2019. Congress must step up and deliver for our hard-working farmers, as well as workers in America and small business in America and, in a sense, by getting this agreement passed, helping all of America. The time for the U.S.-Mexico-Canada Agreement is now.

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 President, I ask unanimous consent that the order for the quorum call be rescinded.

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### TRUMP ADMINISTRATION

Mr. MCCONNELL. Mr. President, yesterday evening, Speaker PELOSI announced that the House of Representatives will begin what she called "an official impeachment inquiry." But, really, we know that House Democrats have been indulging their impeach-

ment obsession for nearly 3 years now—a never-ending impeachment parade in search of a rationale.

The very day President Trump was inaugurated, the Washington Post ran a news story with this headline: "The campaign to impeach President Trump has begun." That was the day of his inauguration. Later that year, there were articles of impeachment introduced over the President's language. So clearly, this has been an ongoing project for House Democrats since practically the moment that Secretary Clinton lost the election.

For months, Democrats insisted that Special Counsel Mueller's investigation or the work of the Senate Intelligence Committee would prove their theories about a conspiracy between the Trump campaign and Russia. It didn't happen. The facts disappointed them, but the impeachment parade kept marching along.

Yesterday, even though a bipartisan committee investigation into the new whistleblower allegations is underway—and just hours after the President offered to publicize the details of his phone call with the President of Ukraine—the dam finally broke. Speaker PELOSI couldn't hold back the far left any longer. Before any of us even had the facts in hand, she caved to the left and announced an impeachment inquiry.

If this all sounds familiar, that is because at the time—literally, 1 week ago—the same Democrats were shouting about impeaching Justice Kavanaugh. That rush to judgment was based on a sketchy story in a major newspaper that promptly had to publish an enormous correction. But 1 week later, here they go again, threatening impeachment without the facts in hand.

Senate Republicans support the established proper procedures for considering this whistleblower report. In the meantime, while our friends across the Capitol rush to judgment and dive

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



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deeper into their nearly 3-year-old impeachment addiction, we will stay focused on the American people's business.

### BORDER SECURITY

Mr. MCCONNELL. Mr. President, earlier this year, President Trump led the Federal Government to recognize our insecure southern border for what it is: a national emergency, a humanitarian and security crisis. Congress had heard plea after plea for more border security funding. We heard from senior leaders and career Border Patrol officers. We heard about all the surging illegal crossings, the unprecedented numbers of family units, and the strain on our facilities.

Yet Washington Democrats decided that giving this very real crisis the resources it required might anger the far left, which wants them to oppose President Trump at any cost. So the President tapped into a longstanding, 40-plus-year-old Presidential authority and reprogrammed a narrow set of funds to address the urgent crisis.

I have never been shy about my commitment to the institution of Congress and its unique authorities, not the least being the appropriation of taxpayer dollars. But we are talking about 40-plus-year-old Presidential authorities in current law. Unlike President Obama, who vaguely shrugged off the Federal Code when he established his DACA policy, President Trump's decision was squarely within existing law. Nevertheless, our Democratic colleagues made the Senate vote to undo the President's declaration back in March. Their resolution fell far short of earning a veto-proof majority.

Now, still unwilling to work with the President and Republicans on a long-term bipartisan solution for border security, Senate Democrats are making us repeat the same show vote again.

I would urge all colleagues to once again vote for border security and vote against the Democrats' resolution when it comes up later today.

I understand the Democratic leadership would like to invent a false choice between border security and other important military construction projects. They want to tell the American people that we can either have border security or these other important projects, but for some reason, we can't have both.

There are two problems to that argument:

Problem No. 1 is that it is a false choice of Democrats' own invention. The only reason there could be any tradeoff between border security and these other priorities is their refusal to support commonsense border security. The only reason there is any tradeoff is that Democrats have refused to work with the President.

Problem No. 2 of their argument is that Congress has the full power to ensure that all of the military construction projects are fully funded. Work is ongoing on appropriations and the

NDAA. It would be easy to ensure that these projects get all of the money they need.

Later today, the Senate will vote on exactly that. We will vote on several motions to instruct our NDAA conferees. One of those motions will be a Republican proposal that we insist on fully funding these projects for our own servicemembers.

With the Kentuckians I represent, this is pretty simple. Kentuckians want our Nation to have a secure southern border. Kentuckians want full funding for the middle school at Fort Campbell—funding they have been waiting on for years, which is funding I proudly secured in the first place. Kentuckians know perfectly well that with everything the United States of America spends money on, there is no earthly reason the Democrats should force us to have one or the other. They don't want to be used as pawns in the Democrats' political games.

Even my Democratic colleagues who don't support the administration's border security agenda should not take out their frustrations on our Armed Forces. Every single Member of this body should be able to support the measure to fully fund military construction. I would urge all of my colleagues to vote yes on that motion later today.

### RESERVATION OF LEADER TIME

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

### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business until 10:30 a.m., with Senators permitted to speak therein for up to 10 minutes each.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 450.

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

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Eugene Scalia, of Virginia, to be Secretary of Labor.

#### CLOTURE MOTION

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

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the

Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Eugene Scalia, of Virginia, to be Secretary of Labor.

Lamar Alexander, Mike Braun, Pat Roberts, John Boozman, John Thune, Johnny Isakson, Mike Crapo, John Hoeven, Roger F. Wicker, Mike Rounds, Cory Gardner, Steve Daines, Tim Scott, Shelley Moore Capito, John Barrasso, Jerry Moran, Mitch McConnell.

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

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

### LEGISLATIVE SESSION

#### RELATING TO A NATIONAL EMERGENCY DECLARED BY THE PRESIDENT ON FEBRUARY 15, 2019

The PRESIDING OFFICER. Under the previous order, the Senate will resume legislative session.

S.J. Res. 54 is discharged, and the Senate will proceed to the consideration of the joint resolution, which the clerk will report.

The senior assistant legislative clerk read as follows:

A joint resolution (S.J. Res. 54) relating to a national emergency declared by the President on February 15, 2019.

Thereupon, the Committee on Armed Services was discharged, and the Senate proceeded to consider the joint resolution.

The PRESIDING OFFICER. The Senator from South Dakota is recognized.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. THUNE. Mr. President, readers of Forbes might have seen an article earlier this month entitled "Russian Navy To Be First To Field Hypersonic Cruise Missiles on Submarines." Articles like this are a timely reminder of the ever-present need to invest in our military.

It can be easy to take U.S. military superiority for granted, but our military preeminence did not come out of nowhere. Our military is strong as a result of sustained investment and commitment. If we don't stay committed to maintaining our military strength and advantage, we will lose them.

Meanwhile, as the Forbes article reminds us, other countries are busy investing in their militaries. Great powers with aggressive military tendencies are building up their armed forces and investing in the weapons and equipment of the future. We need to ensure that our military is not falling behind.

Later today, we will vote on additional measures related to the National Defense Authorization Act—legislation that we take up every year to authorize funding for our military and our national defense. Both the House and

Senate passed versions of this legislation this summer. Now Members from both Houses are working on reconciling the House and Senate versions of the bill. The Senate-passed National Defense Authorization Act was a strong bill, and I hope the final bill will look a lot like it.

Right now, our military is rebuilding after years of underfunding and the strains of the global War on Terror.

In November 2018, the bipartisan National Defense Strategy Commission released a report warning that our readiness had eroded to the point where we might struggle to win a war against a major power like Russia or China, and the Commission noted that we would be especially vulnerable if we were ever called on to fight a war on two fronts.

Here in the Senate, Members of both parties have been working together to address the military's rebuilding needs and ensure that we are prepared to meet any threat.

The bipartisan National Defense Authorization Act that we passed in the Senate in June authorizes funding for our military's current needs and for the equipment and technology of the future. It invests in ships, combat vehicles, and planes—including development of the future B-21 bomber, which will be based at Ellsworth Air Force Base in my home State of South Dakota—and continued procurement of the F-35 Joint Strike Fighter, which I hope will someday soon be based at Joe Foss Field in Sioux Falls. It authorizes funding for research and development and advanced technology. It authorizes funds to modernize our nuclear arsenal to maximize our deterrence capabilities. It focuses on ensuring that we are equipped to meet threats on new fronts, including in the space and cyber domains.

Of course, while up-to-date weapons, equipment, and technology are essential, the greatest strength of our military is our men and women in uniform. Both the Senate and House versions of the National Defense Authorization Act authorize a 3.1-percent pay increase for our troops—the largest increase in a decade. This is not only something our troops have earned, it is also an important way to retain troops in our All-Volunteer Force when the economy is as strong as it is. Both the House and Senate bills also focus on addressing the recent significant health and safety issues faced by many families with private on-base housing.

I hope House and Senate conferees will produce a strong bill and that both Houses will be able to pass this legislation in the near future.

In a 1793 address to Congress, President George Washington noted:

If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war.

The surest way of preserving peace is to be strong militarily. Weakness is a

tempting target for aggressive regimes and evil men. Strength, on the other hand, can and does restrain those who might otherwise pursue war with the United States or our allies. Maintaining our military strength helps ensure the security of our country and her inhabitants, and it also helps promote peace around the world.

We can't change the fact that there will always be bad actors who will threaten our freedom and security, but we can ensure that we are always prepared to meet any threat.

I look forward to passing a strong National Defense Authorization Act in the very near future.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER.

The PRESIDING OFFICER. The Democratic leader is recognized.

TRUMP ADMINISTRATION

Mr. SCHUMER. Mr. President, last night, Speaker NANCY PELOSI announced that the House of Representatives would begin a formal impeachment inquiry of President Trump. I have spoken to her many times over the past few days. I know she did not make this decision lightly and took no pleasure in making it. It is her carefully considered judgment that it is now in the best interest of our country and our Constitution to proceed with an impeachment inquiry.

I strongly support Speaker PELOSI's decision. If we don't reckon with President Trump's persistent transgressions, the very foundation of this great Republic will be at risk. The President kept pushing and pushing and pushing the constitutional envelope. Finally, the President's conduct made an impeachment inquiry unavoidable.

The events of recent days have brought sharply into focus the question of whether President Trump abused the powers of his office and betrayed the public trust for personal political gain. In open defiance of the law, his administration has thus far sought to block the transmission of an official whistleblower complaint to Congress. The nature of that whistleblower complaint has been deemed both credible and urgent by one of President Trump's own senior-level appointees—the Inspector General of the Intelligence Community.

According to public reports, this complaint may detail how the President of the United States corrupted America's foreign policy by pressuring the leader of a foreign nation to damage a leading political rival—an offense the President may have committed, whether or not there was an explicit quid pro quo. The President went on to admit on live television that he spoke to the President of Ukraine about his political rival and about military aid to the country.

The timeline of events that led to the whistleblower complaint must be scrutinized. The nature of President Trump's communications with President Putin, as well as Ukrainian Presi-

dent Zelensky, should be requested and provided, with special focus on the phone call that took place with Mr. Putin a few days after the Zelensky call on July 25.

The timing of the departures of the U.S. Ambassador to Ukraine and the former Director of National Intelligence and his Principal Deputy must be investigated, as well as the movements of President Trump's personal attorney, Rudy Giuliani, the correspondence between him and the White House, and his interactions with foreign governments. We must learn what actions President Trump or his aides took to withhold congressionally directed security aid to Ukraine and why and more besides.

The answers to these questions and others can be pursued by the House committees involved in the impeachment inquiry, and that is precisely what the inquiry is for. The release of the transcript of one of President Trump's calls with President Zelensky that just came out will not assuage our concerns or the public's concerns. Based on early reports, it may heighten them. We must remember that the President was reported to have had several calls with President Zelensky over the summer, and his administration has a well-earned reputation for dishonesty, altered facts, and incomplete disclosure in public releases.

We need to see the complete, unredacted whistleblower complaint without further delay. The whistleblower must be allowed to testify without fear of intimidation, and then we must pursue the many relevant avenues of inquiry that I just described.

Yesterday afternoon, the entire Senate—all 47 Democrats and 53 Republicans—agreed to my resolution calling for the whistleblower complaint to be transmitted immediately to Congress—a reflection of the seriousness with which these events are viewed on both sides of the aisle. This was unexpected. In the past, when we have asked to look into President Trump, our Republican colleagues have stonewalled. But to their credit, they realized the seriousness of this situation and unanimously agreed to support our resolution. I hope, I pray it is a harbinger of things to come, where we can look at the facts, not the politics, and come to conclusions because, without doubt, the White House and the President's congressional allies will rush to call this effort a partisan witch hunt no matter how serious the allegations or how evenhanded the inquiry. I would remind everyone that just yesterday, every Senate Republican agreed that the White House's decision to block the whistleblower complaint from Congress was wrong. There was unanimous, bipartisan agreement in the Senate on that point. Not a single Senator objected. Let me be clear, nonetheless, because I know accusations of partisanship are already being written. This inquiry was not taken up for partisan reasons, and it does not prejudice an outcome.

Our Framers, in their wisdom, assigned to one Chamber of Congress the right to accuse and to the other the right to judge. The House of Representatives will investigate and determine whether sufficient evidence exists to accuse the President of an impeachable offense or impeachable offenses. If it comes to that, the Senate will be the scene of the trial, Senators the jurors.

We must take our responsibility with the utmost gravity. Our Framers—not trusting our liberty to one branch of government alone, afraid of the ever-present danger of tyranny of an overreaching Executive—provided a remedy to Congress should the Executive attempt to subvert or violate the Constitution of the United States.

We are not yet at the stage where any judgments can be made one way or the other, but I remind my colleagues today that if the day should come when we are called upon to carry out our constitutional duty, history will judge whether we did so faithfully or not. History will judge if each of us acted as a solemn juror of democracy, who placed fidelity to the Constitution and our system of government above the narrow considerations of partisan politics.

#### DECLARATION OF NATIONAL EMERGENCY

Mr. President, on another issue, not directly related but with the same cause, with the same worry, and with the same concern, an overreaching Executive—the emergency declaration.

The commencing of the impeachment inquiry in the House, while significant, is not the only significant action Congress will take today, nor is it the only action dealing with the President's overreach.

Today the Senate will vote on President Trump's national emergency declaration, which he is using to steal money from our military in order to fund a border wall. Rather than accept the reality that a bipartisan majority has repeatedly rejected this idea, and after dragging the country through the longest government shutdown in American history when he didn't get his way, President Trump deliberately circumvented Congress.

Democrats universally opposed the President's outrageous decision to declare a national emergency, so let me direct my remarks this morning to my Republican colleagues.

There are two crucial reasons for my Republican colleagues to vote to terminate this emergency.

First, the vote today is the surest and likely the only way to restore funding the President has stolen from our troops and military projects across the country. President Trump promised Mexico would pay for the wall, not American taxpayers, and certainly not the military—the men and women and their families involved in keeping our Nation secure. President Trump broke that promise, and now over 120 military projects hang in the balance: a middle school for military families in Kentucky, medical facilities in North

Carolina, a hurricane relief project in Florida, an Air Force Base in Colorado, a fire station in South Carolina, and construction projects in Indiana, Louisiana, Georgia, and more. These were all carefully considered by the military and Department of Defense and put in the budget because they were very much needed. These are not frivolous projects at all. A vote for the President today is a vote in favor of cutting funding for our military and slashing support for critical military projects in red States as well as blue.

Second, and maybe even more importantly, my Republican colleagues should vote to terminate the emergency declaration today on constitutional grounds. Under the Constitution, the power of the purse lies with Congress not the President. By declaring a national emergency, the President has trampled on that authority and is violating the constitutional separation of powers. We know what an emergency is—soldiers at risk, the risk of war. Of course, the President should have flexibility then but not on a policy decision where there is great dispute in the Congress and in the country and when the President lost in the legislative battle that ensued. By voting to endorse the President's emergency—this expansive and political stretching of the word “emergency” in a way it has never been stretched before—Republican Senators will set a dangerous precedent that could embolden not just this President but future Presidents to ignore congressional authority.

So today my Republican colleagues face a choice of whether or not to defend our troops, whether or not to defend their States, whether or not to defend this Chamber's undeniable constitutional powers.

Last time we held this vote, 12 Republican colleagues joined us in voting to undo the emergency. I hope more do so this time because this isn't about Republicans and Democrats. We don't want any President, Democratic or Republican, to overreach and use the word “emergency” to overcome congressional will. This is about checks and balances, not about Republicans and Democrats, and the need for the Senate to rein in an out-of-control Executive.

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.

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

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

#### TRUMP ADMINISTRATION

Mrs. BLACKBURN. Mr. President, yesterday evening I had the opportunity to invite 100,000 of our fellow Tennesseans to join me in a telephone townhall. We have found this is something Tennesseans like. Instead of having to drive to a location, they are able

to just pick up the phone, and as they are doing homework with children or preparing dinner, they are able to jump on the phone and talk about issues that are important to them.

We covered a wide range of topics yesterday evening. We talked about nuclear power and gun rights and healthcare for our veterans. We even talked a little bit about an invasive fish species, Asian carp, and how that is affecting our beautiful rivers.

There was one thing that continued to come out through the course of this telephone townhall, and I bet you can guess what the topic was that people continued to talk about.

Now, bear in mind that Tennesseans are, by and large, very dismissive of what I call the DC shining object story of the day. Tennesseans are much more interested in the story of their lives, but yesterday's news—that breathless race to make news—really had Tennesseans talking.

Yesterday, House Democrats, supported by their friends in the Senate, gathered to announce their intention to begin formal impeachment inquiries against President Donald Trump. As you can imagine, this struck a chord with my fellow Tennesseans. They may be far outside the beltway bubble, but they have been keeping a close eye on what the Democrats have been up to for the past 3 years when it comes to President Donald Trump.

Let me tell you, they are not very impressed with what has been happening. From their perspective, yesterday's announcement was the culmination of a 3-year witch hunt born of a grudge they have been holding against the President since their chosen candidate failed to win the 2016 election.

Before the President had taken his oath of office—bear in mind, he was President-elect at that time—in December of 2016, *Vanity Fair* published an article entitled “Democrats are Paving the Way to Impeach Donald Trump.” Believe it or not, this was not just click bait. This was a published article in a major magazine in December 2016.

The article details a bill Senate Democrats wanted to use to exploit allegations of conflicts of interest between President-Elect Trump's business dealings and President Trump's duties as President. Bear in mind, the bill was tailor-made to transform conflict allegations into impeachable crimes. And bear in mind, this was conceived before President Trump became President Trump. He was still President-elect. He had not been sworn into office, and they were already writing legislation that would move to impeachment. It was the beginning of their mission toward impeachment, even if they had to fabricate the means to get there.

Let me tell you, they were determined to make it happen. The proof is in black and white. In 2017, a group of House Democrats failed to muster enough political will within their own

party to support a resolution to impeach President Trump. The same effort failed again in 2018, and it failed again in 2019. Their efforts to use the Mueller report to whip the Nation into an impeachment frenzy failed. How frustrating that must have been for a party and a movement that all but promised they would find a way to impeach the President because they absolutely could not believe he won that election in 2016.

It is important to remember and to note the American people chose President Trump and not the Democratic candidate. That didn't matter. Democrats vowed to take him down anyway. They were going to make him pay a very heavy price by making him the victim of a campaign of personal destruction.

Now, conveniently, a year before the election, here they go again. They are indicating they think they have cracked the case.

In November 2018, House Speaker NANCY PELOSI gave a statement to the Associated Press saying: "We shouldn't impeach the president for political reasons and we shouldn't not impeach the president for political reasons."

Let me tell you, for the West Tennesseans participating in the telephone townhall I mentioned earlier, it was painfully obvious that congressional Democrats had finally given up and embraced politics as usual. They see this for what it is: vitriol, anger, jealousy, spite. They know that President Trump and a Republican-led House and Senate delivered much needed tax and regulatory relief, which was exactly what the American people wanted and precisely what Tennesseans were telling us: Get government off our backs. Get government off our land. Get government out of our pocketbooks.

We are a nation built on the rule of law and a nation that believes in adhering to that law. Tennesseans, and the American people, want fairness. They want equal treatment. They want justice. And they know injustice when they see it. What they do not want is a breathless revenge scheme orchestrated by a political party.

I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

S.J. RES. 54

Mr. LEAHY. Mr. President, today the Senate is going to be voting on the motion to instruct conferees for the National Defense Authorization Act to backfill the military construction money the President stole from our troops to pay for his wall—a wall that he gave his word Mexico would pay for.

This is very, very troublesome. I say this as both dean of the Senate and as

President pro tempore emeritus. In that role, I have arguably supported and voted for more funding for our military and their families than any Senator—Republican or Democrat—in this Chamber, but on this one, I will urge a "no" vote.

As Members of the Senate—there are only 100 of us to represent 350 million Americans—we have a profound responsibility to support those who sacrifice everything for our country. We should not let this be a partisan issue. As I said, I voted for more funding for our troops than any Member of this body. From the soldier we have sent across the globe to the military family left at home, we—all 100 of us—have a responsibility to these men and women, regardless of our politics and our ideology. It is that responsibility that has drawn me to the Senate floor today. I cannot and will not support this motion.

There is \$6.1 billion. Let me say that again. There is \$6.1 billion—that is \$2.5 billion from the Department of Defense and \$3.6 billion from military construction projects—that President Trump has stolen from the men and women of our military in fiscal year 2019 alone, just that one year, to pay for his ineffective, vanity wall—a wall that he boasted to the press last week was the "Rolls-Royce" of walls.

But just like every Rolls-Royce in the middle of the desert, Trump's wall is nothing more than outrageously expensive and completely useless. Experts agree that a wall will do nothing to address the humanitarian crisis along our southern border.

Families fleeing violence in their home countries—fleeing murder, rape, and other crimes—are openly turning themselves over to Border Patrol officials. They are not trying to sneak across the border. It is a lot different than absconding across the border in the middle of the night.

What has \$6.1 billion in stolen funds purchased for the American taxpayers?

Here is the money that was taken away from our military: Children continuing to go to a middle school in Kentucky every day that Pentagon officials have described as "deficient, inadequate, and undersized"—we took money from that to pay for the wall. Buildings that do not meet the military standards for fire safety or management of explosives, putting American lives at risk—we took money from correcting that to pay for the wall. And there are numerous cases of infrastructure problems that are detrimental to our military's readiness and DOD's national security mission. That is not even mentioning the military housing with mold issues, inadequate daycare facilities for the children of military families, and all the 127 military construction projects President Trump canceled—not delayed but canceled—to pay for his Rolls-Royce of a wall in the middle of the desert.

The \$6.1 billion for a Rolls-Royce in the middle of the desert is an even

heavier burden for our military families to bear. Outrage does not even begin to describe how I feel about President Trump's actions.

Today, we are being asked to somehow cover up his theft, cover up the fact that he broke his word about Mexico, and cover up the fact that this is a vanity project. We are being asked to give our constitutional blessing to President Trump's contorting the law beyond recognition.

I believe that the Senate is the conscience of the Nation. Contorting the law to undo congressional funding decisions by fiat is not following our conscience, and I will not stand for that.

We are being asked to take the first step to approve \$3.6 billion in emergency spending to replace part of what the President stole. Let's make another thing clear. This spending is on top of the discretionary caps agreed to by Congress and the President. So we are being asked to finance this coverup on our children and grandchildren through deficit spending.

I would say this to the President: I believe you said that Mexico was going to pay for your wall, not our troops, not their families, and not future generations of American citizens.

If this were not troubling enough, last week, the press reported in the Washington Post that the Trump administration does not even intend to use this funding to replace what they stole. "The plan is to sell it as replenishment money for the Defense Department for the \$3.6 billion they took this year," said one administration official. "Then, once they got it from Congress, they would take it again."

What is the saying? Fool Congress once, shame on you. Fool Congress twice, well, shame on us. Congress got fooled once. Are we just going to stand by idly and allow Congress to be fooled again?

I have heard a lot of speeches on this floor, and politicians often wax poetic about their love of our troops. Yet this body—100 Members of this Senate, the body that should be the conscience of our Nation—has done nothing to constrain this President's ability to continue to steal from those troops. We have done little more than shrug at this abuse of our constitutional authority. We have just looked away from the egregious treatment of our troops as a little more than a piggy bank for the President's political pet project. I don't stand for that. I am not going to support that. I will not abandon our profound responsibility to support those who sacrifice everything for our country.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

## TRUMP ADMINISTRATION

Mr. CORNYN. Mr. President, our friends in the House, led by Speaker PELOSI, have adopted a new strategy for handling allegations of wrongdoing. It is a dangerous approach, one in which opinions count for more than the facts and politics trumps everything else, including the law.

Yesterday evening, Speaker PELOSI announced that the House is now moving full steam toward impeaching President Trump. When the announcement was made, the only information they had in their hands was press reports—no report of the transcript, no facts, no evidence, no nothing—and that is really all they needed. Any hook, any angle, any straw they might be able to grasp in order to justify this unjustifiable action was good enough for them—hearsay and press reports.

House Democrats began this process of impeaching the President based on a so-called whistleblower complaint they hadn't even read, which detailed a call they hadn't seen a transcript of. Meanwhile, we know the media eagerly reported that the "whistleblower" didn't even have firsthand knowledge of the situation—something we now know to be true. In other words, the alleged whistleblower doesn't legally qualify as a whistleblower because he or she wasn't there when the conversation took place but, rather, reported something that somebody told somebody else—otherwise known as hearsay. Forget obtaining the evidence, giving people an opportunity to be heard, and the facts considered. Rather than looking into that, they decided on a result they wanted to achieve and were looking at trying to backfill a justification or something that is unjustified based on the facts we know now.

Of course, we know what this is. This is a continuation of the election in 2016 where our Democratic friends can't believe that Hillary Clinton lost the election to Donald Trump. We know that after that, they claimed: Well, Hillary Clinton actually won the popular vote.

Forget the Constitution and the role of the electoral college. Because of the constitutional requirement that the electoral college vote and whoever wins the majority becomes President—they said: Forget the Constitution.

Then there was the former FBI Director, Comey, who leaked memos to a buddy of his and then asked him to leak them to the press because he wanted to make sure that a special counsel was appointed to investigate and potentially prosecute President Trump. We know this investigation went on for years and cost millions of dollars and ended up with the conclusion of no obstruction and no collusion. You can imagine the disappointment of our friends in the media who had written about this assuming that President Trump would be indicted, maybe convicted of some offense, only to find out there was no collusion, no obstruction, and no charges.

So now we know that the Speaker and her colleagues in the House have

grabbed hold of this straw without knowing the facts and without even waiting for the evidence to be revealed. The Speaker's decision to impeach the President says everything you need to know about their intentions. It doesn't matter what was said or what was not said; it is about relitigating the 2016 election—something our Democratic colleagues have never ever been able to accept. They are trying to defy the voters who voted for President Trump in 2016.

Does a whistleblower complaint deserve to be examined and taken seriously? Absolutely. In fact, the Senate Intelligence Committee, on which I and the Presiding Officer sit, will do just that. We are in the process of doing that. Before the Speaker's announcement yesterday, the President had agreed to release the full, unredacted transcript of the call, and this morning, he did. Tomorrow, the Senate Intelligence Committee will hear from Acting Director of National Intelligence Joseph Maguire, as well as the Inspector General for the Intelligence Community, Michael Atkinson, to learn more about their role in this process. That is exactly how this matter should be handled—with care, by the rules, I would say by the book, and make sure that everybody's rights are protected before people begin to cast unjustified and slanderous allegations.

Our friends in the House, the House Democrats, aren't just fanning flames here; they have been pouring gasoline out for months through their baseless oversight hearings and all-out obsession with the Mueller investigation, which ended up with a big belly flop.

Yesterday, Speaker PELOSI lit the match, and there is no turning back now. The American people have made abundantly clear that this sort of partisan exercise is not what they want, especially when it comes at the expense of other important work that we are not going to be able to accomplish because of this obsession with eliminating President Trump. In a poll this summer, only 34 percent of Texans supported impeachment.

While so much remains in the air, this move has made one thing clear: Our House colleagues have zero interest in doing the jobs they were elected to do in 2018, and given the fact that the voters gave them the majority, they show zero interest in governing and in passing legislation. Instead of working with both sides of the aisle to pass bipartisan legislation to lower drug costs, to try to address the concern about mass shootings, to ratify the trade agreement known as the U.S.-Mexico-Canada Agreement, and otherwise try to make life better for the American people—that is not the route they have chosen. They have chosen a partisan, political path, which will absolutely suck all the oxygen out of Washington. It will be an obsession of the media and the American people until it is concluded, crowding out anything and everything else that we

might do that might improve the lives of regular Americans.

The Democrats' decision to move forward with impeachment and toward removing the President from office will make solving these big challenges facing our country nearly impossible. House Democrats aren't doing what is right and what is best for our country; they are driving an even bigger wedge between the American people to serve their partisan political interests and using the Constitution to hedge a political fight.

Now, make no mistake about it—when Special Counsel Mueller was doing his investigation, it was an investigation to see whether crimes had been committed and if they had been, to present that evidence to a grand jury and indict those who were more likely than not to have committed those offenses and then to try the case to a conclusion in a court. That is not what impeachment is. Impeachment is solely a political exercise, and it is a political exercise to defeat President Trump even though the American people voted for him as the President of the United States.

Notwithstanding the gasoline that House Democrats have been pouring on this issue and the fact that Speaker PELOSI decided to light the match and to ignite it yesterday, one thing is sure, and that is that cooler heads will prevail here in the Senate. We know bipartisan oversight is already under way. House Democrats' obsession with the 2016 election has gone too far, and in fact, they should be embarrassed by what they have done. Meanwhile, we will carefully examine the record, root out the evidence, and follow that evidence wherever it may lead. It is important to have a fair trial before you decide to hand out punishment, not hand out the punishment and then somehow look for justification for an already reached conclusion.

## DEBBIE SMITH ACT OF 2019

Mr. President, on another matter, it has been 4 months since we passed the Debbie Smith Act of 2019. This legislation sailed through the Senate without any Senator voting against it. And why would they? It is as bipartisan—you might even say nonpartisan—as they come.

The Debbie Smith Act, as Members know, sends vital funding to State and local crime labs to test DNA evidence. It authorizes training for law enforcement and forensic nurses and enables law enforcement to identify violent criminals and get them off the streets.

The benefit of the Debbie Smith Act is wide-ranging, but it continues to deliver on the initial goal of reducing the national rape kit backlog. That is right—at one point, there were as many as 400,000 untested rape kits sitting in labs or on evidence shelves in police lockers, and each one of those forensic rape kits held the keys to identifying a person who had committed a sexual assault or some other crime.

In Texas alone, the Debbie Smith Act has helped us reduce the backlog of untested rape kits by approximately 90 percent. Since 2001, we have gone from roughly around 20,000 untested rape kits to 2,000. That is still too many; we need to test all of them. We have made serious progress, and I won't be satisfied until that untested rape kit number gets to zero, but to do that, Congress needs to reauthorize the Debbie Smith Act.

It should be obvious, but I will say it anyway. This program transcends politics or party. Allowing it to expire is a disservice to the victims and the advocates who have championed this legislation since it was first enacted 15 years ago.

I introduced the Debbie Smith Act of 2019 in the Senate with my friend and colleague from California, a Democrat, Senator DIANNE FEINSTEIN, which just demonstrates bipartisan support from Republicans, Democrats, victims' rights groups, law enforcement, you name it. But despite all that, Speaker PELOSI has refused to bring this legislation to the House floor for a vote, and unless they pass it soon, this critical program will expire for the first time in a week.

There was absolutely no problem reauthorizing this critical program in 2008 or 2014, but clearly times have changed. Our House Democratic colleagues aren't above politicizing something as noncontroversial as reducing the rape kit backlog.

If House Democrats allow this to expire, funds could soon be taken away from crucial activities like prosecuting cold cases, reducing the backlog, or capacity enhancing efforts. It is simply inexcusable and shameful that Speaker PELOSI and the House would allow the Debbie Smith Act to expire when they have had a bipartisan bill in their hands for 4 months.

Well, just when you think you have seen it all around here—we have seen a lot of partisan antics in the House this year, but this one really takes the cake.

I urge our colleagues in the House to quit the games and pass this critical legislation to support victims of sexual assault without further delay.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### ELECTION SECURITY

Mr. WARNER. Mr. President, I am here today because our elections are still not secured against the threat of foreign interference.

After 3 years of our intelligence community, our congressional committees, and some of our closest allies sounding the alarm about foreign election inter-

ference, we are right back here where we started because this body has failed to act. To me, it is pretty remarkable.

No one in this body would think that the appropriate protections against foreign interference into our power grid should be a partisan issue. No one would advance a theory that protecting our financial system against foreign cyber attacks should be a partisan issue. So why would anyone think or allow the basic protections of the machinery and system of our most essential component of our democracy, our voting system, in any way to become a partisan issue? My hope is we can avoid that.

Some may point to the fact that additional money has been appropriated for State and local election authorities, funds that have been used to upgrade part of our election infrastructure. I am proud to have been part of the initial efforts to secure these funds ahead of the 2018 elections, and I am genuinely supportive of additional funding to secure the 2020 elections. But we need to make one thing absolutely clear. Additional funding for election security is a necessary part of securing our elections, but it is not a sufficient defense against foreign attacks on our democracy. Money alone will not solve this problem.

Moreover, the funding we are talking about in the CR comes with no guidance or direction for State and local election officials. Listen, I have no interest in trying to federalize what has traditionally been a State and local function, but it is absolutely a tradition that this body sometimes makes voluntary Federal funding available only to jurisdictions that meet certain criteria or guidelines. The truth is, right now, with no guidelines, if a State or locality wants to use these so-called election security funds to upgrade their machines or systems to the latest, more secure models, they can do that. But they can also buy machinery and equipment that lacks proper security features—that could lack a paper ballot backup. Heck, they could even use these funds to buy the “vote here” signs and those stickers we all proudly wear on election day.

The truth, unfortunately, is that the problem is not with our State and local election officials. In fact, the decentralized nature of our local elections system is actually one of our best defenses against election interference.

The problem is not a lack of policy solutions. Frankly, I think a lot of us on both sides of the aisle, including very good work by folks like the Presiding Officer, know exactly what we need to do to secure our election infrastructure.

We need a voter-verified paper trail for every vote. Everyone should have the confidence that no matter where they vote in America—God forbid, if there were ever a hack into a machine or a machine doesn't work—there is a paper ballot backup so that every vote will be accurately counted.

We need to make sure, as well, just as in any major operation, that we have postelection audits.

We can and must do more to secure our voter registration systems. None of this is Democrat, and none of this is Republican; it is about the integrity and mechanics of how Americans vote. The problem is the lack of political will in the U.S. Senate and the lack of interest from the White House to actually secure our elections.

The truth is, until the majority leader allows this kind of bipartisan election security legislation to proceed, our elections will remain vulnerable to manipulation by foreign actors. I also firmly believe that these bipartisan bills—which, for example, Senator LANKFORD has been one of the leaders on—would get 75 or 80 votes even in our divided Senate.

You don't have to take my word on the nature of the threat. Every one of our intelligence agencies is continuing to warn us that Russia will be back in 2020, and we are running out of time to do something about it. As a matter of fact, Robert Mueller, who led the special counsel's investigation efforts, testified under oath that Russia is attempting to undermine the 2020 elections “as we sit here.”

For almost 3 years, Senators from both parties have worked on legislation to make sure we are ready for the threats our democracy will face in 2020—both from Russia, and unfortunately from other bad actors who are adapting Russia's playbook because they saw how successful Russia was in 2016. They were both successful in a relatively inexpensive way to disrupt our system and, in many ways, to pit us against each other. Yet the Senate has not brought up a single piece of election security legislation—not a single vote, not a single markup.

(Mr. LANKFORD assumed the Chair.)

The bills we are proposing are largely bipartisan. We are talking about straightforward, low-hanging fruit that in normal times would have overwhelming, if not unanimous, support. We need to pass legislation that secures our election infrastructure with the tools I just laid out: paper ballots, post-election audits, and enhanced cyber security for election systems.

We are saying that the Department of Homeland Security and local election officials should be able to talk to each other in a classified setting so they can know the threats they are facing. We are saying that if local election officials have reason to suspect that a serious cyber security incident has occurred, they need to alert the appropriate Federal officials and, if true, appropriate congressional officials need to know as well.

I also believe we need online ads to follow the same rules as TV, radio, and print advertisement. If you are seeing an election ad that was produced or bought in St. Petersburg and paid for in rubles, I think Americans have a right to know. We are saying that if



Russia attacks our elections again—or any other foreign power—they should immediately face sanctions. Of all things, you would think the President would be willing to punch back against an attack on the sovereignty and integrity of the U.S. electoral system.

Finally, we are saying that if a foreign party reaches out to your campaign offering dirt on a fellow American, the appropriate response is not to say thank you; the appropriate response is to call the FBI. The DHS motto, “If you see something, say something,” needs to apply in terms of interference in our Presidential elections.

The truth is, what happened in 2016 will happen again in 2020 if we are not prepared. That is why we cannot allow election security to become a partisan issue. I spent a lot of time working with my Republican colleagues on these bills. I want to particularly recognize the Presiding Officer, who has really been one of if not the leading voice on these bipartisan efforts to secure elections. I know he has been working relentlessly to find a way to help get this legislation to the floor, and I thank him because these are commonsense, substantive proposals that will make our democracy more secure against foreign attack.

We should hold hearings, if necessary, offer amendments, and vote on this critical legislation while we still have time. That is what we were sent here to do, and that is what we must do if we are going to secure our democracy in 2020.

#### HEALTHCARE

Mr. President, I want to turn to protections for people with preexisting medical conditions because these protections are under threat by this President.

Under the pretext of so-called short-term plans, the Trump administration is pushing healthcare plans that, once again, allow insurance companies to discriminate against Americans based on their medical history. These skinny plans—or I refer to them as “junk plans”—also undermine the Affordable Care Act’s requirements that insurance cover things like emergency room visits, maternity care, and other essential benefits.

Let me be clear. The reason this market has suddenly been flooded with these junk plans—in many cases advertising in low-income markets that these are ACA or ObamaCare plans—is not because Congress passed any law. The President tried and failed twice to pass legislation ending these protections for folks with preexisting conditions. Since they couldn’t get their way in Congress, now they are using Executive action to try to undermine the Affordable Care Act.

I have introduced a resolution under the Congressional Review Act which would stop this deliberative effort to destabilize the health insurance market and weaken protections that Americans count on. Today I am filing a dis-

charge petition so that it will bring this resolution to the Senate floor for an up-or-down vote. The truth is, every Member of this body knows someone—either in their family or close relatives—with a preexisting condition. The fact is, many Members themselves have preexisting conditions. In Virginia alone, more than 1 million people live with preexisting conditions.

Before the Affordable Care Act, an insurance company had every right to deny these individuals coverage, charge them unaffordable premiums, or when they got that condition, terminate their plan. I think we all agree we can’t go back to those days. The administration knows perfectly well that these junk plans don’t offer real benefits. They have been warned repeatedly by hundreds of patient groups, physicians, hospitals, and insurance, including the American Heart Association, AARP, the American Academy of Pediatrics—just to name a few of the organizations that have come out against these plans. All of these stakeholders are telling us the same thing: The Trump administration’s plan will weaken consumer protections and disproportionately hurt sick and older Americans.

My Republican colleagues insist that they actually support protections for folks with preexisting conditions. OK. With this CRA, I think there is a chance to prove it. This resolution we are introducing today will force an up-or-down vote on these junk plans that explicitly undermine protections for preexisting conditions. If my colleagues truly support these protections, they should vote yes. It is that simple. Instead of abiding or going along with the administration’s effort to undermine the stability of the healthcare market, let’s not do that. Let’s go back to the ACA. Let’s look at fixes where there were mistakes made. Let’s look at how we can work together on better access to Affordable Care Act. I serve on the committee, and I know the Finance Committee has taken, I think, at least a first step—I hope there will be more—in terms of putting some reasonable constraints on drug prices. It is not fair or right that Americans pay more for drugs than anyone else in the world and, in a sense, subsidize the R&D for the whole world.

There are a host of areas where we can find agreement. Let’s make sure the one part of the ACA that I think everyone agreed to was this notion that folks with preexisting conditions should not be discriminated against. I think the CRA would allow the Senate to go on record on this critically important issue. I look forward to the opportunity to have this voted on and debated when we come back from the break.

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

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

Ms. COLLINS. Mr. President, I have a brief statement. I ask unanimous consent that I be permitted to complete my statement before the vote begins.

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

S.J. RES. 54

Ms. COLLINS. Mr. President, I rise in support of the resolution to terminate the emergency declaration. I want to thank Senator UDALL, the Senator from New Mexico, for his leadership.

The question presented by this resolution is not whether you are for a border wall or against a border wall. The question is not whether you believe the security at our southern border is sufficient or it should be strengthened. Instead, the question is a far more fundamental and significant one. The question is simply this: Should the Congress of the United States of America yield its constitutionally prescribed power of the purse to the President?

The answer to that question, regardless of who is in the White House and who is controlling Congress, should be no.

Congress alone is empowered by the Constitution to adopt laws directing money to be spent from the U.S. Treasury. We must stand up and defend our role that the Framers very clearly set forth in the Constitution. Congress must do that even when to do so goes against the outcome that we might prefer.

I have consistently supported funding for the construction of physical barriers and for strengthening security on our southern border. I will continue to support those efforts and believe and understand they are important, but I cannot support the President’s unilaterally deciding to take money that has been appropriated for one purpose and diverting those billions of dollars for another purpose no matter how important or worthy that goal may be.

My colleagues, irrespective of whether you support or oppose a border wall, I urge you today to support this resolution and stand up for the separation of powers laid out in our Constitution. In doing so, you are standing up for our Constitution.

Thank you.

The PRESIDING OFFICER. All time has expired.

The joint resolution was ordered to be engrossed for a third reading and was read the third time.

The PRESIDING OFFICER. The joint resolution having been read the third time, the question is, Shall the joint resolution pass?

Ms. COLLINS. 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 Florida (Mr. RUBIO).

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

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

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

The result was announced—yeas 54, nays 41, as follows:

[Rollcall Vote No. 302 Leg.]

#### YEAS—54

Alexander	Heinrich	Portman
Baldwin	Hirono	Reed
Bennet	Jones	Romney
Blumenthal	Kaine	Rosen
Blunt	King	Schatz
Brown	Klobuchar	Schumer
Cantwell	Leahy	Shaheen
Cardin	Lee	Sinema
Carper	Manchin	Smith
Casey	Markley	Stabenow
Collins	Menendez	Tester
Coons	Merkley	Toomey
Cortez Masto	Moran	Udall
Duckworth	Murkowski	Van Hollen
Durbin	Murphy	Warner
Feinstein	Murray	Whitehouse
Gillibrand	Paul	Wicker
Hassan	Peters	Wyden

#### NAYS—41

Barrasso	Ernst	McSally
Blackburn	Fischer	Perdue
Boozman	Gardner	Risch
Braun	Graham	Roberts
Burr	Grassley	Rounds
Capito	Hawley	Sasse
Cassidy	Hoeven	Scott (FL)
Cornyn	Hyde-Smith	Scott (SC)
Cotton	Inhofe	Shelby
Cramer	Isakson	Sullivan
Crapo	Johnson	Thune
Cruz	Kennedy	Tillis
Daines	Lankford	Young
Enzi	McConnell	

#### NOT VOTING—5

Booker	Rubio	Warren
Harris	Sanders	

The joint resolution (S.J. Res. 54) was passed.

(The joint resolution, S.J. Res. 54, is printed in the RECORD of September 26, 2019.)

### RESOLUTIONS TO INSTRUCT CONFEREES

The PRESIDING OFFICER. Under the previous order, the clerk will report the resolutions to instruct.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 330) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to require certain measures to address Federal election interference by foreign governments.

A resolution (S. Res. 331) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the inclusion of the provisions of S. 2118 (116th Congress) (relating to the prohibition of United States persons from dealing in certain information and communications tech-

nology or services from foreign adversaries and requiring the approval of Congress to terminate certain export controls in effect with respect to Huawei Technologies Co. Ltd.).

A resolution (S. Res. 332) instructing the managers on the part of the Senate on the conference on the bill S. 1790 (116th Congress) to insist upon the provisions contained in section 630A of the House amendment (relating to the repeal of a requirement of reduction of Survivor Benefit Plan survivor annuities by amounts of dependency and indemnity compensation).

A resolution (S. Res. 333) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the provisions contained in subtitle B of title XI of the House amendment (relating to paid family leave for Federal personnel).

A resolution (S. Res. 334) instructing the managers on the part of the Senate on the bill (S. 1790) (116th Congress) to insist upon the provisions contained in section 316 of the Senate bill (relating to a prohibition on the use of perfluoroalkyl substances and polyfluoroalkyl substances for land-based applications of firefighting foam).

A resolution (S. Res. 335) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the members of the conference to include the provisions contained in section 2906 of the Senate bill (relating to replenishment of certain military construction funds).

A resolution (S. Res. 336) instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the members of the conference to consider potential commonsense solutions regarding family and medical leave, including voluntary compensatory time programs and incentives through the tax code.

Thereupon, the Senate proceeded to consider the resolutions to instruct conferees.

The PRESIDING OFFICER. The Senator from Tennessee.

#### UNANIMOUS CONSENT AGREEMENT

Mr. ALEXANDER. Mr. President, I ask unanimous consent that the Senate recess from 2:30 p.m. to 3:30 p.m. today for a briefing.

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

#### CLINTON 12

Mr. ALEXANDER. Mr. President, in a few minutes, I want to speak about President Trump's nomination of Eugene Scalia to be the Secretary of Labor, but first I want to introduce two speeches that I made in Tennessee into the RECORD. I notice the room nearly cleared when I observed I was about to make some speeches, but at least there are some people watching.

The first speech was on August 26 of this year in Clinton, TN. It had to do with the Clinton 12. These were 12 students, some as young as 14 years of age, who walked down a hill and enrolled in Clinton High School in 1956—63 years ago—and became the first students to integrate a public school in the South.

Many of us remember what happened the next year in Arkansas, when Governor Faubus stood in the door, and President Eisenhower had to send in the troops to integrate Little Rock Central High School. I remember those days very well. I was in high school myself then.

It is hard to imagine the courage it must have taken for those children to

walk down that hill and integrate that school. Most of them were there in Clinton, TN, when they were honored in the month of August.

Mr. President, I ask unanimous consent that my remarks on the Clinton 12 Commemorative Walk we took that day be printed in the RECORD following my remarks about Mr. Scalia.

#### TENNESSEE VALLEY FAIR

Secondly, the Tennessee Valley Fair. It is a big event in Knoxville, TN, that was held on September 6. It was attended by almost everybody who has anything to do with politics in Knox County, which means the room was full with 500 or 600 people.

It was an opportunity for me to make a suggestion to the people of Knoxville about what to celebrate. Many of us had been watching Ken Burns' "Country Music" special on PBS. He reminds us that Tennessee has a lot to celebrate in terms of country music. His first two hours were about Bristol, TN, which is the birthplace of country music. It is where Ralph Peer of New York City went to Bristol, in 1927, put an ad in the paper, saying: "Hillbillies, come down out of the mountains with your music," and here came the Carter family, Jimmy Rogers, and several others.

One of the people on Mr. Burns' show this week was Charlie McCoy, the harmonica player, a great musician. It reminded me of a time when I was Governor and recruiting the General Motors' Saturn plant to Tennessee. We had the executives coming from Detroit. We talked about what to serve them for dinner. We served them country ham. We talked about whom to have play a piece of music after dinner, and I invited Charlie McCoy to play his harmonica.

A Nashville woman came up to me and said: Governor, I am so embarrassed.

I said: Why is that?

She said: You had all those fine people from Detroit, and then you had that harmonica player. She said: What will they think of us? Why didn't you offer them Chopin?

I said: Madam, why should we offer them average Chopin when we have the best harmonica player in the world?

The better people of Nashville had resisted for a long time calling Nashville Music City, but of course Music City is a wonderful signature, a great personality, and it is one reason Nashville is such a celebrated city today.

In the same way, Knoxville has violated the Biblical injunction about don't keep your light under a bushel because it rarely talks much about Oak Ridge. So the speech I made would suggest that the sign at the Knoxville airport, which says, "Welcome to Knoxville: Gateway to the Great Smoky Mountains," ought to say instead, "Welcome to Knoxville: Gateway to the Great Smoky Mountains and the Oak Ridge Corridor."

There are nearly 3,000 scientists, engineers, and technicians who work at

the Oak Ridge National Laboratory, the largest science and energy laboratory in America, and at the University of Tennessee and at the Tennessee Valley Authority. That part of the personality of the Knoxville area needs to be celebrated.

Mr. President, I ask unanimous consent that following my remarks on the Clinton 12, that my speech at the Tennessee Valley Fair on September 6 be printed in the RECORD.

#### NOMINATION OF EUGENE SCALIA

Mr. President, in my remaining time, I would like to say a few words about Eugene Scalia and the President's nomination of him to be Secretary of Labor for the United States.

The Senate will vote, probably tomorrow, on whether to confirm Mr. Scalia. I certainly hope the Senate does, and I believe the Senate will.

We have known for two months that President Trump intended for Mr. Scalia to be the Secretary. He announced that intention on July 18. We have had all of his papers since August 27. Those are the government ethics papers and the committee papers that are necessary. They all came a month ago. He gave us a copy of all of his writings. He came to a hearing the other day. The Presiding Officer was there. He testified for three hours. We had two rounds of questions. Senators could ask anything they wanted. He offered to visit, over the last month, with every member of our committee and did with all but two. So we know plenty about Mr. Scalia. He answered another 418 questions that committee members asked him after his hearing.

I think two months is long enough to consider him and consider all that information.

I remember when President Obama's Secretary of Education stepped down in the last year of the President's term. I encouraged the President to nominate John King, whom the President wanted to nominate, but he was afraid he couldn't be confirmed because we, the Republican majority, disagreed with him. I disagreed with him. I said: Mr. President, it is important for you to have a confirmed member of your Cabinet and to have that person considered and confirmed promptly. It is important to the Senate to have a Cabinet member who goes through the process of questions and advice and consent. That is our most important function in many ways.

We confirmed John King in a month.

We have had two months to consider Mr. Scalia, and that should be enough. He has a broad background in labor and employment law. He is a partner in a major Washington, DC, law firm, so he knows all the issues. He spent a year as Solicitor of Labor in the George W. Bush administration. He left the firm to be Special Assistant to the Attorney General of the United States in 1992.

Academically, he is very well prepared. He went to the University of Virginia. He was editor in chief of the University of Chicago Law Review. He

has been a guest lecturer at the University of Chicago Law School and an adjunct professor at the David A. Clarke School of Law at the University of the District of Columbia. He is very well qualified.

It is important for the Department to have a well-qualified, steady leader. I like the demeanor that Mr. Scalia showed in his hearing. The Democratic members of the committee were there, and they were very vigorous in their questioning. I also like the fact that they were courteous to him. They didn't take the attitude that sometimes happens in U.S. Senate—that you are innocent until nominated. They took the attitude that he was a well-qualified person with whom they disagreed, so they asked him questions. He answered them, and he did a good job.

I like the fact that the Trump Administration has taken steps to create a more stable environment by having a more sensible joint employer standard that doesn't make it more difficult for American families to own and operate franchises. There are more than seven hundred thousand American franchise establishments. That is the way you get into the middle class in America. We need a steady hand there to make sure that happens properly.

I like the fact that the administration has a more reasonable overtime rule. The overtime threshold needed to be changed, but the last administration raised it too high too fast. It caused church camps to have to lay off people and close in the summer. It had all sorts of unintended consequences and bipartisan opposition. The administration announced yesterday a more reasonable step.

Next, association health plans. Among the people in America who have the hardest time paying for insurance are those who make \$50,000 a year and don't get a government subsidy. Association health plans help people who work for small businesses to be able to get the same kind of insurance that people who work for IBM or big businesses get—insurance that covers pre-existing conditions and offers the same sort of consumer protections.

It has been estimated by Avalere that the association health plan rule that the Department of Labor put out would help three to four million Americans be able to afford health insurance and save their premium costs by several thousand dollars a year. Mr. Scalia can work on that.

Mr. President, I received 32 letters in support of Mr. Scalia's nomination from small business owners, employers, industry groups, and his colleagues. I will mention a couple.

Former Obama administration official Cass Sunstein wrote:

His decency is part of what makes him someone who tends to go case-by-case, and to end up where the facts and the law take him. . . . He does not have an ideological straightjacket. He takes issues on their merits.

Thomas Susman, who was Senator Ted Kennedy's counsel, wrote:

Gene is precisely the kind of person that our country needs in the Cabinet: experienced, ethical, professional, open-minded, fair, and brilliant.

There are a number of other letters from former Department of Labor career attorneys, Chicago Law Review editorial board members, Fraternal Order of Police members, and others.

Suffice it to say that the country is fortunate the President has nominated Eugene Scalia to be the U.S. Secretary of Labor. He has conducted himself admirably in the two-month process of going through the Senate confirmation. We have a chance to bring that to a conclusion tomorrow. My hope is that the Senate will confirm him and that he will be in office by the end of the week.

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

#### COMMEMORATING THE CLINTON 12 WALK

Thank you Mayor Frank. To Lt. Governor McNally, Congressman Fleischmann, Representative Bob Clement, Judy Gooch, students and teachers, and especially, to members of the Clinton 12 and their families and friends.

It is hard standing here to imagine the courage that it took the Clinton 12, some of them as young as 14 years of age, to take a walk that we just took this morning and become the first students to integrate a public high school in the south.

In that year, 63 years ago, I was a rising junior at Maryville High School, about an hour away.

I remember reading in the Knoxville newspapers about John Kasper, and the demonstrations, and how the men and women we honor here today couldn't be intimidated.

I remember the uncommon courage of then-governor Frank Clement, whose son Bob is here, who sent in state troopers and national guardsmen in support of the Clinton 12.

Today it seems like it would be an easy decision, but it was not an easy decision for the governor.

I remember that the very next year in 1957, it was a different story in Arkansas.

The Governor of Arkansas stood in the door and stopped students from coming into Little Rock Central High School, and President Eisenhower mobilized the National Guard to support the students.

It's unpleasant to remember some of the things from then.

It's unpleasant to remember the Boys' and Girls' State program that we high schoolers would attend, was then segregated by race.

That the Alcoa student, who later became the first African American basketball coach at the University of Tennessee, when he was a teenager and wanted to go to the University of Tennessee football game, had to sit in a section of the stadium that was reserved for blacks.

It's unpleasant to remember that there never had been an African American athlete who played in the Southeastern Conference, or there hadn't been a black Supreme Court Justice in Tennessee, or a black chancellor, or a local judge.

It's unpleasant to remember that African American students couldn't sit at the front of the bus, couldn't sit at a lunch counter, and when traveling across our state and some other states in the South, had to sleep in the car because no motel would admit them because of their race.

So it is good to celebrate that things are very different today, and it's important to remember the courage of the Clinton 12 and to celebrate that progress.

But it's also important to remember, as we celebrate the Clinton 12, that things could be even better.

We still have a ways to go.

We have a United States Senator from South Carolina, whose name is Tim Scott.

He is an African American Senator elected from that state.

He told me that he was arrested seven times within the last few years in his hometown in Charleston, South Carolina, basically for being a black man in the wrong place.

And at the time, he was the Vice Mayor of Charleston.

When I first came to the Senate several years ago, your city manager, Steve Jones, came to see me to tell me Clinton's vision for preserving the story of the Clinton 12.

It's been a great pleasure to work with him and the city and so many of you to try to help him do that.

Our former senator, Bill Frist, worked with us to help us secure some of the first funding for Green McAdoo Cultural Center.

And a new law we passed in 2009 directed the Secretary of the Interior to take the first step to making it part of our National Park System.

The late reverend Benjamin Hooks, a Tennessean who was President of the NAACP, once told me this: "Remember, our country is a work in progress."

In my life, I have seen us come a long way, but we have a long way to go."

That is why the story of the Clinton 12 is so important to remember and celebrate today. Thank you.

#### TENNESSEE VALLEY FAIR

You know, it says in Lamar Alexander's Little Plaid Book that if you want a standing ovation, seat a few friends in the front row.

Thanks to those of you right there.

Thanks to Tim Burchett and to Kelly and Isabel.

I want you to know that Tim is not only good at the Vol Market, he's good in the United States Congress, and I appreciate the chance to serve with him in his good work there.

To Speaker Cameron Sexton, congratulations to Cameron. I've watched his career, he's off to a terrific start.

Mayor Jacobs, Mayor Rogero, Congressman Jimmy Duncan—my good friend for many years, and he still is—and Wanda Moody, with whom I worked for a long time.

Distinguished ladies and gentlemen: Coming up here, I was thinking that our favorite son, Howard Baker, used to remind us that it was wise to try to be an eloquent listener, but that gets harder to do the older you get.

For example, you may remember Bobby Bare who sang Detroit City.

He's in his eighties now.

He was on the Grand Ole Opry stage the other night.

Somebody asked him, "Bobby, how long you've been wearing your hearing aids?"

He said, "Well, it's like this. A few years ago, my wife said to me, 'Bobby, I'm proud of you.' And I said back to her, 'I'm tired of you too.'"

He said, "I've been wearing them ever since."

A few years ago, when I was buying a car in Nashville, the salesman pulled out his billfold, and he pulled out a picture of his two-year-old and he said, "What do you think of her?"

And I said what a politician always says. I said, "That is a beautiful baby."

And he looked up at me and said, "She won second best baby at the Wilson County Fair."

I've always remembered that because that's what we do at fairs. We celebrate the best among us.

We celebrate the tastiest tomato, and the biggest pumpkin, and the prettiest girl and the strongest man, the craziest quilt, the biggest tractor and the best baby.

And for a century, the Tennessee Valley Fair has been doing that.

Bob Booker wrote this morning about some of the history even before then, and I was thinking so much happened in 1919.

I know over in one county, a Maryville high school was started that year.

Proffitt's Department Store was started that year.

The Kiwanis Club started that year.

The West Plant was being built that year and this fair started that year.

And I think it was because the war ended in 1918 and everybody came home and had a burst of enthusiasm about our country.

They wanted to celebrate what was good about it.

And so here came the fair.

So this fair has been celebrating all the things I just talked about.

And also, had you come to the Tennessee Valley Fair over the last century, you could see pigs jumping through hoops, you could see dancing horses, you could see African American cultural exhibits, you could see the wildest roller coaster ride, and you could see the fastest new car.

That's why people came to the fair.

But in the depression, Professor Harcourt Morgan, who later was the U.T. president and the TVA Board Chairman, suggested this. He said, "We ought to use the fair to try to think differently what we have to celebrate in the Knoxville area."

So in that spirit, let me take about five or 10 minutes and suggest to you what I think we ought to be celebrating in the Knoxville area.

We have plenty to celebrate.

I mean, telling Eddie earlier, you'd come down to the airport and there's a sign that says, "Welcome to Knoxville, Gateway to the Great Smoky Mountains." We've got the biggest mountains in the East, the most visited park. That's something to celebrate.

Ken Burns is going to have on television this year his series on country music.

He thinks it may be more popular than his Civil War series.

Where was the birthplace of country music? Right here in East Tennessee.

The Tennessee Valley Authority has become the largest public utility in the United States.

The University of Tennessee has become a major research institution and the Oak Ridge National Laboratory has grown from a Manhattan Project to build a bomb to win a war, to becoming the nation's largest science and energy laboratory, the home of the world's fastest computer, and the home of the best new work on 3-D printing for manufacturing.

So we've got a lot to celebrate.

Let's add up those last three. Let's add up TVA, U.T., and Oak Ridge for just a minute.

When I do that, here's one thing I get: about 3,000 scientists and engineers.

You know that's as large a concentration of brainpower in the Knoxville area as exists in North Carolina's research triangle, Route 128 of Massachusetts, or it even rivals the Silicon Valley—which we know a lot about—in California.

The trouble is when we come to Oak Ridge, the rest of us in this area are guilty of violating the parable that Jesus talked about in Matthew, which was don't hide your light under a bushel.

We just don't talk about it much.

It's not so unusual. It just doesn't happen to us.

About every 10 years at night in Nashville, some of the so-called "better" people will come up and say, "We're getting a bad reputation. We'll get known for all this hillbilly music in Nashville. Can't we remind people we have a symphony?"

I remember one night when I was governor, we invited the General Motors executives from Detroit to have dinner at the mansion.

We were recruiting the Saturn plant like everybody else was.

So Honey and I decided we would serve a country ham, and I invited Charlie McCoy to play the harmonica after dinner.

A Nashville lady came up to me afterwards and said, "Governor, I'm so embarrassed about what I see. About that harmonica player, what will those fine people from Detroit think of us?" And I said, "Madam, why should I offer them average Chopin when we got the best harmonica player in the world?"

Nashville is pretty happy about being Music City and off they go.

Then I go to Memphis and they're worrying about Nashville. They said, "Nashville's got this, Nashville's got that."

I say, "Well, wait a minute. Okay, let's have a jobs conference."

So we had a jobs conference and what'd they do? Well, they said, "We've got Beale Street, we'll clean it up, we'll build an agricenter. Nashville doesn't want to do that, that fits us. We'll get the ducks back walking in the Peabody Hotel."

And there went Memphis.

Then here come the people from Chattanooga, "You gave Memphis money, we want to build a \$2 million aquarium."

I said, "Why would you build such a stingy aquarium? If you're going to do it, build the biggest aquarium from Baltimore to Miami so people will come to see it."

And that is what they did. And in the meantime they noticed they had the beautiful Tennessee River Gorge and a great downtown. And look where Chattanooga is today.

So let's think about Knoxville, just a minute, and all those cities.

The idea of hiding our light under a bushel doesn't just belong to the cities.

It's all over the state.

Some of you will remember Tennessee homecoming '86 when I asked everybody to find something to celebrate in your community—invite everybody who lived there to come do it, and then have a celebration.

And in the Forest Brook neighborhood in Knoxville, they invited everybody to come home on the 4th of July and they had a celebration.

And in Hickman County, Minnie Pearl and the people who lived there made a quilt with all the names of the little communities in Hickman County so the children would know, for example, where Bona Aqua came from.

And in Nashville, they invited all the writers who grew up in Tennessee to come home and they did. And the Festival of Books still is going on in Nashville.

So I think it's important to stop worrying about what you're not and start celebrating what you've got, which is why I have a suggestion to make in the spirit of Professor Harcourt Morgan, who said, "We ought to use the fair to take a little different look about what we have to sell them."

I suggest that we change the sign at the Knoxville airport and we say "Welcome to Knoxville, Gateway to the Great Smoky Mountains and the Oak Ridge Corridor."

Now our new governor, Bill Lee, who is an engineer, understands why we need to do that.

He told a group from Nashville, "What Tennessee needs is a magnet to attract jobs and capital."

Then he came up to Oak Ridge the next day and said, "We've got a magnet right here."

The first time I met Glenn Jacobs, he talked to me about the Oak Ridge Corridor before I could talk to him about it.

He's the mayor of Knox County, but he saw the interconnection.

So I'm sure Mayor Rogero must see those connections every day.

Tim Burchett is pretty good at the Vol Market, but the first visit he had with me in Washington was to come talk to me about the 8,000 Oak Ridgers who live in Knox County and what he could do to support Oak Ridge and Randy Boyd and Chancellor Plowman of University of Tennessee.

You know, U.T. now manages the Oak Ridge National Laboratory, and they started a new hundred million dollar Oak Ridge Institute at the University of Tennessee to recognize the importance of that connection.

Last week, I talked to Sam Beall, who, many of you know.

Just like this fair, Sam Beall is 100 years old.

When he came to Knoxville in the 1930s, there was basically no Oak Ridge.

The Great Smoky Mountains National Park and TVA had just been created.

And there were no doctoral programs at the University of Tennessee and no one in their wildest dream could imagine a personal computer.

Today, Oak Ridge has the largest science and energy laboratory in America, TVA is the largest public utility, U.T. is a major research university, and the fastest computers in the world are about 15 miles away at Oak Ridge.

So things have changed.

When Sam Beall came here in the 1930s, which was about the time Professor Harcourt Morgan said, "Let's think about a little different way to celebrate the Knoxville area."

When Sam came in the 1930s, Oak Ridge was a secret city.

While a lot of people from around here work there, there didn't seem to be much relationship between Oak Ridge and Maryville, or Oak Ridge and Madisonville, or Oak Ridge and Sevierville, or even Oak Ridge and Knoxville.

So, my suggestion is that we take Professor Harcourt Morgan's advice in the 1930s and use it this year.

That, along with the prize chickens, the best babies, the birthplace of country music, and most visited national park.

Let's celebrate the fact that the Knoxville area is the home of one of the largest concentrations of brain power anywhere in the United States, rivaling the Research Triangle, Route 128 and even the Silicon Valley.

And it's also home to one of the best-known brand names in the world, a brand name that stands for science, energy, and excellence.

So my suggestion in the spirit of the fair and with the suggestion of Harcourt Morgan, is let's change the sign at the Knoxville airport from "Welcome to Knoxville, Gateway to the Great Smoky Mountains" to "Welcome to Knoxville, Gateway to the Great Smoky Mountains and the Oak Ridge Corridor."

If we want to take the professor's advice and celebrate what's special about where we live today, that would be the best way to do it.

Thank you.

Mr. ALEXANDER. Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

S.J. RES. 54

Mr. CARDIN. Mr. President, earlier this month, I went to Joint Base Andrews, which, as I think many of you know, is not far from here. It is where the President boards Air Force One. The mission at Joint Base Andrews is broad. The Air Force does an incredible job in service to our country. I went there to take a look at the Child Development Center. The Child Development Center that I visited was first constructed in 1941 not as a childcare center but for other purposes. It has had serious challenges, as the Air Force put in their request to build a new childcare center—a new child development center.

I visited classrooms that had to be closed because of a sewage backup, which happens regularly and flows into the kitchen area of this particular facility. I saw the results of a roof that had collapsed during a heavy snowstorm that now has been replaced, but the use of that part of the building is compromised. I saw the concerns expressed about pest control, about an HVAC system that does not work properly, and about a facility that doesn't have the capacity they need in order to deal with the needs of our Air Force personnel.

It was for that reason that the Air Force has made this one of their top priorities in military construction, to replace this 1941 facility. Through the competitive process that is used under the Department of Defense, this project rose to a top priority and was included in the President's budget and approved by Congress at \$13 million for a replacement.

Let me read from the Air Force's justification in requesting these funds. It says:

Not providing this facility forces members to use more expensive, less convenient and potentially lower quality off-base programs. These off-base child development centers typically cost \$9,400 more than on-base, creating a severe financial strain on military personnel. Quality of life will be severely degraded, resulting in impacts to retention and readiness because Airmen and their families will not have a safe and nurturing environment for child care.

That will be the consequences if we don't replace the structure. Why do I talk about that? Because this was one of 64 projects that were included in the President's emergency power transfer, taking this \$13 million from the replacement of a child development center and using it for his wall. It was one of three projects in Maryland. We had \$66.5 million.

There was another project at Joint Base Andrews dealing with hazardous material, the place where they unload hazardous material. They want to do it away from where the President's plane flies. That makes abundant sense. That was cut and transferred over to the wall.

For those of you who have been to Ft. Meade—an incredibly important fa-

cility—try to get there when you have a traffic problem. It is almost impossible. Part of the moneys that were transferred was to alleviate those concerns—the traffic.

The President took 64 projects—\$3.6 billion, including this Child Development Center at Joint Base Andrews, to use to pay for his wall. He told us during the campaign that this was being done in an effort—that Mexico would pay for it. We now know that the air-men families at Joint Base Andrews are going to pay for this wall—\$9,400 more per child because they don't have a safe facility. This facility has a hard time passing accreditation considering the situation. That is not me telling you this; this is the Air Force telling you this. Yet those funds were taken away. Why were they taken away? Because the President used his emergency declaration power to do this.

I believe this was an unconstitutional abuse of power. Let me quote from the President himself. This is what the President said in the Rose Garden in announcing the so-called emergency. I am quoting the President of the United States:

I could do the wall over a longer period of time. I didn't need to do this. But I'd rather do it much faster.

Is that an emergency? Is that contradicting the direct dictate of Congress? Let me just remind my colleagues of the Constitution, article I, section 9, clause 7. It is the Congress that has the power of the purse strings. We are the ones who appropriate the money, not the President of the United States. He carries out our instructions. Yet he uses, by his own words, something he wanted to do for himself rather than a national emergency to transfer those funds. It is wrong. It is not just this Senator saying it is wrong; we got a letter from several Senators, former Senators and former Members of the House—Republicans—who commented on this. The signatories to this letter include Senator Danforth, Mickey Edwards, Chuck Hagel, Jim Kolbe, Olympia Snowe, and Richard Lugar. They are respected Republican Members of this body. Let me quote from their letter.

Our oath is to put the country and its Constitution above everything, including party politics or loyalty to a president. . . . The power of the purse rests with Congress. . . . if you allow a president to ignore Congress, it will be not your authority but that of your constituents that is deprived of the protections of true representative government.

This is not about loyalty to a President or a party loyalty; this is about exercising the constitutional responsibilities of the article I legislative branch of government.

We just took a vote. We can do something about it—S.J. Res. 54, terminating the national emergency. We got a majority of the Senators who voted for it, 54 to 41, so it will move forward. We expect this will not be the last word, and that is why I am taking the floor time now. We are going to have

another opportunity to do this. We may have an opportunity to override a Presidential veto. We are going to need more support. I urge my colleagues to please look at the Constitution of the United States we took the oath to uphold. Look at Members who have served here in the past who are warning us that this will come back to haunt our constituents in their constitutional checks and balances, having the Congress be the people's body here—not the President of the United States—in passing laws and making appropriations.

Let us do the right thing. Let us exercise the checks and balances that are in our system. Let us see this S.J. Res. 54 become law. Let us reverse this emergency declaration. Let's do it for the Constitution. Let's do it for the U.S. Congress. Let's do it for the men and women in our military service who are being denied the necessary military construction projects, including those service men and women at Joint Base Andrews who need a child development center that protects the welfare of their children.

For all those reasons, I hope this becomes law.

With that, Mr. 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.

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

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

#### MEDICAL BILLING

Mrs. SHAHEEN. Mr. President, for the past couple of weeks, New Hampshire and many other States across the country have been flooded with millions of dollars' worth of dark money advertisements. These ads have been all over TV and social media.

Let me just be clear. They haven't been running just against me in New Hampshire; they have been running against Democrats and Republicans in competitive races across this country.

We have also had flyers that have been jammed in the mailboxes all across New Hampshire. I even got several of the flyers myself. This is an example of one. I will read it in just a minute.

I want to point out that the goal of this campaign has been to stop Congress from acting to address surprise medical bills.

For example, this flyer makes the dishonest claim that addressing surprise medical bills would lead to hospital closures and doctor shortages. In fact, you can see, it says:

Imagine if the care we needed wasn't there when we needed it the most. Rate setting is a healthcare nightmare—hospital closures, doctor shortages, windfall profits for big insurance. Say no to rate setting. Don't put big insurance companies in charge of our healthcare. Stop surprise medical bills.

Then you turn it over, and it says:

Tell Jeanne Shaheen to stop rate setting. Say no to putting big insurance in charge of our healthcare. Say no to making it harder to see our chosen doctors when we need them the most. Say no to big insurance profits at our expense. Tell Senator Jeanne Shaheen to put patients first.

You read that, and you think I am all about trying to put insurance companies ahead of patients. It doesn't tell you who is sending it. But you look at it—and we did a little digging, and we found out that the ads say that they are paid for by an organization called Doctor Patient Unity. You read that, and you think, well, they are worried about patients. You look at that, and you think they are worried about hospital closures. This is from Doctor Patient Unity, so this must be someone who cares about patients. Don't believe it.

The truth is, these flyers and the ads that have been running in New Hampshire and across the country are paid for by two private equity firms on Wall Street. They don't care about patients. They care about profits.

They have spent over \$2 million in New Hampshire. If you look across the country, they have spent tens of millions of dollars. Just imagine that instead of trying to pad their own bottom line and worrying about surprise medical billing, they had put those tens of millions of dollars into improving healthcare for the people of this country.

The public doesn't know this because they have been left completely in the dark. Due to the Supreme Court's Citizens United decision, special interests can spend unlimited amounts of money and stay anonymous. So the average person throughout the country who gets one of these flyers is not going to know who paid for these ads. They are not going to know who is getting the benefit of the costs from surprise medical billing.

This ad campaign is not only confusing to voters; it is exhibit A in how our campaign finance system is broken. The voices of Granite Staters who are struggling to pay surprise medical bills are being drowned out in this case by private equity firms on Wall Street that are making billions off of the status quo.

Here is how these private equity firms are exploiting patients. First, surprise medical bills usually occur when a patient visits an in-network hospital. Let's say my insurance says that I can go to the hospital in my hometown. As part of the treatment, I go to the hospital, but the doctor who sees me is not a doctor who is in the network of my insurance company. So unbeknownst to me, as I go into the emergency room, that doctor is what is called out of network. These doctors often are working for physician staffing companies that have gone out of network so they can aggressively pursue surprise medical bills. These physician staffing companies are also using these surprise medical bills to negotiate—to command in-network pay-

ments from insurers that are often twice as high as the average, which can result in higher premiums for everybody.

So they have these surprise medical bills, and you pay more for those. The insurance companies and the physician staffing companies go to the insurers and say: Look, these doctors are getting paid this much from surprise medical bills, so you have to raise your payments for doctors in your network, and everybody is going to pay more as the result of that.

Again, this is frequently done at the behest of private equity firms that own the physician staffing companies.

Surprise medical bills can be a tremendous shock to patients. This is what happened to Donald and Kathy Cavallaro. They live in Rye, NH. Don works at the Portsmouth Naval Shipyard. When Kathy needed emergency surgery, Don's insurance covered the hospital costs, but the doctor performing the surgery was out of their insurance network. The result was that they got a surprise medical bill for \$5,000. Now they are appealing that cost.

Unfortunately, what the Cavallaros are going through isn't a rare occurrence. One in six emergency room visits in New Hampshire results in a surprise bill for Granite Staters who have large employer coverage.

Nationally, the average cost of a surprise bill from an emergency room visit is more than \$600, and the average surprise bill for inpatient care is over \$2,000. So we can see what is happening as a result of surprise medical bills. Surprise bills like these can easily put a family budget in the red, and Congress desperately needs to put a stop to them.

Today, I strongly encourage my colleagues in the Senate to move this effort forward. The special interests that are pushing these surprise medical bills and pushing up all of our healthcare costs have to be tuned out.

This is about making sure that when a Granite Stater or any American goes to a hospital, they can have faith that their insurance is going to cover their costs. We should not—we must not—let private equity firms on Wall Street bully Congress or derail the bipartisan efforts that are taking place in this body to address surprise medical bills.

These advertisements should also serve as a reminder that Congress has to reform our broken campaign finance system. Special interests shouldn't be able to hide behind nice-sounding front groups like Doctor Patient Unity.

We know these private equity firms are responsible for these ads only because of investigative reporting that was done by Bloomberg, the New York Times, and some others. Sadly, this is the exception rather than the norm because usually dark money never gets exposed.

In closing, I want to send a very clear message: I don't care how many ads these special interests run, how many



mailers they send out, or how many millions they spend. Granite Staters who have had their family budgets upended by surprise medical bills must be prioritized over the special interests who want to profit off of them. Healthcare costs are out of control, and tackling surprise medical bills must remain at the top of the Senate's agenda.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. BLACKBURN). The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### FUTURE ACT

Mr. BROWN. Madam President, right now, HBCUs, like Wilberforce and Central State in my State of Ohio, and other minority-serving institutions are facing a fiscal cliff. If we don't act now, this week, HBCUs and other schools will face crippling funding cuts. These schools are a critical part of our Nation's higher education system. They have a rich legacy and a proven track record of educating students of color and other underrepresented students.

Wilberforce was founded in 1856 as the Nation's first private institution of higher education for Black students in this country—an institution that we are so proud of in southwestern Ohio. Central State has a rich legacy of educating students and is an 1890 land-grant institution.

Many of us worked in the last farm bill to right a historical wrong and to make sure all 1890 land-grant universities, including Central State, have access to the funding they deserve. They have fostered generations of African-American students. We know that without HBCUs, millions of Black students would have been denied the opportunity to pursue higher education. There simply was no place for them in many places in this country. They would have been left out of careers in law, academia, agriculture, politics, the sciences, and so many other fields.

Our country owes an enormous debt to HBCUs. Key funding for HBCUs and minority-serving institutions—MSIs—expires September 30. Without this funding, school budgets will be thrown into chaos. They will likely consider program cuts and layoffs. We need to pass a clean extension.

The House has done its job and passed the FUTURE Act. It seems the House is always doing its job. It passes legislation, and then the legislation dies in the Senate graveyard. We have seen it on issue after issue. This is as important as any of them. We must protect the HBCUs. We must extend the mandatory funding for all MSIs for 2 years. It is time for the Senate to do the same. HBCUs and MSIs have to

overcome enough hurdles every day to educate their students. The Senate should not be one of those hurdles. We need to pass the FUTURE Act now.

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

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

#### NOMINATION OF EUGENE SCALIA

Mr. COTTON. Madam President, I would like to speak today about an old friend and mentor, Gene Scalia. Gene is a devoted husband and father, a brilliant lawyer, and a fairminded advocate for workers and the rule of law, and he is an outstanding choice to be our next Secretary of Labor.

Gene has proven himself as a top legal mind both in government and in private practice. During the Presidency of George W. Bush, he served as the top lawyer for the Department of Labor, where he stood up for workers by vigorously enforcing the law. When Enron's executives defrauded and bankrupted the company, Gene fought to recover the retirement savings of employees and pensioners.

In private practice, Gene fought out-of-control bureaucrats who threatened to undercut America's position as an industrial power. When Washington bureaucrats tried to stop Boeing from building its world-class Dreamliner in South Carolina, he fended off the attack. As a result, thousands of South Carolinians today are employed in good-paying manufacturing jobs, and the world's best airplanes continue to be made right here in America.

Gene's resume tells the story well enough. It proves that he is a top expert in labor law who has devoted his life to ensuring that workers and industry alike get a fair shake.

But his resume doesn't tell the whole story. I met Gene early in my short career as a lawyer. He was one of my very first bosses. So I got a window into his leadership style and legal mind. I have relied on his hard-earned wisdom and counsel ever since, although, I have to say, Gene was one of the very few lawyers I knew who discouraged me from leaving the law and joining the Army. I think that is less a commentary on my skills as a young lawyer and more a commentary on his need to keep his lawyers on his cases. But he came around and introduced me to his brother Matt, who remains an Army officer to this day, and the Scalia family have been good friends all along.

Gene Scalia is one of the most capable and decent men I know in Washington. His dedication to the law and its just application is absolute. Working folks in this country deserve a Labor Secretary of such integrity and conviction, and Gene Scalia will be just such a Secretary.

I urge all of my colleagues to confirm him as our next Secretary of Labor.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The assistant bill clerk proceeded to call the roll.

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

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

#### OVERTIME RULE

Mr. BROWN. Mr. President, something happened in the last 48 hours or so that affects 40,000 to 50,000 people in my State and affects, literally, probably 1 million people or more around the country. These are people who are making \$30,000, \$35,000, \$40,000, or \$45,000 a year.

Essentially, the President of the United States robbed them of their overtime. This isn't histrionics. It is not alarmist. It is fact. This is how it works. If you are managing a fast food restaurant and you are making \$40,000 a year, and if the company decides to call you the night shift manager—the management decides to declare you as management—it means they can work you 45, 50, 55, 60 hours a week and pay you not a cent—not pay you time and a half. They don't pay you time and a half. They don't even give you another cent more than your 40 hours.

In other words, if you are a moderate-income worker making \$35,000 or \$40,000 a year—not enough to have a middle-class lifestyle like you could have had in this country 20 or 30 years ago—and management decides they are going to classify you as management, they can work you as many hours as they want without a cent of overtime.

Now, that has been a problem for years. Five years ago, we fixed it. The Vice President of the United States with Secretary Tom Perez came out to Columbus, OH. I worked on this issue. We made this announcement at a small manufacturing firm. They supported this agreement, and many businesses did. This would have meant that for anybody making up to about \$46,000 a year, if they worked those extra hours and they were called management, from then on they were going to get overtime—time and a half. That is what overtime pay is about. That is what the overtime rule is about.

President Trump loves to say that he is on the side of workers, but you can't say you support workers individually if you don't support workers collectively. The President says: I care about these individual workers. If he really cared about these individual workers, he wouldn't have, in essence, robbed 40,000 to 50,000 Ohioans—and I don't know how many million Americans—of their overtime pay. We passed that rule. The Obama administration sent the Secretary of Labor to Columbus, OH, and I was there when we made this announcement. On behalf of 150,000 Ohio workers who were making \$30, \$40, \$45, and up to \$46,000 a year, we celebrated

that they were going to get time and a half. If they were away from their family, working those extra 10 hours, which meant working 50 hours a week, or an extra 20 hours and working 60 hours a week, they were going to take home thousands of dollars in overtime pay if they did that week after week.

This President says he is for workers. Then, he changes this rule. In a sense, he robbed those people. This new rule deprives millions of workers, literally, of the pay they have earned. It is as disturbing as anything I have seen from the President.

Like the Republican leader's office down the hall, I know the White House looks like a retreat for Wall Street executives. In the White House, whatever corporate America wants, this White House gives them every single time. If corporate America wants to block the minimum wage, which hasn't been increased in 10 years, the President of the United States blocks the minimum wage. If corporate America wants this overtime rule done away with, compromised, or half-obliterated, saving millions of dollars for corporate America, the President of the United States does their bidding.

To do a renegotiation of NAFTA, or the North American Free Trade Agreement, right to help workers, you enforce worker rules, and you enforce labor rules. The President backed off from his campaign promise and didn't do it.

There were lots of tax cuts for the rich. Almost 80 percent of the corporate tax bill that President Trump pushed through Congress goes to the richest 1 percent of the people. It is a betrayal. It is a White House betrayal of workers every single day. For people making \$30,000, \$40,000, \$50,000, \$80,000, or \$90,000 a year, this White House betrays them.

It is pretty simple. Think about the dignity of work. Whether you punch a clock or whether you swipe a badge, whether you are raising children, whether you are taking care of aging parents, whether you are working on tips, or whether you are working on a middle-class salary, all work has dignity. Instead, the President has undermined that worker.

And we all know something about CEOs. When I was a kid, CEOs made about 30 to 1 in CEO pay versus the average worker. Now it is about 300 to 1. Who gets the tax cuts in this country? The CEOs. Who gets hurt every time? It is moderate wage earners.

I hear this talk of populism, that the President is a populist. Well, populism is never racist or never anti-Semitic. It doesn't divide people. It doesn't push some people down to lift people up. That is what we have seen far too much of.

To me, this overtime rule was sort of the last straw. You give tax cuts and massive giveaways to the wealthiest 1 percent and encourage more corporations to move overseas.

The President's tax bill says this, which is almost not even believable: If

you have a company in Mansfield, OH, or Toledo, OH, you pay a corporate tax rate of 21 percent. If you shut down that production in Mansfield and Toledo and move to Guadalajara or Guangzhou, you pay 10.5 percent. What does that do? That means more companies are going to move overseas as wages continue to be depressed in this country.

I was in the White House with the President in his Cabinet Room one day during the tax bill. After he signed this tax bill, he said: You're going to start seeing a lot more money in your paycheck.

We know that was a lie. Corporations reaped the benefits, and then spent their windfall not on workers' wages or growing the company but on stock buybacks.

General Motors received huge tax cuts. They moved more jobs overseas and they shut production in Hamtramck, MI, and in places like Lordstown, OH. He stacked his Cabinet and the National Labor Relations Board with corporate stooges who spent their whole careers undermining workers on behalf of corporations. His new Labor Secretary, Eugene Scalia, is a corporate lawyer who has fought over and over against worker rights. Think about this. The Secretary of Labor—whether it is a pretty conservative Secretary of Labor, whom Republicans over here are likely to support, or a more progressive, pro-worker Secretary of Labor, whom Democrats are more likely to support—is usually somebody who cares about workers and workers' rights. The new Secretary of Labor appointed by President Trump is a corporate lawyer. He spent his entire career attacking workers, attacking workers' rights, trying to put unions out of business, trying to encourage decertification of elections, and trying to come down every time on the side of corporations against workers.

I said this before. You can't say you care about workers individually, but then you don't side with workers collectively. What does that mean? It means when that workers have a union, they get better pay, they get better benefits, they have retirement, they have healthcare, and they have more job security and more safety in the workplace. But if you say you care about individual workers but you don't care about workers collectively, then you simply don't care about workers.

It comes down to this: Whose side are you on? Are you on the corporations' side or American workers' side? Do you fight for Wall Street or fight for the workers and fight for the dignity of work? Do you honor work? Do you respect work? Do you pass legislation that supports workers and rewards work or do you pass legislation to take, literally, thousands of dollars out of the pockets of workers who should be getting overtime but, because of this new Trump rule, they lost their overtime.

The President promised to fight for American workers. He has broken that

promise over and over. If you love this country, you fight for the people who make it work. We don't see that over here. We don't see that in the majority leader's office, and we sure don't see that in the White House.

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

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

Mr. WHITEHOUSE. Mr. President, I ask unanimous consent to speak as in morning business for up to 15 minutes.

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

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I am here for my 254th "Time to Wake Up" speech. In the time I have been giving these speeches, I have watched the shifting trajectory of climate denial. First, climate change was a hoax. Then, there wasn't enough science. Then, the science is still uncertain. Then, solving this problem would hurt our economy. Then, innovation will magically save us, and now there is a new entrant in the climate denial lexicon: China. "China isn't doing enough on carbon emissions," goes the argument. So we shouldn't do anything at all.

It is a talking point you hear all the time from the fossil fuel industry and its array of front groups working to block climate action here in Congress.

Now, China has done plenty to complain about. China has stolen our intellectual property, manipulated its currency, jailed its political dissenters, set unfair labor rules, and more. I have been front and center with those complaints about China. Yet, before we offer up China as the latest "climate denial lite" excuse for doing nothing, let's take a look at what China is really up to.

For starters, China is still a party to the Paris climate accord, and China's President doesn't say stuff like "wind turbines cause cancer." OK—a low bar, I concede.

Our President recently tweeted:

Which country has the largest carbon emission reduction? AMERICA! Who has dumped the most carbon into the air? CHINA!

Actually, that is not quite true. We have still dumped more CO<sub>2</sub> into the air than China because we have been at it longer, and we still dump a lot more than China per capita, but China's 1 billion people do put out more carbon pollution than our 300 million. They overtook us as the world's top national emitter in 2007. Last year, China accounted for about 28 percent of global CO<sub>2</sub> emissions, and the U.S. accounted for 15 percent. Cumulatively, China accounts for 13 percent of emissions, and the U.S. accounts for 25 percent, which is about twice as much. Americans' per



capita carbon emissions are among the highest in the world. The average Chinese citizen—China is here—accounts for less than half the per capita emissions of the average American.

We actually don't have lots to brag about on our emissions, but that is not where it looks the worst for us. Forget the past. Look to the future at climate action. That is where China is blowing us out of the water.

As the Trump administration slavishly fronts for fossil fuel—and is even turning the agencies of our government over to this corrupting industry—China is leaning in hard on a green energy future. China is resetting its economy for a clean energy future. China began implementing a national cap-and-trade system—a price on carbon—for its power sector in 2018, which will go into full force across the country next year. Several provinces already run cap and trade locally. This year, China is launching a mandatory renewables quota, requiring that 35 percent of its electricity be renewable by 2030, and its energy plan seeks 50 percent of total electric power generation from nonfossil sources by 2030.

China is also investing to dominate clean energy manufacturing and technology. In 2017, nearly half of the world's new renewable energy investment took place in China—triple the investment made in the United States. China leads the world in renewable power deployment with there being more than twice as much capacity as in any other nation. Almost 30 percent of the world's renewable power capacity right now is in China, including the most solar, the most wind, and the most hydro. China dominates the global deployment of solar panels. It has several times greater installed solar generation capacity than the United States. In fact, we virtually lost solar panel manufacturing to China.

On this graph, China is the yellow, and it shows China outdoing all of the other countries in total capacity. We are here compared to China there, and the gray is the general category for the rest of the world. China is even bigger than the rest of the world, not counting the United States, Japan, Germany, and India.

So that is China's lead in total renewable electricity deployment, with more than double the installed capacity of the United States and nearly a third of the total global renewable electricity capacity. Here is the world's total. There is China at 404. Then you actually have to scale down the graphic to get over here to the United States at 180—180 to 404. If you count nuclear power as clean energy, there is China.

China currently has the world's largest nuclear power construction program. It has 37 nuclear reactors in operation, 20 under construction, 40 in planning, and proposals for an additional 100. Next generation nuclear technologies originally designed in the United States are among those Chinese proposals. If all of those reactors are

built, China will end up with twice the U.S. nuclear fleet.

In the transportation sector, we feel pretty good in the United States. We all see Teslas driving around, and Chevy has its terrific Bolt. There are emerging EV manufacturers, like Rivian, that are proposing extremely cool vehicles. Again, there is China—far out front in building electric vehicles and in deploying the infrastructure needed to run electric vehicles. China now requires that 10 percent of vehicles sold be electric or plug-in hybrids. This quota increases to 12 percent in 2020. By the end of 2018, 45 percent of all of the electric cars on the planet were in China. Last year, China manufactured nearly half of all of the electric vehicles that have been manufactured in the world.

In other areas, it is China, China, China. China dominates global markets for electric buses and two-wheelers. Exxon fabulously predicted to its shareholders that there would be zero electric buses by 2040; China is already operating 400,000.

High-tech batteries will power transportation and balance the electric grid of the future. China is planning for three times as much battery manufacturing capacity as the rest of the world combined. Carbon capture will grow as an industry as soon as it has a business model, which, by the way, carbon pricing, including China's cap-and-trade plan, will provide them. On carbon pricing, there is China, with 20 carbon capture projects under construction or in development—more than in any other nation.

Of course, it is not all good news on climate out of China, not by any stretch. The Chinese continue to build more coal-fired powerplants than any other country, not just in China but around the world. However, the difficult truth for us is that China's progress on climate change is real, and it is way more than ours. China is not doing this to be nice. It is doing this to outdo us economically and politically.

If we keep kicking our own renewable industries in the teeth here in America just to please Trump's coal industry donors while China invests in these new technologies, we will be making a losing bet. China's one-party government has put economic growth above all else. Chinese scientists see the same data that ours do. Chinese economists see the same economic risks that ours do. Chinese businesses see the same threats and opportunities for their workers and their supply chains that ours do. Chinese cities see the same threat from sea level rise that ours do. Yet the Chinese Government has chosen a smarter path because it is not under the thumb of the fossil fuel industry. The Chinese are acting out of self-interest. They are acting on climate because they want their country and their economy to succeed. They want to own these industries of the future. Rather than compete, we are now helping them win—all to make some grubby political donors happy.

The Global Commission on the Economy and Climate reports that strong climate action could deliver at least \$26 trillion in economic benefits worldwide through 2030 compared with business as usual—a \$26 trillion relative benefit. Over that period, these actions would generate over 65 million new low-carbon jobs globally and avoid over 700,000 premature deaths from air pollution, by the way. Whoever acts swiftly will get the biggest share of these riches.

Last year, Stanford's economists found that keeping global warming to 1.5-degrees Celsius as opposed to the riskier 2-degree safety limit would likely save more than \$20 trillion in economic damages around the world by the end of this century—\$20 trillion.

The world power that positions itself to reap the economic benefits of a carbon-neutral technology and that helps lead the world away from runaway climate calamities will garner tremendous economic, strategic, and diplomatic advantage. In particular, China recognizes the diplomatic advantage to acting on climate as the United States withdraws from its traditional position of international leadership.

The last century has been called the American century. We are fast handing over the next century to become the Chinese century. We are doing it to ourselves, and we are doing it for the worst of all possible reasons—to cater to and kowtow to a corrupt industry. Making sure that the next century is the American century, as well, is as good a reason as any for us to wake up and act on climate.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

UKRAINE

Mr. MENENDEZ. Mr. President, once again, I come to the floor to call for action in light of revelations that President Trump appears to have no problem in seeking the assistance of a foreign government for his own political gain. Today's summary of the telephone call from the White House between him and a foreign leader exposes this in black and white. Given this White House's lack of transparency, I have little faith that this so-called transcript reflects the totality of the conversation, but what it did release was shocking enough.

He clearly pressured the Ukrainian Government to investigate former Vice President Biden for his own political benefit. He mentioned the Attorney General of the United States or his personal lawyer six times, and in using the levers of State, the President sought to weaponize the Justice Department to pursue a personal political vendetta.

We now know that for more than 2 months, the President urged Ukraine to investigate a political opponent while holding \$391 million in urgently needed security assistance that Congress appropriated to support U.S. national security interests. In fact, Congress approved this security assistance,

including \$141.5 million from the U.S. State Department and \$250 million from the Pentagon, with overwhelming bipartisan support.

Indeed, for years now, the Republicans and the Democrats have come together to offer America's support to Ukraine in the face of relentless Russian aggression. We have stood together on Ukraine because we have known what has been at stake. Our friends in Ukraine sit on the frontlines of a struggle against the Kremlin's vision of a world that is not guided by democratic values or the rule of law but, instead, ruled by Putin and his corrupt cabal of oligarchs. The Democrats and the Republicans have stood together behind a free and independent Ukraine because, together, we stand behind our shared values of freedom, democracy, the rule of law, and human rights.

We have stood in support of Ukraine in pursuit of our own strategic interests in the region. That is why we came together when Russian forces illegally invaded Crimea in 2014 and worked to bolster American support of Ukrainian sovereignty. I was proud of that moment as the chairman of the Foreign Relations Committee at the time; that we passed the Ukraine Freedom Support Act with strong bipartisan support. In an era of growing political divides, our support for a democratic, free, and sovereign Ukraine inspired us to transcend partisanship and to work together in common cause.

I applaud my Republican colleagues who have worked on these efforts, who have traveled to Ukraine, who have been strong advocates for our partners, standing up against Kremlin aggression.

That is why it is all the more puzzling that Republicans have largely been silent over the past few days. Whatever happened to solidarity with Ukraine? Whatever happened to standing up to Russia? Whatever happened to putting the national security of the United States ahead of petty partisan politics?

We have found ourselves with a President in the White House who has now sought to manipulate aid to Ukraine to advance his own personal political agenda.

Let's examine what we know.

President Trump admitted that he spoke with President Zelensky and raised the issue of investigating the family of Vice President Biden. That was included in today's so-called transcript of the congratulatory call with President Zelensky.

We know that after Congress appropriated this funding, the Department of State sent a notation to the White House Office of Budget and Management on June 21. We know deliberations over this kind of funding typically just take 5 days. Instead, the White House sat on this funding for 2 whole months.

My staff met with the State Department last Friday. We tried to glean

what could be the cause for this delay. Did the Department have an objection to this money moving forward? No, they did not.

Did they know why the White House sat on it for 2 months? No, they did not.

Did the White House ask them any substantive questions on the security assistance to Ukraine over these months? No, they did not and neither did the Defense Department.

In other words, the State Department was unaware of any policy motivation that could have delayed the dispersal of urgently needed security funding to Ukraine. There was no policy motivation.

On the contrary, the revelations of the past few days suggest a political motivation. It appears that President Trump's willingness to use the powers of his office for grossly inappropriate behavior on the international stage is pretty vivid.

We need to know exactly who in the Trump administration played a role in the improper withholding of congressionally appropriated funding for Ukraine and how. That is why today I am calling for unanimous consent for my bill, the Ukraine Foreign Assistance Integrity and Accountability Act of 2019.

This bill would require an inspector general, State Department, investigation into the Office of Management and Budget's delay in obligating these funds.

My legislation would require the State Department to share all records in its role in facilitating the President's personal lawyer's engagement with the Ukrainian Government.

It would require that the administration obligate all Ukrainian security assistance funds and authorize additional funds to counter Russia malign influence across Europe.

It would also express solidarity with the Ukrainian people by imposing new sanctions on Russia for its continued aggression in eastern Ukraine. Those sanctions would target Russia's shipping sector, oligarchs, and cyber attacks.

I want to be clear that I am an advocate of regular order in the Senate, but we are in a crisis. It is a crisis potentially of constitutional proportions, a crisis that goes to the heart of our democracy, and how we respond to it will forever define our willingness as a Congress to defend the rule of law and live up to our article I responsibilities.

President Trump has once again stood in the way of congressional efforts to support Ukraine and all of Europe in the face of Russian aggression. The administration has once again flouted the rule of law, this time with the Acting Director of National Intelligence refusing to disclose to Congress the whistleblower complaint on President Trump's conversations with President Zelensky—and we don't know what more—as he is mandated to do.

It is time for this Congress to stand up for its article I powers. We need to

act quickly to send a message to the White House and to the Kremlin.

If there is anything we have learned from President Trump, it is that lawlessness begets lawlessness. It is time for us to remind the American people and the world that the rule of law means something.

We will not allow the corrupting of our national security assistance. We will not allow our relationship with Ukraine to become a political football, and we will not let the foreign policy of the United States be corrupted for campaign purposes.

UNANIMOUS CONSENT REQUEST—S. 2537

Mr. President, I ask unanimous consent that the Committee on Foreign Relations be discharged from further consideration of S. 2537; that the Senate proceed to its immediate consideration; that the bill be considered read a third time and passed 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. RISCH. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Mr. President, first of all, let me say I concur with the good Senator from New Jersey that we should follow regular order.

He, like myself, has spent decades of service in a legislative body, and we both know this system works when the committee system works.

Every legislative body is set up with a committee system. Now, why is that? One of the reasons is because people develop an expertise in a certain lane, and they can use that expertise on the committee.

Most importantly, the issues regarding a bill—whether it is good or bad or whether it should be amended or whatever should happen to it—is best handled in the committee system, where people have an expertise in the area that the bill goes to.

This bill goes to the Foreign Relations Committee, which I chair—which my good friend from New Jersey previously chaired—and it will be handled in the regular order by that committee, but it is a bad way to do a piece of legislation to draw it, drop it, and then come to the floor and try to pass it unanimously.

This piece of legislation was brought to the committee yesterday, and it is a piece of legislation that certainly deserves consideration but not this way.

I have not had a chance to even read it, let alone study it, and that is true of virtually every Member of the majority party. I frankly don't know whether the other members of the committee who serve in the minority party have had an opportunity to read it or to study it or, for that matter, to prepare amendments to it to make it better and to move it along.

So given that, the committee system is really important here. I don't want

to really go into the merits of all this. A lot of it is being debated out in the hallway right now with the national media and that sort of thing.

Look, what has happened over the last few days here is really a poster child for what has happened to the entire Trump Presidency. A fair amount—not all but a fair amount—of the national media and a fair amount of the minority party here have done everything they can to delegitimize this President, not the least of which is taking anything that comes along and attaching to it some nefarious idea, some nefarious purpose.

Let me give you an example. My good friend said: What happened to standing up to Russia? This administration has imposed more sanctions on Russia than the entire 8 years of the previous administration. So what has happened to standing up to Russia? We continue to stand up to Russia.

I think my friend from New Jersey and I would be able to agree on the many sins Russia has committed starting way back, but if you go with fairly recent history, their invasion of Georgia and then their promise to back off and to get out of Georgia—they still occupy two of the regions in Georgia.

Of course, the invasion and takeover of the Crimea, their cause of problems on the eastern border of Ukraine, their interference in Ukraine, their interference in our elections, their interference in all kinds of European elections, and it goes on and on, poisoning people in London—I mean, that is about as far out as you can possibly get.

So we all need to stand together. We all need to stand up to Russia, and this administration has been doing it. They are going to continue to do it. I think virtually everybody here is urging them to do it, and we are going to continue to do it.

Look, the argument that there was some significant delay in moving funds to Ukraine is simply not well-taken, and the reasons for it, with all due respect to my friend, I think, are well known.

In fact, if you read the transcript of this telephone conversation, the President himself raises the important issue that he has raised with all of us from time to time, and that is that any time he sees the United States getting on the short end of the stick with whatever you talk to him about, it raises an alarm with him.

In this particular case, he has been very distressed by the fact that we have been carrying the bulk of the dollars and cents for helping Ukraine. We want to help Ukraine.

Senator MENENDEZ, I think, very clearly laid out many of the problems that have to do with Ukraine. The country has serious problems, not the least of which is corruption, but the first reason he had issues with the spending was the fact that Europe just simply is not doing what they should be doing in helping to fund this, and

that is clearly laid out in this transcript.

The second thing is the corruption itself. When money goes into Ukraine, it is a well-known fact that there is tremendous corruption and graft within the country and a lot of the money disappears.

The most notorious institution within the country is the gas company—interestingly enough, the gas company board on which Vice President Biden's son sat and was appointed to and has received \$50,000 a month to sit on after the Vice President was tasked by President Obama to look into the corruption and do something about the corruption in Ukraine.

In any event, corruption is a big problem and funds get diverted.

I am just going to close by saying, look, every American that is interested in this talking that is going on back and forth about this call that the President had with President Zelensky should look at that transcript and read it. It will take just a few minutes to read it, and it will not take long to figure out that the mischaracterization of this is off the wall.

It is absolutely amazing to me that people would take this conversation, which was a standard, ordinary, regular conversation that a head of state has with another head of state, and characterize it the way it is being characterized.

It was a congratulatory call. There was a lot of banter in it. My good friend knows—he has met with a lot of heads of state, as I have. Sometimes we even meet together with heads of state. It is common to have bipartisan meetings with heads of state.

I don't know whether people think these things are scripted and that they are focused directly on issues, but there is always a lot of banter. The banter can be in the form of having conversations about family. It can be talking about sports. Frequently, if one of the teams has done well or poorly, one party or the other will raise it and talk about it. These things are very informal, as this phone conversation was.

In my experience, one of the frequent issues that is discussed in these conversations is local politics—what is happening in your country, what is happening in my country—and then also a discussion of mutual issues with friendly countries or, for that matter, countries that are not friendly.

This call that the transcript was released on is very, very rare. If you are looking for a window to see what actually happens in these calls, this transcript is a really good characterization of what happens in these calls.

It is not a good thing to be releasing these calls. I think heads of state should be able to have these conversations—all of us should be able to have conversations with our counterparts, with a head of state, with Ministers in the other countries without having to be thinking about every word we say is

going to wind up being analyzed and pulled apart and taken by your political enemies and badly misrepresented.

Look, don't take my word for it. Don't take Senator MENENDEZ's word for it. The transcript is all over the internet right now. It is going to be published in every newspaper probably in America tomorrow. It takes just a few minutes to read it. Read it and take away for yourself the feelings you have about it.

The President of the United States is tasked with being the frontline of foreign policy. Yes, foreign policy is shared by both the first and second branch. It is one of those things the Founding Fathers did not resolve 100 percent for one branch or the other, such as appointments for the second branch or such as appropriating for the first branch.

There is sufficient authority given to each branch of government, but the head of state, in this case, the President of the United States, is tasked with carrying on these relationships with other countries.

This phone conversation that he had is clearly, clearly, part of that. Don't take my word for it. Everybody make up your own mind on this. It isn't rocket science. As you can see, the English is very straightforward. It can be understood. I think everybody will come away with their own belief.

If people hate Trump, they are going to look at that and say that this is terrible, as a lot of people in this town have done. I think most ordinary, good, straight-thinking Americans are going to look at this and say: What is the big deal? It was a conversation between two people talking about various issues they were interested in, and it isn't a problem.

In any event, in order to preserve the regular order, in order to preserve the jurisdiction and the hard work of the Foreign Relations Committee, Mr. President, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I understand we are supposed to be heading to a briefing on Iran. I ask unanimous consent for 2 minutes, and then I will cease, and I ask unanimous consent for my entire remarks to be included in the RECORD.

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

Mr. MENENDEZ. No. 1, it is not unusual for—there have been many times when the urgency of the moment has had legislation come to the floor. I think this is one of those moments. But I do appreciate the Chairman's suggesting that he will take up consideration of this issue, and that is something I think is incredibly important.

On Russia, I would just say the congressionally mandated sanctions, which the committee and the Congress passed, gave very little flexibility to the administration and have been the driver on sanctions on Russia. But

there is a lot that hasn't been done that Russia has done subsequently, which we should be ultimately pursuing, and I look forward to the Chairman's having a markup on DASKAA and other related legislation to actually continue to fight Russia.

Lastly, I would simply say that holding money from Ukraine doesn't make other countries give money to Ukraine. That was money that was directed by the U.S. Congress, which was promoted, as well, by the State Department and the Department of Defense. They had no concerns about corruption as it relates to this money. They understood the importance of the security assistance.

Finally, on the question of the transcript, overwhelmingly, there wasn't banter there so much as there was a direct effort to get President Zelensky to use his powers to investigate former Vice President Biden's son. That is crystal clear, and any plain reading will do it, and I do hope the American people will read the summary.

I yield the floor.

#### RECESS

The PRESIDING OFFICER. The Senate stands in recess until 3:30 p.m. today.

Thereupon, the Senate, at 2:47 p.m., recessed until 3:30 p.m. and was reassembled when called to order by the Presiding Officer (Mr. COTTON).

#### RESOLUTIONS TO INSTRUCT CONFEREES—Continued

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I ask unanimous consent to speak for as much time as I consume.

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

#### UKRAINE

Mrs. GILLIBRAND. Mr. President, I rise to speak in opposition to the Republican motion to instruct on paid family and medical leave.

Before I move to the issue at hand, I do want to address the very serious allegations against President Trump and the new information we are learning from the memo the White House released today.

It is deeply concerning to learn that President Trump asked Ukrainian President Zelensky to work with the United States to investigate Vice President Biden. Our democracy is at risk, and President Trump has betrayed our country. I support Speaker PELOSI in starting the impeachment inquiry she announced yesterday, and the revelations today make these investigations even more necessary.

#### PAID FAMILY AND MEDICAL LEAVE

Mr. President, I now want to talk about an opportunity that we have in the Senate today to serve the Nation by guaranteeing paid family and medical leave for 2 million Federal workers

and their families through the Schatz motion.

Every other industrialized country in the world has some version of paid leave, which allows workers to take care of their loved ones when a medical emergency arises. Yet the vast majority of our workforce in America lacks access to paid leave. That means far too many of our workers are unable to take paid time off if they need to care for a new child, a sick parent, or their spouse. Sadly, this includes 2 million of our Federal employees—and I know the Presiding Officer is aware of this, given his own family situation—but we have a chance to fix that right now. I urge my colleagues to vote yes on the Schatz motion.

However, Senate Republicans have offered an additional motion that would block this benefit from every other working American. This is nothing short of an attack on all workers' access to affordable and accessible paid family and medical leave.

What my Republican colleagues are suggesting is that our workers should work overtime to compensate for family leave. Their motion would require workers to shift around their hours and take on more hours in order to receive the paid time off they need in an emergency situation or when welcoming a new child.

Let me be very clear. This is not a benefit. It is a cynical plan that would erode our American workers' abilities to make ends meet and harm their access to real paid leave. It would hurt those who need this the most, including women, communities of color, and low-wage workers.

Most workers living paycheck to paycheck will not be able to take extra shifts to earn paid leave. Too many families across the country don't even have \$400 in savings for emergency expenses. Take Shelby Ramirez Martinez, for example. She found herself in the most untenable situation when her daughter and her father both had simultaneous surgeries scheduled. Shelby is a mom of two, caregiver to her father, and a full-time student and security officer. She didn't have access to paid leave, so she was forced to take 2 weeks off and forgo her pay. She couldn't have planned for that by working overtime and sacrificing time with her daughter or with a flex savings account. What Shelby and all Americans need is dedicated and extended time off for medical emergencies and births.

The Republican motion to instruct calls for employer tax credits that are handouts to large and rich companies like Google, which already provide paid leave and leaves taxpayers footing the bill. They are false incentives for small businesses that still will not be able to afford the leave.

My bill, the FAMILY Act, would provide 12 weeks of paid family and medical leave for all workers. It is the only comprehensive proposal that is accessible and affordable for all working

Americans. It is modeled off of very successful State programs like California's, ensuring that working Americans do not have to choose between their family and their paycheck.

It shouldn't be so hard. So many workers around the country have new children, sick spouses, or elderly parents, and they need access to paid leave. Today, let's stand together and reject fake paid leave by voting no on the Ernst motion to instruct, for people like Shelby and her family.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### HUAWEI

Mr. VAN HOLLEN. Mr. President, I come to the Senate floor to urge adoption of two resolutions that are going to be considered by the U.S. Senate, instructing the conferees to the NDAA bill, which is the Defense authorization bill. One of those motions urges the conferees, or directs the conferees, to adopt bipartisan legislation introduced by Senator COTTON, who is now the Presiding Officer in the Chair, and me and others. It is called the 5G act, and it deals with Defending America's 5G Future Act. What it does, very simply, is codify the Trump administration's Executive order putting Huawei on what is called the entity list and then making sure that before there is a change to this, if you wanted to take them off entirely, that would require a congressional action. But it also says that if you want to seek waivers under that act, you should come to Congress and at least give Congress the opportunity to disagree. This is very important to protect our security, to protect U.S. technology from theft. I urge my colleagues to support that resolution.

#### DETER ACT

Mr. President, I am also here to urge my colleagues to support another resolution. This one is directing the conferees to the Defense authorization bill to support a motion and resolutions put forward by Senator RUBIO and me and others—again, a bipartisan resolution, making it clear that we should deter foreign interference in U.S. elections. It is based on the principles of bipartisan legislation, a bipartisan act that we have introduced called the DETER Act. The idea is very simple, which is this: We want to say up front that our intelligence communities, or others in the administration, should inform Congress immediately if there has been interference in our elections. If the answer is yes, that would trigger immediate and stiff sanctions on whatever foreign government is acting to interfere in our elections.

We can spend a lot of money and resources protecting our election infrastructure and our election systems, and we should do that. We can urge all of the social media companies to improve their platforms and make it more difficult for foreign governments and adversaries to use those platforms to influence and impact our elections.

None of those measures actually impose a big cost on a foreign government

like Russia for interfering in our elections. All those things do is make it harder, and we should make it harder. In this case, the best defense is a good offense, meaning the best defense to having a foreign government interfering in our elections is to discourage and deter them from doing that in the first place.

Right now, what we have learned is there is no cost to Vladimir Putin and the Russians for interfering in our elections. In fact, they assess that they get a significant benefit from creating division within the United States. If you are Vladimir Putin and you are doing a cost benefit analysis—should I interfere in the U.S. elections or not?—you conclude: Hey, I am going to gain something by creating this kind of division and confusion within the United States. What we should be doing is saying in advance and up front to Vladimir Putin and Russia or any other foreign leader or government, if we catch you interfering in our elections, you will definitely pay a price in the form of sanctions against some of your financial institutions or key aspects of your economic sector. We need to spell that out in advance.

This resolution requires that Congress be notified after the election as to whether we have detected foreign interference. Next time, someone like Vladimir Putin will know in advance that if we catch them, there will be a price to pay, a penalty to pay. That will, of course, discourage the activity in the first place.

It doesn't cost us a dime to do this. Yes, we should continue to spend money, as I said, to harden our systems at home and better defend ourselves. For goodness' sake, we should at least take the position that we are going to let foreign powers know in advance, if we catch you—and by the way, we will catch you if you interfere in our elections—there will be an immediate and severe price to pay.

I urge my colleagues to unanimously support this resolution. It is appropriate that we are directing the conferees to the National Defense Authorization Act to include this provision because, after all, the reason we invest in our defense is to protect our country and to protect our democracy. That bill should include a provision telling foreign powers: If you mess around and interfere in our Democratic elections, you will pay a price. That will make it less likely they will do so to begin with.

I urge adoption of the resolution.

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

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

VOTE ON S. RES. 330

The PRESIDING OFFICER. The question is on agreeing to the Van Hollen resolution to instruct.

The resolution (S. Res. 330) was agreed to.

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

VOTE ON S. RES. 331

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the resolution to instruct.

The Senator from Arkansas is recognized.

S. RES. 331

Mr. COTTON. Mr. President, I would like to speak briefly about our resolution, which is to instruct the conferees to adopt the bipartisan Defending America's 5G Future Act into the conference report.

Huawei is no ordinary telecom company. It is the eyes and ears of the Chinese Communist Party. That is why the administration earlier this year put it on the Commerce Department's blacklist. It is a rare action that both Republicans and Democrats can support.

Our legislation, to a large extent, codifies that decision to keep Huawei on the blacklist and to ensure that Congress has a say on any exclusion, say for a small rural telecom that needs time to transition. We might pass a resolution of disapproval if we oppose that action. But, most importantly, it is to ensure that Congress affirmatively acts to pass a resolution of approval to remove Huawei from the blacklist, because that is where Huawei belongs and where they should stay without a decision of the people's representatives in Congress.

The PRESIDING OFFICER. The minority leader is recognized.

Mr. SCHUMER. Mr. President, I join with my colleague, the Senator from Arkansas, in this bipartisan motion to instruct.

Huawei is a menace. It is a menace to our national security. It is a menace to our economic growth. It is a menace to the future of America in many ways. If we are not tough with Huawei, whom are we going to be tough with? If we are not tough with Huawei, what are we going to do when China continues to take advantage of us in ways that are unfair—whether it be economic, national security, cyber, or whatever.

This resolution will ensure that the conferees know that the Senate is strongly in support of being tough with Huawei on national security grounds, on economic grounds, and, basically, on ensuring that America stays No. 1 in many of the leading technologies that we will need to create job growth, wealth, and prosperity in the future.

I yield the floor.

The PRESIDING OFFICER. The question is on agreeing to the resolution to instruct.

Mr. SASSE. Mr. President, I request the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

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

The result was announced—yeas 91, nays 4, as follows:

[Rollcall Vote No. 303 Leg.]

YEAS—91

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

NAYS—4

Crapo	Paul
Enzi	Risch

NOT VOTING—5

Booker	Rubio	Warren
Harris	Sanders	

The resolution (S. Res. 331) was agreed to.

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

The PRESIDING OFFICER. The Senator from Arkansas.

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

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

VOTE ON S. RES. 332

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the Jones resolution to instruct.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Colleagues, today we are about to vote on a resolution that will correct a long-held injustice—one that has been on the books for decades; one that has caused significant pain to military spouses who have given so



much for our country. It is an elimination of the military widow's tax. It has been voted on in this body for over 18 years and has never gotten across the finish line. Now is the time. This is our time to make sure that we tell our veterans that we are supportive but we show it with our actions, not just with our words. I urge everyone to please vote to instruct the conferees to eliminate the military widow's tax.

I yield the floor.

The PRESIDING OFFICER. Who yields time in opposition?

The Senator from Oklahoma.

Mr. INHOFE. Madam President, I agree with the comments made by the Senator from Alabama. There is one problem with this, and that is, it is not paid for. I am supporting it. I am actually a cosponsor of the bill and was a cosponsor of the bill long before this year, but we are going to have to really get busy to figure out how to pay for this. It is very expensive. But I do encourage people to vote for it.

The PRESIDING OFFICER. The question is on adoption of the Jones resolution.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Florida (Mr. RUBIO).

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

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

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

The result was announced—yeas 94, nays 0, as follows:

[Rollcall Vote No. 304 Leg.]

#### YEAS—94

Alexander	Durbin	Manchin
Baldwin	Enzi	Markey
Barrasso	Ernst	McConnell
Bennet	Feinstein	McSally
Blackburn	Fischer	Menendez
Blumenthal	Gardner	Merkley
Blunt	Gillibrand	Moran
Boozman	Graham	Murkowski
Braun	Grassley	Murphy
Brown	Hassan	Murray
Cantwell	Hawley	Paul
Capito	Heinrich	Perdue
Cardin	Hirono	Peters
Carper	Hoeven	Portman
Casey	Hyde-Smith	Reed
Cassidy	Inhofe	Risch
Collins	Isakson	Roberts
Coons	Johnson	Romney
Cornyn	Jones	Rosen
Cortez Masto	Kaine	Rounds
Cotton	Kennedy	Sasse
Cramer	King	Schatz
Crapo	Klobuchar	Schumer
Cruz	Lankford	Scott (FL)
Daines	Leahy	Scott (SC)
Duckworth	Lee	Shaheen

Shelby	Thune	Whitehouse
Sinema	Tillis	Wicker
Smith	Toomey	Wyden
Stabenow	Udall	Young
Sullivan	Van Hollen	
Tester	Warner	

#### NOT VOTING—6

Booker	Harris	Sanders
Burr	Rubio	Warren

The resolution (S. Res. 332) was agreed to.

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

#### VOTE ON S. RES. 333

The PRESIDING OFFICER. There will be 2 minutes of debate equally divided prior to the vote on the Schatz resolution.

The Senator from Hawaii.

Mr. SCHATZ. Madam President, this resolution urges the inclusion of the Federal Employee Paid Leave Act in the final conference agreement on the NDAA. This resolution provides 12 weeks of paid family leave for Federal employees in all situations already covered under the FMLA.

Too many of our Federal employees have to make the impossible choice of getting a paycheck or looking after a sick child, caring for an aging parent, or recovering from a health condition. As a result, many have been forced to leave their jobs and obtain other employment.

Paid family leave is not only the right thing to do for Federal workers, but it is the smart thing to do for our Federal workforce. This is the most practical and fiscally responsible way to provide family leave for Federal workers.

I yield the floor.

The PRESIDING OFFICER. Who seeks time in opposition?

All time has expired.

The question is on agreeing to the Schatz resolution.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted "nay."

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

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

The result was announced—yeas 47, nays 48, as follows:

[Rollcall Vote No. 305 Leg.]

#### YEAS—47

Baldwin	Cantwell	Casey
Bennet	Capito	Collins
Blumenthal	Cardin	Coons
Brown	Carper	Cortez Masto

Duckworth	Manchin	Schumer
Durbin	Markey	Shaheen
Feinstein	Menendez	Sinema
Gillibrand	Merkley	Smith
Hassan	Murkowski	Stabenow
Heinrich	Murphy	Tester
Hirono	Murray	Udall
Jones	Peters	Van Hollen
Kaine	Portman	Warner
King	Reed	Whitehouse
Klobuchar	Rosen	Wyden
Leahy	Schatz	

#### NAYS—48

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

#### NOT VOTING—5

Booker	Rubio	Warren
Harris	Sanders	

The resolution (S. Res. 333) was rejected.

#### VOTE ON S. RES. 334

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the Peters resolution to instruct.

The PRESIDING OFFICER. The Senator from Michigan.

Mr. PETERS. Mr. President, let me be frank. Today, our water and our health is at risk from highly fluorinated chemicals known as PFAS. These chemicals have been widely used commercially, and they are also concentrated in firefighting foams used by the Department of Defense. They are toxic, and they have been linked to serious health issues in those who are exposed to them.

High levels of PFAS contamination exist at the former Wurtsmith Air Force Base in Oscoda, MI, and at military sites all across our country.

My resolution would retain the Senate language prohibiting the Department of Defense from using firefighting foams containing PFAS chemicals to the end of 2023.

PFAS-free foams are already widely used internationally by military services and at major hub airports, such as Heathrow and Dubai.

We must protect our troops, our firefighters, our communities, and our water.

I urge my colleagues to support my resolution.

I yield back all remaining time.

The PRESIDING OFFICER. All time is yielded back.

The question is on agreeing to the resolution.

The resolution (S. Res. 334) was agreed to.

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

VOTE ON S. RES. 335

The PRESIDING OFFICER. Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the McSally resolution.

Mr. DURBIN: Mr. President this week, the Senate will vote again on whether or not the President was right in using a phony emergency declaration in order to take money meant for our military and put it toward his medieval wall on the southern border.

In March, we voted overwhelmingly, on a bipartisan basis, to repeal this declaration. I hope we can do so again. We may also vote on a resolution offered by the junior Senator from Arizona which calls on Congress to “backfill” \$3.6 billion in cancelled military construction projects. This means should we give the President \$3.6 billion to replace the \$3.6 billion that he stole for his wall.

There are no protections attached to this backfill, meaning there is nothing ensuring that he can’t steal from our military again. It is said that the definition of insanity is doing the same thing over and over and expecting a different result. We should not vote to hand over more money without a guarantee that it will actually go to our military this time. The McSally resolution contains no such protection, so I urge my colleagues to vote against it.

Maybe you doubt that the President would repeat his border tricks. Well, a senior administration official admitted that he actually did plan to do it again in the Washington Post on Friday. The headline reads, “Trump officials considering plan to divert billions of dollars in additional funds for border barrier.”

Yes, the President has already made our military pay \$6.1 billion for his wall, but apparently that was just round one. Talking about the bills before Congress for fiscal year 2020, an unnamed official told the Post, “The plan is to sell it as replenishment money to the Defense Department for the \$3.6 billion they took this year. Then once they got it from Congress, they would take it again.”

It is a breathtaking statement. The question for this Chamber is, Are we really going to continue to play along? Remember, this \$3.6 billion taken from military construction projects will cause direct harm to our military personnel, their families, and our Nation’s security posture around the world. Don’t forget, that came after the White House took \$2.5 billion last spring from our military, funds which should have gone to other military priorities were instead diverted to a political promise.

What were some of these 127 cancelled military construction projects in 26 States and Territories and on U.S. bases around the world? The Pentagon prioritized rebuilding National Guard facilities and a school for military children in Puerto Rico. Congress agreed and provided \$400 million, but the President took it away a few weeks ago, and their hope is gone.

Joint Base Andrews in Maryland needed a new childcare facility, to re-

place one filled with mold and overcrowded rooms. Congress agreed. But the President took it away with his decision. Similarly, Fort Campbell, KY, lost a new school for military children. U.S. bases in Europe lost projects meant to reassure our allies and deter Putin’s Russia. U.S. bases in South Korea and Japan lost projects meant to deter North Korea and China. All of it and more was labeled a top priority by the Pentagon and cancelled by the President anyway. This puts our men and women at real risk.

The Air Force notes that without one of the cancelled projects its base would be, “vulnerable to hostile penetration in the midst of contingency operations and an increased terrorist threat.” Another cancelled project to upgrade a munitions side would make it difficult for U.S. fighter and bomber aircraft to operate properly.

Congress should reject the President’s phony declaration and reject the idea that Congress should throw good money after bad. Congress must reassert its powers with these votes this week.

Mr. THUNE. All time is yielded back. The PRESIDING OFFICER. The question is on agreeing to the resolution.

Is there a sufficient second?  
There appears to be a sufficient second.

The clerk will call the roll.  
The assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Florida (Mr. RUBIO), and the Senator from North Carolina (Mr. BURR).

Further, if present and voting, the Senator from Florida (Mr. RUBIO) would have voted “yea.”

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

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

The result was announced—yeas 52, nays 42, as follows:

[Rollcall Vote No. 306 Leg.]

YEAS—52

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

NAYS—42

Baldwin	Cantwell	Coons
Bennet	Cardin	Cortez Masto
Blumenthal	Carper	Duckworth
Brown	Casey	Durbin

Feinstein	Markey	Schumer
Gillibrand	Menendez	Shaheen
Hassan	Merkley	Smith
Heinrich	Murphy	Stabenow
Hirono	Murray	Tester
Kaine	Paul	Udall
King	Peters	Van Hollen
Klobuchar	Reed	Warner
Leahy	Rosen	Whitehouse
Manchin	Schatz	Wyden

NOT VOTING—6

Booker	Harris	Sanders
Burr	Rubio	Warren

The resolution (S. Res. 335) was agreed to.

(The resolution is printed in today’s Record under “Submitted Resolutions.”)

The PRESIDING OFFICER. The majority leader.

ORDER OF BUSINESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that following disposition of the resolutions to instruct on S. 1790, the Senate proceed to executive session and vote on the motions to invoke cloture on the Hyten and Scalia nominations in the order filed; further, that the mandatory quorum calls be waived.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

VOTE ON S. RES. 336

Under the previous order, there will be 2 minutes of debate equally divided prior to the vote on the Ernst resolution to instruct.

The Senator from Iowa.

Ms. ERNST. Mr. President, I urge my colleagues to support this resolution to ensure that Congress is working toward commonsense, effective family leave solutions. It is well past time we made paid parental leave a reality in this country. Affording all moms and dads the flexibility to spend time with their new baby is something Americans want to see happen.

While I appreciate the resolution by my colleague from the State of Hawaii, putting Washington insiders and Federal employees first doesn’t add up as the right first step. I believe we need to think more broadly about this issue and how it impacts hard-working families in Iowa and across the country.

We all recognize there are significant barriers for new, working parents to spend time with their baby during those critical and precious first few months. That is why I am working with Senator MIKE LEE on a proposal to offer paid parental leave to all new parents in a way that is both budget neutral and flexible. In fact, a number of Republicans and Democrats are working on potential pathways forward.

At the heart of all of it, we simply cannot lose sight of the fact that we need solutions that work for all American families, not just those fortunate enough to have a government job. If we are serious about enacting paid family leave policies, instead of scoring political wins, we will support the resolution before us.



Families are the bedrock of our society. Let's look for solutions that all Americans can embrace.

I urge my colleagues to support this resolution.

The PRESIDING OFFICER. The Senator from New York.

Mrs. GILLIBRAND. Mr. President, I urge my colleagues to oppose this amendment because, as it is written, it really rewards only companies that are very wealthy and successful with additional tax credits to do something they are already doing. By that measure, it will leave most American workers without basic access to leave.

The other potential idea is about shifting hours and suggesting that workers have to work overtime to be able to have paid leave. Every parent in America, every person in America, will have a time when they have a family crisis—whether it is a dying parent, whether it is a sick spouse, whether it is a new child—and we are still the only industrialized country in the world that doesn't have access to national paid leave. We should be able to come together around this common-sense solution that Senator SCHATZ has offered to create at least the first step to make sure our Federal workers aren't disproportionately harmed because they can't compete with the private sector.

I oppose this amendment, and I urge my colleagues to oppose it.

The PRESIDING OFFICER. The question is on agreeing to the Ernst resolution.

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Florida (Mr. RUBIO).

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

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

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

The result was announced—yeas 55, nays 39, as follows:

[Rollcall Vote No. 307 Leg.]

#### YEAS—55

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

Portman  
Risch  
Roberts  
Romney  
Rounds  
Sasse

Scott (FL)  
Scott (SC)  
Shelby  
Sinema  
Sullivan  
Thune

Tillis  
Toomey  
Wicker  
Young

#### NAYS—39

Baldwin  
Bennet  
Blumenthal  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Coons  
Cortez Masto  
Duckworth  
Durbin  
Feinstein

Gillibrand  
Hassan  
Heinrich  
Hirono  
Kaine  
Klobuchar  
Leahy  
Markey  
Menendez  
Merkley  
Murphy  
Murray  
Peters

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

#### NOT VOTING—6

Booker  
Burr

Harris  
Rubio

Sanders  
Warren

The resolution (S. Res. 336) was agreed to.

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

#### EXECUTIVE SESSION

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session.

#### CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of 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 Barrasso, 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.

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 General 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, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

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

The yeas and nays resulted—yeas 73, nays 21, as follows:

[Rollcall Vote No. 308 Ex.]

#### YEAS—73

Alexander	Grassley	Reed
Barrasso	Hassan	Risch
Blackburn	Hawley	Roberts
Blunt	Heinrich	Romney
Boozman	Hoeven	Rosen
Braun	Hyde-Smith	Rounds
Burr	Inhofe	Sasse
Capito	Isakson	Schatz
Carper	Johnson	Scott (FL)
Cassidy	Jones	Scott (SC)
Collins	Kaine	Shaheen
Coons	Kennedy	Shelby
Cornyn	King	Sinema
Cortez Masto	Lankford	Smith
Cotton	Leahy	Sullivan
Cramer	Lee	Tester
Crapo	Manchin	Thune
Cruz	McConnell	Tillis
Daines	McSally	Toomey
Durbin	Moran	Warner
Enzi	Murkowski	Whitehouse
Feinstein	Murphy	Wicker
Fischer	Paul	Young
Gardner	Perdue	
Graham	Portman	

#### NAYS—21

Baldwin	Ernst	Murray
Blumenthal	Gillibrand	Peters
Brown	Hirono	Schumer
Cantwell	Klobuchar	Stabenow
Cardin	Markey	Udall
Casey	Menendez	Van Hollen
Duckworth	Merkley	Wyden

#### NOT VOTING—6

Bennet	Harris	Sanders
Booker	Rubio	Warren

The PRESIDING OFFICER. The yeas are 73, the nays are 21.

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 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 Eugene Scalia, of Virginia, to be Secretary of Labor.

Lamar Alexander, Mike Braun, Pat Roberts, John Boozman, John Thune, Johnny Isakson, Mike Crapo, John Hoeven, Roger F. Wicker, Mike Rounds, Cory Gardner, Steve Daines, Tim Scott, Shelley Moore Capito, John Barrasso, Jerry Moran, Mitch McConnell.

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

The question is, Is it the sense of the Senate that the debate on the nomination of Eugene Scalia, of Virginia, to

be Secretary of Labor, 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 Senator is necessarily absent: the Senator from Florida (Mr. RUBIO).

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

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

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

The yeas and nays resulted—yeas 52, nays 42, as follows:

[Rollcall Vote No. 309 Ex.]

#### YEAS—52

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

#### NAYS—42

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

#### NOT VOTING—6

Bennet	Harris	Sanders
Booker	Rubio	Warren

The PRESIDING OFFICER. The Senator from Florida.

UNANIMOUS CONSENT REQUEST—H.R. 549

Mr. SCOTT of Florida. Mr. President, I rise to speak about my amendment to H.R. 549, which grants temporary protected status, or TPS, for Venezuelans from Nicolas Maduro's oppressive regime and reforms the broken TPS program.

I would like to thank my friends, Senator MARCO RUBIO and Congressman MARIO DIAZ-BALART, who have been tireless advocates for the Venezuelan people as we fight for freedom in Latin America and across the globe. I am proud to have worked with Senator RUBIO, along with my colleague from Utah, Senator LEE, and other Republican Senators to offer protection

for the Venezuelan people while making necessary reforms to TPS.

The crisis in Venezuela is a defining human rights issue of our time. Maduro is starving his own people, and innocent children are dying. What is happening in Venezuela is pure genocide. We have to act, but we also need to be responsible. The courts have basically made a temporary program permanent, which is not sustainable.

My amendment protects the vulnerable Venezuelan population while making sure that human rights violators are clearly identified as ineligible to come to the United States. My bill grants TPS for Venezuelans right now.

The amendment also makes much-needed reforms to our TPS program. The amendment grants TPS to Venezuelans for 18 months. It requires congressional approval for TPS extensions, no more than 18 months at a time. My amendment limits the ability of illegal aliens with no connection to the TPS designation to benefit from TPS. It ensures that human rights violators identified under the Magnitsky Act are not eligible for TPS status. It includes provisions to distinguish that TPS status does not count as admission for purposes of the Immigration and Nationality Act. Under my amendment, TPS recipients cannot return to the TPS country during the period of designation. And finally, the amendment requires that current TPS designations will come up for congressional review 2 years after the enactment of this amendment.

We want those seeking refuge from war and oppressive regimes to have a safe haven in our country, but we need a system that works and that is truly temporary.

I am honored to work with my colleagues to get something done today to help Venezuelan families and to make some much-needed changes to our broken system.

Mr. President, I ask unanimous consent to address the Senate in Spanish.

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

(English translation of the statement made in Spanish is as follows:)

Mr. SCOTT of Florida. We need TPS now. I stand with the people of Venezuela, and I will continue to fight for freedom and democracy in Latin America. It is time for Maduro and his thugs to leave power.

Mr. President, as in legislative session, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate proceed to the immediate consideration of H.R. 549. I ask unanimous consent that the Scott of Florida amendment be agreed to and that the bill, as amended, be considered read a third time and passed, and that the motions to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, reserving the right to object, every Mem-

ber of the Senate knows that Venezuela's illegitimate dictator, Nicolas Maduro, has created an unprecedented and harrowing humanitarian crisis in that country. Extreme food and medicine shortages, widespread criminal violence, and brutal state-sponsored repression have forced more than 4.3 million Venezuelans to flee their homeland. This number could be 8 million by the end of next year.

As Venezuelans flee their country, it is time for the United States to place itself fully on the side of the Venezuelan people.

Unfortunately, just this week we have seen news stories about the Trump administration deporting Venezuelans from Florida. It is unconscionable that anyone would be sent back to the catastrophic humanitarian conditions that exist in Venezuela. That is why, in February of this year, Senator DURBIN and I, along with Senators RUBIO, LEAHY, and BOOKER, introduced bipartisan legislation to provide TPS to Venezuelans living here in the United States. The House of Representatives has already passed a version of this bill back in July, with support from dozens of Republican Members.

However, rather than providing TPS for vulnerable Venezuelans in the United States, the junior Senator from Florida has brought up an amendment that seeks to overhaul existing TPS statute and make it easier for the Trump administration to strip status from vulnerable migrants who are legally in the United States.

Respectfully, the suggestions that the courts have made it impossible to end any TPS is just not based in fact. This debate is not about watering down our immigration laws. It is about using the laws that we have right now to provide protection to Venezuelans so that we can ensure that the Trump administration doesn't deport them back to the nightmare they fled.

While I join the Senator in the same goal, it is unfortunate that the Senator from Florida would prefer to pass legislation that advances the administration's immigration agenda rather than help the Venezuelan people—something we all agree about.

As a matter of fact, we don't even really need congressional action because the President has the right to give temporary protected status to the Venezuelans living in the United States and he doesn't need an act of Congress to do that. He has failed to do that. It is in that failure that the House of Representatives acted to try to create a legislative response.

For all these reasons, I object to the unanimous consent request of the Senator from Florida.

The PRESIDING OFFICER. Objection is heard.

Mr. MENENDEZ. Since the Senator from Florida and I do agree on the need to provide TPS for Venezuelans, as in legislative session, I ask unanimous consent that the Judiciary Committee

be discharged from further consideration of H.R. 549, the bill that has already passed in the House, and the Senate proceed to its immediate consideration; further, that the bill be considered read a third time and passed, and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The PRESIDING OFFICER. The Senator from Florida.

Mr. SCOTT of Florida. Reserving the right to object, I object on half of my colleague, Senator RAND PAUL.

What I propose is a bill that grants TPS to Venezuelans right now. It also makes much-needed reforms to the TPS program and gives Congress real oversight.

I am very disappointed that my Democratic colleagues would block this commonsense compromise. Republicans support it. The sponsor of the House-passed bill supports it. I believe the President would sign it. It is clear that the Democrats actually don't want to get something done on this issue. Unfortunately, they decided to use the Venezuelan community as a political prop, instead of working with us to find a solution. I think that is shameful. Even though the Democrats stood up and blocked TPS for Venezuelans today, I will never stop fighting to support the Venezuelan community here.

My amendment is a solution that can be passed by Congress and signed into law by the President. I hope my colleagues on both sides of the aisle will help us to get this done.

We cannot lose sight of the fact that Nicolas Maduro is killing his citizens. It is genocide. Every passing day, the situation on the ground grows worse. Hundreds of thousands of Venezuelans are fleeing the violence and starvation of Maduro's socialist regime, and they need our help.

While extending TPS to Venezuelans is the right move, the United States and freedom-loving nations around the world need to do everything in our power to isolate Maduro in Venezuela and cut off the supply of money from Cuba to Caracas.

It is time to help Venezuelan families. It is time to get TPS reform done in this country. Temporary protected status was never meant to be endless. It was meant to help families in need. We need to get this program to work. We need to get TPS for Venezuelans today.

I look forward to working with all my colleagues to help all the families in Venezuela and finally get a real long-term solution to TPS.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, very briefly, I regret that my colleague has gone down the road of questioning political motives here.

The reality is, in a bipartisan way, the Senator from Florida joined with

us in February of this year to provide legislation that would provide TPS for Venezuelans and the United States. The House of Representatives, which has a Democratic majority—and he mentions the Democrats—passed a version of this bill in July of this year with the support from dozens of Republican Members, a bipartisan effort in the House of Representatives.

At the end of the day, it doesn't take undermining TPS—dramatically changing TPS—in order to give Venezuelans temporary protected status. That is something the President could do without having the House of Representatives or the Senate act, but he has chosen not to. There are those who want to try to create an excuse for the President, but he has chosen not to do it, No. 1.

No. 2, the reality is, if we wanted to create TPS for Venezuelans, we could immediately do that right now by accepting my unanimous consent request because the House of Representatives passed it with broad, bipartisan support. We could do it right now. It would be on the way to the President, and then, of course, he would have to sign the legislation even though he could do it on his own right now.

I hope we can work toward the goal of actually giving the Venezuelans that opportunity who are living in the United States and seeking refuge from the violence, from the chaos that is Venezuela, but I am not ready to undermine all of the temporary protected status in order to do that.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### RETIREMENT POLICY

Mr. PORTMAN. Mr. President, I am on the floor tonight to talk about retirement security, which is something everybody cares about. Who doesn't want peace of mind in retirement?

When I am back home, I hear about it all of the time, partly because a lot of people are worried about the costs they are going to have in retirement, including long-term care costs. A lot of people are seeing their parents and their grandparents living longer, healthier lives; yet they do not have their retirement nest eggs in order to keep up. So we need to do something to help on that.

Social Security is there as the safety net. It used to always be there, but that is what it is, just a base amount: \$1,200 a month. It is not very much, but it is the average for some folks in my home State of Ohio. You have to have a private retirement savings that adds to that, and that can mean the savings you have in your bank account. The best way to do it is through a 401(k) account at your work where the employer, hopefully, puts a match in. So it is a good deal for you because you put money in, and your employer puts money in, and you get to have a tax deduction for it. Even if you are not at work, you can take an individual IRA. With the IRA, it is the same thing

wherein you get a tax deduction. That is good. Some companies have the defined benefit plan. That is the old pension plan. That is great if you have one. Not as many workers do anymore, but we want to preserve those that are left. For those who are Federal Government employees, they do have the Federal employees' pension plan, which works for them.

All of this together is incredibly important right now for the people I represent, and people are worried about it.

Some of the statistics are actually pretty scary of a lot of people who work for small businesses who don't have access to plans altogether. They just don't have any opportunity to get retirement savings plans. As an example, about 50 percent of the workers in these small businesses are in that category. Over time, we have tried to address some of these issues. Right now, fortunately, the U.S. Senate has a few bills that it could take up that would actually help in that.

I have been working on this issue for a number of years—actually, about 20 years—going back to my days in the House with now-Senator BEN CARDIN. We passed legislation to expand how much you can put into a retirement account—a 401(k), an IRA. We increased the amount. There are the catchup contributions that some people are familiar with. There is also what is called auto enrollment, whereby companies automatically enroll you unless you choose not to enroll, which helps to get the participation rate way up, from about 75 percent up to 95 percent.

We have done some things that have helped, and because of that, I know that, if you provide more incentives for retirement, it works because it worked back in 2001. In fact, if you look at what has happened since then, total retirement savings have increased from about \$11 trillion to about \$29 trillion since 2001. By the way, this means there are more resources available in our economy because there are more savings, and savings are good things for investment. There is a higher GDP—higher economic growth—greater access to capital for small businesses and so on. So this has worked.

By the way, these retirement nest eggs have increased among every income quintile since 2001 when you adjust it for inflation. It is not just the people at the higher end or even in the middle; it is people who are of low income, middle low, middle income, and higher income who have all benefited from this. As I said, we have a lot more to do because, even with that Social Security, which is a safety net, it is really tough to live on that. People are not saving enough through their private savings and their retirement plans.

We need to finish the work that we started. We also need to fix some outdated regulations that just don't make sense in today's world. I am chair of

what is called the subcommittee on retirement within the Committee on Finance. We are working on these proposals on a bipartisan basis, and we are making some progress. I am going to tell you about some of those bills now.

One bill is before the Senate right now in the sense that it has already passed the House. It is called the SECURE Act. One is a larger bill that does more than the SECURE Act that has been introduced by Senator CARDIN and me. Then there is a small provision I want to mention tonight that has been introduced separately, which is also in the SECURE Act. It is an urgent thing to pass because there are a bunch of people who are going to lose their retirement benefits unless we pass it very soon. Let me back up and give you some of the troubling facts about why we need to do something here.

First of all, fewer than half of the employees who are, again, at small businesses—businesses with fewer than 50 workers—have access to plans. The problem is really in our smaller businesses, and we know that. Larger business all tend to have 401(k)s. Many have defined contribution plans like a 401(k), and others have defined benefit plans like pensions. They tend to have retirement options for workers, but many of the small businesses do not. Even when workers have access to plans, there are still only 34 percent who participate.

Amongst small businesses, there are fewer plans than there should be, but there are also fewer people participating. Only 22 percent of part-time workers are in plans. Now, increasingly in our economy, people have part-time jobs or may have a few part-time jobs, but they don't have retirement plans in any of them.

By the way, when you look at this in terms of the folks who are not participating, low-income Americans are also not participating as you would want. Only 22 percent of low-income families are participating in retirement plans. Many of them don't have the disposable income to be able to contribute, and we will talk about that in a second as to how to address that problem.

The final problem I want to mention does not have to do with the small businesses or part-time workers or low-income workers. It has to do with what we talked about at the beginning, which is people who outlive their retirements. Let's face it. We are living longer and healthier lives as Americans, and that is a good thing, but a lot of people didn't or couldn't plan for that. They may have thought, I have a nice, little nest egg here, and I have a 401(k), and I am going to retire at age 65. Yet, when they are in their late eighties or nineties, they realize there just wasn't enough set aside. Here is an opportunity for us to address that as well.

Earlier this year, Senator CARDIN and I introduced legislation called the Retirement Security and Savings Act,

and it addresses all of these problems that I mentioned. It has more than 50 reforms, actually, to help Americans achieve this goal of safe, secure retirements—peace of mind—after their working for years and letting people retire with dignity. It has a few important provisions that I want to mention tonight. I won't go into all 50, but I will mention some of them.

First, to increase this low 22-percent coverage among low-income workers, it expands what is called the saver's credit. This has worked well, but it is not refundable now, which means, for a lot of people who are of low income, they can't take advantage of it because they don't have the income tax liability, particularly with the new tax bill, frankly. For a lot of people, it has actually lowered taxes so that they don't have the ability to take a deduction, but they can use a credit. We changed the saver's credit to expand it so that it is more usable, and we make it refundable. We don't make it refundable to individuals but, rather, refundable to a retirement account because you don't want to just provide more funding out there that is not going to be used for this correct purpose of retirement. It has to go into your retirement account. In addition, it increases the credit amount so as to be available to a lot of low-income savers. This is really going to help get people to be able to save for retirement, again, who are working but who are not saving.

The bill also addresses the problem of only 22 percent of part-time workers being in plans. It requires employers to allow part-time workers who have completed 2 years of service to participate in 401(k) plans. This is a big deal to the AARP, as an example, and it is one reason it is strongly supporting this bill. By the way, this is also being supported by a whole group of businesses, nonprofits, and others. People love this bill because it is going to help people to save for retirement. What is not to like there? Particularly with regard to part-time workers, our saying, "if you have completed 2 years of service, you need to have access to a 401(k) plan," it is going to help.

It also allows employers to make matching contributions to the 401(k) accounts of employees who are paying off student loans who otherwise wouldn't receive a full match. Why? It is that they have to choose between paying down the student loan debt they have and saving for retirement. I really like this idea. It is an innovative one. It was first proposed by Senator RON WYDEN, by the way, who is the ranking Democrat on the Committee on Finance.

I think this will really help the people who are, again, going into the workforce. They have these student loans. They have to pay off that debt, but they can't afford to put money into 401(k)s. This enables them to put that money into the match, and it helps to get them started on retirement. On average, the student loan debt now for

someone who comes out of one of our 4-year colleges or universities is \$27,000. That makes it tough for a lot of people to get started in life.

To get at this problem, we talked about a few small businesses having plans. Portman-Cardin increases the tax credit that small businesses receive for one's starting a retirement plan. It is \$500 now, and we take it up to \$5,000. That is a tenfold increase that will really help small businesses, we are told. This is why they support the bill.

It also provides an innovative tax credit idea. Small businesses will get a tax credit if they automatically enroll their employees in the plans at least every 3 years. What does this mean? We talked about auto enrollment earlier and that, if you have auto enrollment in your company, your participation rate goes up to 95 percent from about 75 percent. Why? It is that people come into the workforce and might not sign up for a 401(k), but if they are automatically signed up, they are not going to say no, right? This way, they will start to get a little of the payroll taxes and a little of their paychecks going toward retirement. They will find out that this works. They will start their nest eggs, and they will like them, so they will stick with them.

It is the same thing here. If at least every 3 years you have to automatically enroll your employees, what will happen? You will get people into these plans, and they will stay in these plans. This is going to be a big deal in small businesses, and we think it is worth giving them a tax credit for it. It is kind of an innovative idea.

For small businesses, our bill also reduces some of the burdensome and duplicative regulations that are associated with administering the plan because, for a lot of small businesses, they don't have lawyers or general counsel; they don't have professionals who can help on this. Yet the HR people would sure like to have the ease of the administration of these plans. So we do that, which is important in order to get more of these small businesses to offer these plans.

We also address the problem we have talked about with Americans living longer and healthier lives and being in danger of outliving their retirements. For those who are following this closely because they are getting close to retirement, they should pay attention here because this could be helpful. To help the folks who have accumulated retirement savings preserve those nest eggs—to help to preserve your hard-earned nest eggs—the bill actually changes what is called the required minimum distribution rules.

If you are in your late sixties or maybe turning 70, you may be shocked to have just found out that—guess what—you have to start distributing money out of the 401(k) that you have or the IRA that you have under what is called the required minimum distribution rules.

My dad was a little surprised by that because he was still working at age 70½ when you have to start doing that.

By the way, a lot of people back home are still working at age 70½, and they want to keep their retirement nest egg there. They want to keep building it up because they hope they are going to live a long life, and they want make sure they have something in there, but instead, no, when you are 70½, you have to start taking it out and paying taxes on it.

So we changed that from 70½ to 75. We do it over a few years because it is an expensive provision, frankly, in this bill, but we pay for it through other means. The idea is you want to let people keep that money in their nest egg. By the way, if your nest egg is \$100,000 or less, there is no minimum required distribution anymore under our bill.

So for people who, again, are 70½ and are wondering, “Why do I have to start taking this money out? I have 65,000 bucks I have saved up all these years, and I am still working,” or “I don’t need to take it out for retirement,” let them keep it in that plan. If there is under 100,000 bucks in your account, keep it in going forward forever. If you have more than 100,000 bucks in there, then for that additional amount, you don’t have to start taking it out until you are 75, under our bill.

So this is going to really help the people to ensure that they can set aside money for retirement, and they know it is going to be there when they need it.

Our new Portman-Cardin retirement legislation has the potential to fundamentally reshape for the better how large numbers of Americans approach their retirement planning, and that is a good thing. I look forward to getting it passed through the Finance Committee and sent to the Senate floor for a vote.

As I said earlier, even before we can get this broader package done, we have a smaller bill that is sitting here in the Senate. It has already passed the House. It is called the SECURE Act. It actually passed the House almost unanimously—417 to 3. That rarely happens, and that shows you the kind of bipartisan support it has. It is not as comprehensive as the bill I just talked about, but it does have some good provisions.

It has that increase in the small employer tax credit, for instance, we talked about. It also raises this minimum required distribution to age 72—from 70½ to 72—which is good. It doesn’t go to 75, and it doesn’t have the \$100,000 improvement we have, but it does help. It also helps long-term part-time workers contribute to 401(k)s, which is good.

So we go further in our bill, but this SECURE Act is a good step in the right direction. I support it. I support bringing it up and passing it. It already passed the House.

I do think we ought to allow a couple of amendments on each side because

this SECURE Act that passed the House has not been voted on, on this floor before. It came out of our committee back in 2016, I believe, so it has been a while. There hasn’t been any debate on it or deliberation. Why not allow a few amendments on it on each side?

Democrats probably have a few amendments they would like to offer. Republicans have a few they would like to offer. The point is, let’s get that bill up and get it passed.

Then there is this final bill I was talking about. It is part of the SECURE Act, which is on the floor right now ready to go. It has also been introduced separately, and this is to address an urgent problem right now that is affecting over 450,000 Americans.

Now, it gets a little complicated here, as retirement plans do sometimes. These are people who are in these defined benefit plans, pension plans, and they are in businesses that have shifted from a defined benefit plan to a defined contribution like a 401(k). These are businesses that have said: We are not going to have an additional pension anymore. We are going to go to a 401(k) where individuals contribute and individuals control their account.

Now, what happened in some of these businesses is they said: But if you are already in a defined benefit plan, you can stay in. We are going to freeze your plan going forward so new employees can’t go into it, but you can stay in your plan, and I think that is fair. Let people who are in the plan who have paid in all these years continue to stay in that defined benefit plan as they retire.

The problem is, inadvertently, the rules with regard to pensions are tripping these people up because there is something called the nondiscrimination income testing. In other words, you can’t have too many of the benefits go, in a defined benefit plan, to people who are more on the high end of income. It has to be spread out.

Well, think about it. The people who are left in these plans are people who are older because the new employees have had to go to the defined contribution plan. So it is an older group of employees and, therefore, more highly compensated because they have been given raises over time, so they trigger this nondiscrimination income testing, and they lose their benefits. They can’t continue to accrue benefits.

That is just wrong. These are people who have played by the rules, done everything right. Through no fault of their own but through this quirky regulation, which was never meant to address this kind of an issue, they are facing the very real possibility—450,000-plus people—that they are going to lose their benefits through no fault of their own. They should be able to continue to accrue benefits and get this retirement plan they have worked so hard to be able to enjoy. Nobody really disagrees.

Again, it is in the SECURE Act. We have introduced it separately. Around here you run what is called a hotline with your fellow Senators to see if anybody objects to this if it is a non-controversial piece of legislation.

So we did that with this, and, guess what, this legislation was approved by everybody on the Republican side. Nobody had a problem with it. Again, it is just a question of being sure these flawed rules aren’t inadvertently hurting these 450,000 Americans.

Then we ran the hotline on the Democratic side, and it was also very popular over there, but at least one person objected—maybe more but at least one.

So we are trying to work on this together to try to get it done. We found out the objection is not based on the legislation at all. No one has any problem with the legislation. It is based on their interest in not allowing anything that is in the SECURE Act to be done separately because they want to be sure the SECURE Act gets done. I want to be sure the SECURE Act gets done too. It is an important bill. It is the first step in the right direction, as we said, but let’s not take it out on these employees. If we don’t fix it, then by this yearend, like in the next couple of months here, these people are going to lose their benefits.

So my hope is, now that we have tested the waters and found out it is not controversial among my colleagues, let’s just bring it up under unanimous consent, get it done, and then let’s move on and do the SECURE Act too.

So my hope is we will be able to do that. It has been introduced, again, as a standalone bill. So it is not like it is the other parts of the SECURE Act that are only in the SECURE Act. It is standalone so it shouldn’t violate anybody’s sense of fairness to say: Let’s deal with this separately and get it done.

I thank Chairman CHUCK GRASSLEY and Ranking Member WYDEN for helping on this because they have been supportive of the SECURE Act, they have been supportive of dealing with this quirk in the law that deals with these 450,000 people who are going to lose their benefits, and they have been supportive of us doing this broader retirement savings package as well.

I hope we can get them done. Let’s do it in order. No. 1, let’s get the Retirement Security Preservation Act done. That is the 450,000 people, and let’s just do that by unanimous consent. Everybody agrees to it.

Let’s move to the SECURE Act, get that done. Again, that was passed in the House almost unanimously, and then let’s move on to this broader Portman-Cardin legislation we talked about tonight. It really deals with these issues of small business coverage. It deals with the issue of low-income workers needing to save more. It deals with the issue of part-time workers having to save more. It deals with this



issue of being sure that people aren't outliving their retirement savings.

Again, of the 50-plus provisions in there, there is a lot that really helps the people I represent back in Ohio and folks all around the country. They deserve us in Congress to be focused on these kinds of issues. This is exactly what people expect us to do here, help them ensure they have peace of mind in their retirement. We are doing all we can to provide the incentives to make that happen.

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

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. PORTMAN. 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 each.

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

#### TRIBUTE TO CORNELIA DOZIER COOPER

Mr. MCCONNELL. Mr. President, great works of artistic expression are so much more than something simply to look at or listen to. They are often a reflection of the artist, her community, and a unique culture. Kentuckian Cornelia Dozier Cooper recognizes the encouraging effect of creative works, and she has spent her lifetime promoting them in eastern Kentucky. It is a privilege to recognize my dear friend Cornelia, who was recently selected to receive our Commonwealth's highest artistic honor: the Milner Award. In tribute to her accomplishment and philanthropy, I would like to extend my sincere congratulations for this well-deserved honor.

Born in Madisonville, KY, Cornelia developed a passion for the arts at an early age. Supported by her parents and a fostering education, she grew her skills in both visual and musical arts. She was quickly recognized for her talent and studied English watercolor at the prestigious Oxford University. I have had the privilege to visit Cornelia's home, where I admired her beautiful watercolors up close. Her own artistic works, in which she hopes to display the glory of God's creation, were just the beginning of her contributions to Kentucky.

With her husband, Richard Cooper—brother to another outstanding Kentuckian, Senator John Sherman Co-

per—Cornelia's devotion to the arts extended far beyond her own brush and canvas. She sought to give her fellow Kentuckians the opportunity to create great works of art and to be inspired by them in their communities. Cornelia worked with several organizations, including as a founding member of the Kentucky Arts Council, promoting aspiring talents in her home of Pulaski County and throughout the Commonwealth. She also established the Cornelia Dozier Cooper Endowment Fund for the Arts, providing grants to support a variety of eastern Kentucky artists. The endowment is funded, in part, by the proceeds from the sale of her own watercolors.

At a ceremony in the Kentucky Capitol Rotunda, surrounded by artistic works celebrating the Bluegrass State's illustrious history, Cornelia received her Milner Award. Even at the age of 93 Cornelia still brings the same enthusiasm to promoting young artists. To many throughout Kentucky, she is a mentor and a creative inspiration. Her selfless philanthropy will certainly continue to encourage young artists to develop their talents and follow their passions. I am grateful to Cornelia for her friendship and her lifetime spent enriching our home State. She has certainly earned this distinction. I ask my Senate colleagues to join me in congratulating this remarkable Kentuckian, Cornelia Dozier Cooper.

#### TRIBUTE TO GENERAL JOSEPH DUNFORD

Mr. LEAHY. Mr. President, I have been honored to know and work with many of the leaders in our military. One of the absolute finest I have known is General Joseph F. Dunford, Jr., the outgoing Chairman of the Joint Chiefs of Staff. I have known General Dunford for years, certainly in his current capacity, but before that as Commandant of the Marine Corps. As the father of a marine, I looked at Joe Dunford as the best the Corps could have and what we all want from the men and women serving and leading the Marine Corps.

General Dunford has had a long and distinguished career of service as a marine. He was deployed during Operation Iraqi Freedom, earned the nickname "Fighting Joe" while serving under James Mattis, and led the U.S. and NATO forces in Afghanistan. He is admired by the men and women who served under him and is known for his respect and care for civilians caught up in conflict.

Marcelle and I were honored to travel with him to Vermont in 2017, where he gave the commencement address at St. Michael's College, 40 years after his own graduation at that same institution. He told the graduates about to step out into their futures, "have the moral courage to do what's right, even when it's tough. Commit to serving something bigger than yourself." Like General Dunford, I am a graduate of

St. Michaels, and Marcelle has an honorary degree from St. Michaels. Also like General Dunford, I did my graduate work at Georgetown.

I mention his background because he is not a man that would ever brag about all the things he has done. Rather, he speaks to the values that he believes America should follow. I listened to him, standing in his uniform, speaking to these young men and women who were graduating. You could hear a pin drop in the hall, except for the times when they would interrupt his speech with standing ovations.

He has led by service his entire career. He thought always of the men and women under his command. He thought of their families. He thought of our future and the world we would leave to our grandchildren. His legacy will be measured by his presence on the battlefield, but perhaps more so by the capable leadership he has brought that will be felt for generations to come. That is truly the mark of an exceptional and visionary leader.

General Dunford and his wife Ellyn are looking forward to their retirement, but I do hope that academic and public institutions will call on him for his expertise and his knowledge, but especially his conscience.

I ask unanimous consent that an article from the Washington Post, entitled "Joseph Dunford's steady hand in the turmoil of Trump's Washington," by David Ignatius be printed in the RECORD, as it so eloquently captures the general's legacy and service to our Nation.

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

[From the Washington Post, Sept. 12, 2019]

#### JOSEPH DUNFORD'S STEADY HAND IN THE TURMOIL OF TRUMP'S WASHINGTON

(By David Ignatius)

Gen. Joseph F. Dunford Jr., the chairman of the Joint Chiefs of Staff who will retire this month, is that rare senior official in Donald Trump's Washington whose career and reputation don't seem to have been tarnished by his dealings with the president.

The explanation is simple: The low-key, Boston-Irish Marine maintained the distance and discipline of a professional military officer. He didn't try to be Trump's friend or confidant, and he stayed away from palace intrigue. The White House treated him with respect, and his fellow commanders came to regard him with something approaching awe: "We'd all like to be Joe Dunford," says one four-star general.

In the ceaseless turmoil of the Trump administration, Dunford has been a steady hand who helped insulate national security policy from disruption and political pressure. His Pentagon colleagues say he will be keenly missed—several described him as the best chairman in recent decades—and they are hoping Gen. Mark Milley, his successor, can sustain the independence and cool judgment that defined Dunford's tenure.

Dunford doesn't like talking about his relationship with the White House. The closest he has come was probably a Pentagon news briefing last month: "I've worked very hard to remain apolitical and not make political judgments. . . . I work very hard to provide military advice . . . and make sure that our

men and women in uniform have the wherewithal to do their job.”

“Joe Dunford is a man for all seasons,” says Jim Mattis, the former defense secretary and a fellow Marine. “Joe has a quiet mind, not easily distracted; he quantifies things, but he brings in the nonquantifiable. Still waters run deep in him. You simply can’t shake his faith in his fundamental values.”

Mattis cites two combat anecdotes to explain Dunford’s unflappable style. In March 2003, on the eve of the invasion of Iraq, Mattis told Dunford that because of a last-minute change of plans, his regiment had to move out in five hours, rather than at dawn the next morning. “He just took it in stride,” says Mattis.

A few days later, Dunford’s unit had fought its way to the Tigris River, with the loss of some Marines, and was ready to seize a strategic bridge. Mattis told him he had to fall back until conditions were safer for the assault. Dunford obeyed that painful retreat order without hesitation, Mattis says.

Dunford was born for the job. The son of a Marine who fought at Chosin Reservoir during the Korean War, he grew up in Quincy, Mass., a working-class suburb of Boston. Colleagues say he retained those grounded values throughout a rapidly rising career.

Gen. Frank McKenzie, head of the Central Command and another fellow Marine, remembers that Dunford faced a delicate problem as a young lieutenant colonel on the staff of the Marine commandant. He had to manage a popular but misplaced protocol officer. He promptly removed the officer, to the consternation of some politically powerful friends.

Dunford’s dream was probably to become Marine commandant himself, and after he was appointed to that position in 2014, friends say he assumed it was his last military post. When President Barack Obama nominated him chairman in 2015, “he took the job with a Catholic sense of guilt” to do his duty, says one friend.

On Dunford’s desk as chairman, he placed the admonition of a venerated predecessor, Gen. Omar Bradley, who cautioned his staff that they didn’t have the “luxury” of focusing on just one theater but needed to think globally. Dunford has prodded the different services and combatant commands to do just that—move toward integrated global strategy, rather than separate fiefdoms.

Dunford built a powerful joint staff to coordinate policy, directed by strong officers such as McKenzie and Adm. Michael Gilday, the new chief of naval operations. The joint staff’s importance grew as the interagency process of the National Security Council decayed. Some grouse that the joint staff is now too powerful, but it helped fill a dangerous vacuum.

In dealing with Trump, Dunford’s friends say his model was Gen. George C. Marshall, the celebrated wartime chief of staff to President Franklin D. Roosevelt. Marshall didn’t try to be FDR’s pal, or laugh at his jokes, or join his social gatherings. Marshall simply did his job.

One four-star general recalls that Trump would sometimes ask Dunford whether he liked a particular policy option. “I’m not in love with any of them,” Dunford would answer. “My job is to give you choices.”

It’s Dunford’s legacy that in a time of national tumult and division, the military seems to have remained steady as a rock.

(At the request of Mr. THUNE, the following statement was ordered to be printed in the RECORD.)

#### PERSONAL EXPLANATION

• Mr. RUBIO. Mr. President, due to a family matter, I am unable to be in

Washington, DC, today. I informed Senate leaders of this commitment several weeks ago.●

#### ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive 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. 19-47 concerning the Air Force’s proposed Letter(s) of Offer and Acceptance to the Government of Qatar for defense articles and services estimated to cost \$86 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,  
GREGORY M. KAUSNER  
(For Charles W. Hooper, Lieutenant  
General, USA, Director).

Enclosures.

TRANSMITTAL NO. 19-47

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 Qatar.

(ii) Total Estimated Value:  
Major Defense Equipment\* \$17 million.  
Other \$69 million.  
Total \$86 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: Qatar requested a possible sale of two (2) AN/AAQ-24(V)N Large Aircraft Infrared Countermeasures (LAIRCM) systems to protect two (2) Boeing 747-800 Head-of-State aircraft. Each LAIRCM system consists of three (3) Guardian Laser Turret Assemblies (GLTA), one (1) LAIRCM System Processor Replacement (LSPR), five (5) Missile Warning Sensors (MWS), one (1) Control Indicator Unit Replacement (CIUR), one (1) Smart Card Assembly (SCA), and one (1) High Capacity Card (HCC/User Data Memory (UDM) card.

Major Defense Equipment (MDE):  
Twelve (12) Guardian Laser Turret Assemblies (GLTA) (6 installed, 6 spares).

Seven (7) LAIRCM System Processor Replacements (LSPR) (2 installed, 5 spares).

Twenty-three (23) Missile Warning Sensors (MWS) (10 installed, 13 spares).

Non-MDE: Also included are LAIRCM CIURs; SCAs; HCCs; UDM cards; initial spares; consumables; repair and return support; support equipment; engineering design; integration; hardware integration; flight test and certifications; selective availability anti-spoofing modules (SAASM); publications and technical documentation; training and training equipment; field service representatives; U.S. Government and contractor engineering, technical, and logistics support; and other related elements of logistics and program support.

(iv) Military Department: Air Force (QA-D-BAB).

(v) Prior Related Cases, if any: QA-D-QAA and QA-D-QAF.

(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 Attached Annex.

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

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

#### POLICY JUSTIFICATION

Qatar—Large Aircraft Infrared Countermeasures (LAIRCM) System for Head-of-State Aircraft

The Government of Qatar has requested to buy two AN/AAQ-24(V)N Large Aircraft Infrared Countermeasures (LAIRCM) systems to protect two (2) 747-800 Head-of-State aircraft. This proposed sale will include: twelve (12) Guardian Laser Turret Assemblies (GLTA) (6 installed, 6 spares); seven (7) LAIRCM System Processor Replacements (LSPR) (2 installed 5 spares); twenty-three (23) Missile Warning Sensors (MWS) (10 installed, 13 spares); Control Indicator Unit Replacements (CIURs); Smart Card Assemblies (SCAs); High Capacity Cards (HCCs); User Data Memory (UDM) cards; initial spares; consumables; repair and return support; support equipment; engineering design; integration; hardware integration; flight test and certifications; selective availability anti-spoofing modules (SAASM); publications and technical documentation; training and training equipment; field service representatives; U.S. Government and contractor engineering, technical, and logistics support; and other related elements of logistics and program support. The estimated cost is \$86 million.

This proposed sale will support the foreign policy and national security of the United States by helping to improve the security of a friendly country that continues to be an important force for political and economic progress in the Middle East. Qatar is host to the U.S. Central Command forces and serves as a critical forward-deployed location in the region.

The proposed sale will improve Qatar’s capability to deter regional threats. The self-protection suite will facilitate a more robust capability into areas of increased missile threats. Qatar will have no difficulty absorbing this equipment and capability into its armed forces.

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

The prime contractor will be Northrop Grumman, Rolling Meadows, IL. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale may require the assignment of a U.S. Government and/or contractor representatives to Qatar to provide the field service support as requested.

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



TRANSMITTAL NO. 19-47

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 AN/AAQ-24(V)N LAIRCM is a self-contained, directed energy countermeasures system designed to protect aircraft from infrared-guided surface-to-air missiles. The system features digital technology and micro-miniature solid-state electronics. The system operates in all conditions, detecting incoming missiles and jamming infrared-seeker equipped missiles with aimed bursts of laser energy. The LAIRCM system consists of multiple Missile Warning Sensors, Guardian Laser Turret Assembly (GLTA), LAIRCM System Processor Replacement (LSPR), Control Indicator Unit Replacement (CIUR), and a classified User Data Memory (UDM) card containing the laser jam codes. The UDM card is loaded into the LSPR prior to flight; when not in use, the UDM card is removed from the LSPR and put in secure storage. The Missile Warning Sensors (MWS) for AN/AAQ-24(V)N are mounted on the aircraft exterior to provide omni-directional protection. The MWS detects the rocket plume of missiles and sends appropriate data signals to the LSPR for processing. The LSPR analyzes the data from each sensor and automatically deploys the appropriate countermeasure via the GLTA. The CIUR displays the incoming threat for the pilot to take appropriate action. The LSPR also contains Built-in-Test (BIT) circuitry. LAIRCM hardware is CLASSIFIED only when a classified UDM card is inserted into the system and it is powered up. LAIRCM system software, including Operational Flight Program and jam codes, are classified SECRET. Technical data and documentation to be provided is UNCLASSIFIED.

2. 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.

3. A determination has been made that Qatar can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification.

4. All defense articles and services listed in this transmittal are authorized for release and export to the Government of Qatar.

#### DWIGHT D. EISENHOWER

Mr. ROBERTS. Mr. President, today I wish to celebrate the 129th birthday of Dwight D. Eisenhower. Eisenhower was a fellow Kansan, a strong trailblazer, and an exceptional American. His lifetime traversed many important eras in our Nation. Ike was born as the American Frontier came to an end, and passed away only a few months before the United States stepped foot on the Moon, beginning an exploration into the new frontier of space.

Born in Denison, TX, on October 14, 1890, and raised in Abilene, KS, Eisenhower grew up in a humble environment. He always worked hard for what he wanted. From his early years of working 12-hour shifts at a creamery,

to pursuing an education at the U.S. Military Academy, to earning the rank of Supreme Commander of Allied Forces in Europe during World War II, to becoming the leader of our Nation and the free world, Ike continually strived for the best. Like so many of his generation, he achieved a great deal for himself and our country, but didn't seek personal credit for his accomplishments. Eisenhower's determination, leadership, and honorable character are the reasons that he remains respected around the world to this day. In fact, just 2 years ago in 2017, historians with expertise on Presidential rankings revised previous figures to now include Eisenhower among the top five of all U.S. Presidents.

Although there are numerous examples of Ike's international respect, one particular instance can be drawn from his 1945 Guildhall Address. After Eisenhower received the key to the city of London upon leading the Allies to victory in World War II, he said, "No petty differences in the world of trade, traditions, or national pride should ever blind us to our identities in priceless values. If we keep our eyes on this guidepost, then no difficulties along our path of mutual co-operation can ever be insurmountable. Moreover, when this truth has permeated to the remotest hamlet and heart of all people, then indeed may we beat our swords into plowshares and all nations can enjoy the fruitfulness of the Earth."

Today, we are surrounded by Eisenhower's enduring leadership and ideas. The effects of his creative innovation and his focus on the future gave us the Interstate Highway System, the Federal Aviation Administration, the Saint Lawrence Seaway, NASA, and the Department of Health, Education, and Welfare, now known as the Department of Health and Human Services, and the Department of Education. Ike also supported legislation that welcomed Alaska and Hawaii into the Union; eradicated segregation in our Armed Forces; and deployed the Army's 101st Airborne to Central High School in Little Rock, AR, ensuring that the law of educational integration was followed by all States.

As the chairman of the Dwight D. Eisenhower Memorial Commission, I am pleased to announce that the completion of the Dwight D. Eisenhower Memorial, commemorating and memorializing the general and President, is on budget and on schedule. A dedication ceremony is slated for May 8, 2020, the 75th Anniversary of the Allied Victory in Europe, V-E Day, during World War II. It is truly exciting to realize that, in about 7 months, our Nation will dedicate a Presidential memorial in Washington, DC, celebrating the life and legacy of Dwight D. Eisenhower.

I ask you to join me in honoring Eisenhower's 129th birthday. Ike not only championed the free world as an exceptional military strategist, but also led our country to times of prosperity

serving as a visionary guardian of the country's well-being. Hailing from America's heartland and devoting his life to the pursuit of liberty, Ike left behind an extraordinary legacy that created a better, more peaceful world.

#### ADDITIONAL STATEMENTS

##### REMEMBERING MARCA BRISTO

• Ms. DUCKWORTH. Mr. President, I come before the Senate today to honor the life of Marca Bristo: a trailblazer, an activist, a mother and—to me and so many others—a hero. She passed away this month at the age of 66, after spending the last four decades on the frontlines of the disability rights movement.

With every day that passed and every fight she took on, Marca redefined the word resilience. It was thanks in large part to her decision to get out of her wheelchair and crawl up the steps of the Capitol Building to help pass the Americans with Disabilities Act that I can roll through its corridors to cast my vote in its Chamber three decades later.

She climbed up those steps to tear down the barriers that had been holding us back. She got onto her hands and knees so the rest of us could rise, working tirelessly to turn the ADA from a dream to a law that enshrines the basic civil rights that those of us with disabilities rely on to live our daily lives.

I and countless others am devastated that we lost her so soon, but I am also deeply grateful to have known her, deeply thankful that, in one of the toughest times of my life, when I was still adjusting to life in a wheelchair after being wounded in Iraq, she decided to reach out. Through her kindness and her wisdom, her strength and her grit, she quickly went from stranger to mentor to dear friend.

Marca was raised on a farm in upstate New York before moving to Chicago and earning her nursing degree at Rush University, but less than a year after becoming a nurse, a diving accident left her paralyzed from the chest down.

She lost her home because she could no longer access it. She lost her job because there were no labor protections for those with disabilities. She lost her health insurance because her injuries and care were too expensive. But she didn't lose her resolve, and our country is far, far better because of that and because she believed that, even if you get knocked down, it doesn't mean you are knocked out.

Marca's entire life changed the day of her accident. Suddenly, she looked around and saw a world hostile to her, hostile to all who couldn't walk or see, couldn't speak or hear.

So she set about changing the world. She saw a country that pushed people with disabilities into the margins, a nation that treated them as less than,

one that overlooked or ignored their needs, making it impossible for many to work or even to get to work, impossible to go to school or to lead the normal lives they deserved.

She saw discrimination, and she refused to call it anything else, refusing to stop fighting until disability issues weren't just relegated to the doctor's office, weren't just treated as medical matters, but were recognized as civil rights.

So she spoke out. She chained herself to public buses to demand wheelchair lifts. She fought for fair housing and founded Access Living, which she built into one of the leading disability rights groups in the country. She wheeled herself to the front of the Capitol Building, got down out of her chair and, one stair at a time, crawled up its 83 steps, demanding that Congress give Americans with disabilities the basic rights the Constitution promised. She set up camp outside GOP offices to fight against cuts to Medicaid, letting herself get arrested because that is what it took.

In the process, she reframed how this country thought about our rights. As she famously said, "My wheelchair wasn't too wide for the doors. The doors were too narrow for my wheelchair." Through all her work over all these decades, she didn't just widen the doors. She opened ones that had previously been closed to all of us who happen to be in a chair.

No one used to think about how we couldn't get from sidewalk to street when there wasn't a curb cut. No one used to question the fact that we couldn't climb onto the bus or get down to the subway.

Marca changed all that. She refused to accept a status quo that didn't accept all of us. She saw us, she fought for us, and she made our voices heard.

Her work, her friendship, her activism meant so much to me. It is the reason I am here in the Senate today, and it is the reason I will keep fighting tomorrow.

My thoughts are with all of Marca's loved ones. Thank you for sharing your mother, your wife, your sister with the rest of us. We will continue her legacy. We will keep widening those doors, unlocking them, crashing through them if need be, just as Marca would have wanted. Doing everything we can to bring about that more fair, more just, more accessible world that she worked so hard for, for so long.

Thank you.●

#### TRIBUTE TO JULIUS EISENSTEIN

● Mr. SCOTT of Florida. Mr. President, I would like to recognize the 100th birthday of Julius Eisenstein who was born on October 13, 1919, in Tomaszow Mazowiecki, Poland. I am honored to have the opportunity to speak about Julius's remarkable life today.

Living in Poland during the Holocaust, Julius was abruptly taken from his home and forced into the Tomaszow

Mazowiecki Ghetto from 1940 to 1943. From the ghettos, he was then transported all over Eastern Europe. Between May 1943 and April 1945, he was interned in the Blizyn Labor Camp and four other concentration camps. In April, Julius was finally liberated from Dachau by the U.S. Army. Julius and his brother Jacob survived the Holocaust.

After he was liberated, Julius lived in Munich for some time. He married his wife Phyllis in 1947. Julius moved to New York in 1950, where he owned and operated numerous businesses. Julius now permanently resides in Florida. Julius and his wife have two children, Tobi and Fred. Julius's wife Phyllis passed away in 2017.

Julius has been an active speaker for the Holocaust Documentation and Education Center, Inc., where he has touched the lives of so many. Sharing Julius's story is so important as we seek to educate our children and future generations about the atrocities of the past and stand together against all forms of hate, evil and violence.

The Holocaust is a stark reminder that evil and hate exist in this world. Even today, we must remain ready to confront this hatred and bigotry in all forms. Every generation must heed the call to take action in the face of evil; this is the Holocaust's enduring lesson of mankind.

Julius has lived through unspeakable horror and has dedicated his life to educating and inspiring those around him. Our memory of all those who suffered must never weaken, and we must always fight against hate. I am honored to wish Julius a happy birthday, and I wish him continued happiness with his family, friends, community, and loved ones.●

#### MESSAGE FROM THE HOUSE

At 10:20 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 bills, in which it requests the concurrence of the Senate:

H.R. 1632. An act to require a strategy for engagement with Southeast Asia and the Association of Southeast Asian Nations (ASEAN).

H.R. 2229. An act to waive the passport fees for first responders proceeding abroad to aid a foreign country suffering from a natural disaster.

H.R. 2327. An act to direct the Secretary of State of provide assistance to civil society organizations in Burma that work to secure the release of prisoners of conscience and political prisoners in Burma, and for other purposes.

H.R. 3190. An act to authorize the humanitarian assistance and impose sanctions with respect to human rights abuses in Burma, and for other purposes.

#### MEASURES DISCHARGED

The following joint resolution was discharged from the Committee on Armed Services by unanimous consent:

S.J. Res. 54. Joint resolution relating to a national emergency declared by the President on February 15, 2019.

We, the undersigned Senators in accordance with Chapter 8 of title 5, United States Code, hereby direct that the Senate Committee on Finance be discharged from further consideration of S.J. Res. 52, a joint resolution providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Secretary of the Treasury and the Secretary of Health and Human Services relating to "State Relief and Empowerment Waivers," and further, that the resolution be placed upon the Legislative Calendar under General Orders.

Sincerely,

Mark R. Warner, Joe Manchin, Debbie Stabenow, Richard J. Durbin, Angus King, Dianne Feinstein, Charles Schumer, Tammy Baldwin, Patty Murray, Mazie Hirono, Kirsten E. Gillibrand, Martin Heinrich, Jon Tester, Brian Schatz, Maggie Hassan, Catherine Cortez Masto, Chris Coons, Ben Cardin, Tina Smith, Tom Carper, Jack Reed, Tim Kaine, Maria Cantwell, Gary C. Peters, Ed Markey, Amy Klobuchar, Robert Menendez, Tammy Duckworth, Michael F. Bennet, Jacky Rosen, Jeanne Shaheen, Sherrod Brown, Chris Murphy, Richard Blumenthal, Patrick Leahy, Ron Wyden, Kyrsten Sinema.

#### MEASURES REFERRED

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

H.R. 1632. An act to require a strategy for engagement with Southeast Asia and the Association of Southeast Asian Nations (ASEAN); to the Committee on Foreign Relations.

H.R. 2229. An act to waive the passport fees for first responders proceeding abroad to aid a foreign country suffering from a natural disaster; to the Committee on Foreign Relations.

H.R. 2327. An act to direct the Secretary of State to provide assistance to civil society organizations in Burma that work to secure the release of prisoners of conscience and political prisoners in Burma, and assistance to current and former prisoners of conscience and political prisoners in Burma, and for other purposes; to the Committee on Foreign Relations.

H.R. 3190. An act to authorize humanitarian assistance and impose sanctions with respect to human rights abuses in Burma, and for other purposes; to the Committee on Foreign Relations.

#### EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-2636. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "2-Phenoxyethanol; Exemption from the Requirement of a Tolerance" (FRL No. 9996-66) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2637. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Cyclaniliprole; Pesticide Tolerance"

(FRL No. 9998-87) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2638. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Florpyrauxifen-benzyl; Exemption from the Requirement of a Tolerance” (FRL No. 9998-67) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2639. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Poly(oxy-1,2-ethanediyl), a-(3-(1,3,3,3-tetramethyl-1-((trimethylsilyl)oxy)disiloxanyl)propyl)-w-hydroxy; Exemption from the Requirement of a Tolerance” (FRL No. 9999-72) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2640. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Nicotinamide; Exemption from the Requirement of a Tolerance” (FRL No. 9994-70) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-2641. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Clinton F. Faison III, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-2642. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Vice Admiral Philip G. Howe III, United States Navy, and his advancement to the grade of vice admiral on the retired list; to the Committee on Armed Services.

EC-2643. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Rear Admiral William F. Moran, United States Navy, and his advancement to the grade of admiral on the retired list; to the Committee on Armed Services.

EC-2644. A communication from the Assistant Secretary of the Army (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received in the Office of the President of the Senate on September 24, 2019; to the Committee on Armed Services.

EC-2645. A communication from the Assistant Secretary of the Navy (Manpower and Reserve Affairs), transmitting, pursuant to law, a report on the mobilizations of selected reserve units, received in the Office of the President of the Senate on September 19, 2019; to the Committee on Armed Services.

EC-2646. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Transition Assistance Program (TAP) for Military Personnel” (RIN0790-AK80) received in the Office of the President of the Senate on September 18, 2019; to the Committee on Armed Services.

EC-2647. A communication from the Acting Principal Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled “Defense Federal Acquisition Regulation Supplement: Restrictions of Use of Lowest Price Technically Acceptable Source Selection Process” ((RIN0750-AJ74) (DFARS

Case 2019-D010)) received in the Office of the President of the Senate on September 18, 2019; to the Committee on Armed Services.

EC-2648. A communication from the Secretary of Defense, transmitting a report on the approved retirement of Lieutenant General Steven M. Shepro, United States Air Force, and his advancement to the grade of lieutenant general on the retired list; to the Committee on Armed Services.

EC-2649. A communication from the Secretary of the Treasury, transmitting, pursuant to law, a six-month periodic report on the national emergency with respect to Iran as declared in Executive Order 12957 of March 15, 1995; to the Committee on Banking, Housing, and Urban Affairs.

EC-2650. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval and Air Quality Designation; New Hampshire; Redesignation of the Central New Hampshire Sulfur Dioxide Nonattainment Area” (FRL No. 9999-84-Region 1) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2651. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Georgia; 2008 8-hour Ozone Interstate Transport” (FRL No. 10000-25-Region 4) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2652. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Illinois; State Board and Infrastructure SIP Requirements” (FRL No. 9999-78-Region 5) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2653. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Indiana; Attainment Plan for the Morgan County Sulfur Dioxide Nonattainment Area” (FRL No. 9999-77-Region 5) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2654. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Kentucky; Existing Indirect Heat Exchangers for Jefferson County” (FRL No. 10000-49-Region 4) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2655. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Kentucky; Jefferson County Existing and New VOC Storage Vessels Rule Changes (FRL No. 10000-47-Region 4) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2656. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Missouri; Infrastructure State Implementation Plan Requirements for the 2015 Ozone National Am-

bient Air Quality Standard” (FRL No. 10000-15-Region 7) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2657. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Missouri; Removal of Control of VOC Emissions from Traffic Coatings” (FRL No. 9999-74-Region 7) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2658. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Missouri; Rescission of Information on Sales of Fuels to be Provided and Maintained and Certain Coals to be Washed” (FRL No. 9999-73-Region 7) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2659. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; North Carolina; Amendments of Air Quality Rules” (FRL No. 10000-26-Region 4) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2660. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Ohio; Second Maintenance Plan for 1997 Ozone NAAQS; Dayton-Springfield” (FRL No. 10000-38-Region 5) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2661. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Texas; Control of Air Pollution from Motor Vehicles” (FRL No. 9999-03-Region 6) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2662. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Texas; Infrastructure for the 2015 Ozone National Ambient Air Quality Standard” (FRL No. 9999-17-Region 6) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2663. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Air Plan Approval; Wisconsin; Title V Operation Permit Program; Withdrawal of Direct Final Rule” (FRL No. 10000-39-Region 5) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2664. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled “Approval and Promulgation of Air Quality Implementation Plans; Maryland; Removal of Stage II Gasoline Vapor Recovery Program Requirements” (FRL No. 9999-75-Region 3) received in the Office of the

President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2665. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Attainment Plan for the Beaver, Pennsylvania Nonattainment Area for the 2010 Sulfur Dioxide Primary National Ambient Air Quality Standard" (FRL No. 10000-28-Region 3) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2666. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Pennsylvania; Redesignation Requests and Maintenance Plans for Delaware County and Lebanon County 2012 Fine Particulate Matter Areas" (FRL No. 10000-27-Region 3) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2667. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Air Quality Improvement Plan, Operating Permits Program, and 112(1) Plan; Missouri Operating Permits" (FRL No. 10000-14-Region 7) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2668. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Clean Data Determination; Salt Lake City, Utah 2006 Fine Particulate Matter Standards Nonattainment Area" (FRL No. 9999-66-Region 8) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2669. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Definition of 'Waters of the United States' Recodification of Pre-Existing Rules" (RIN2040-AF74) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2670. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Ohio; Final Authorization of State Hazardous Waste Management Program Revisions" (FRL No. 10000-08-Region 5) received in the Office of the President of the Senate on September 20, 2019; to the Committee on Environment and Public Works.

EC-2671. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2019-0075 - 2019-0077); to the Committee on Foreign Relations.

EC-2672. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license amendment for the export of defense articles, including technical data and defense services, to the Republic of Korea to support

the assembly, inspection, test and production of T700/701K engine for end use on the Korean Helicopter Program in the amount of \$50,000,000 or more (Transmittal No. DDTC 18-074); to the Committee on Foreign Relations.

EC-2673. A communication from the Inspector General of the Railroad Retirement Board, transmitting, pursuant to law, the Inspector General's Congressional Budget Justification for fiscal year 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2674. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, a report relative to the Board's budget request for fiscal year 2021; to the Committee on Health, Education, Labor, and Pensions.

EC-2675. A communication from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Benefits Payable in Terminated Single-Employer Plans; Interest Assumptions for Valuing and Paying Benefits" (29 CFR Parts 4022 and 4044) received in the Office of the President of the Senate on September 24, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-2676. A communication from the Secretary of Veterans Affairs, transmitting proposed legislation relative to major medical facility construction projects and major medical facility leases for fiscal year 2020; to the Committee on Veterans' Affairs.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 1245. A bill to improve energy performance in Federal buildings, and for other purposes (Rept. No. 116-117).

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

S. 1685. A bill to require the Secretary of Energy to establish a program for the research, development, and demonstration of commercially viable technologies for the capture of carbon dioxide produced during the generation of natural gas-generated power (Rept. No. 116-118).

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, with amendments:

S. 1857. A bill to amend the National Energy Conservation Policy Act to improve Federal energy and water performance requirements for Federal buildings and establish a Federal Energy Management Program (Rept. No. 116-119).

By Mr. GRASSLEY, from the Committee on Finance, without amendment:

S. 2543. An original bill to amend titles XI, XVIII, and XIX of the Social Security Act to lower prescription drug prices in the Medicare and Medicaid programs, to improve transparency related to pharmaceutical prices and transactions, to lower patients' out-of-pocket costs, and to ensure accountability to taxpayers, and for other purposes (Rept. No. 116-120).

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2020" (Rept. No. 116-121).

By Mr. BARRASSO, from the Committee on Environment and Public Works, without amendment:

S. 2099. A bill to redesignate the Sullys Hill National Game Preserve in the State of North Dakota as the White Horse Hill National Game Preserve.

By Mr. BARRASSO, from the Committee on Environment and Public Works, with an amendment in the nature of a substitute:

S. 2260. A bill to provide for the improvement of domestic infrastructure in order to prevent marine debris, and for other purposes.

#### EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. RISCH for the Committee on Foreign Relations.

Adrian Zuckerman, of New Jersey, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Romania.

Nominee: Adrian Zuckerman.

Post: Ambassador to Romania.

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

Contributions, amount, date, donee:

1. Self: \$500, 3/31/2016, Gregory Meeks; \$150, 1/16/2018, Donald J. Trump For President, Inc; \$1,000, 1/16/2018, Donald J. Trump For President Inc.

2. Spouse: Divorced, 2004.

3. Children and Spouses: Natalie A. Zuckerman, daughter: none.

4. Parents: Emil C. Zuckerman, Aura B. Zuckerman, Deceased, None.

5. Grandparents: Deceased, None.

6. Brothers and Spouses: None.

7. Sisters and Spouses: None.

Adam Seth Boehler, of Louisiana, to be Chief Executive Officer of the United States International Development Finance Corporation.

Mr. RISCH. Mr. President, for the Committee on Foreign Relations I report favorably the following nomination list which was printed in the RECORD on the date indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that this nomination lie at the Secretary's desk for the information of Senators.

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

Foreign Service nominations beginning with Melissa McInnis and ending with Marixell Garcia, which nominations were received by the Senate and appeared in the Congressional Record on May 21, 2019.

By Mr. BARRASSO for the Committee on Environment and Public Works.

\*Katherine Andrea Lemos, of California, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

\*Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service.

\*Katherine Andrea Lemos, of California, to be Chairperson of the Chemical Safety and Hazard Investigation Board for a term of five years.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

## 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. GRASSLEY:

S. 2543. An original bill to amend titles XI, XVIII, and XIX of the Social Security Act to lower prescription drug prices in the Medicare and Medicaid programs, to improve transparency related to pharmaceutical prices and transactions, to lower patients' out-of-pocket costs, and to ensure accountability to taxpayers, and for other purposes; from the Committee on Finance; placed on the calendar.

By Mr. BURR (for himself, Mr. TILLIS, Mrs. FEINSTEIN, Ms. HARRIS, Mr. ISAKSON, Mr. GRAHAM, and Mr. RUBIO):

S. 2544. A bill to provide tax relief for the victims of Hurricane Florence, Hurricane Michael, and certain California wildfires; to the Committee on Finance.

By Mr. DURBIN (for himself, Ms. HARRIS, Mrs. GILLIBRAND, Mrs. MURRAY, Mr. MARKEY, Ms. KLOBUCHAR, Mr. SANDERS, and Mr. BLUMENTHAL):

S. 2545. A bill to direct the Federal Communications Commission to establish a program to make grants to States to inform Medicaid enrollees and SNAP participants of potential eligibility for the Lifeline program of the Commission; to the Committee on Commerce, Science, and Transportation.

By Ms. MURKOWSKI (for herself, Mr. JONES, Mr. CASSIDY, Ms. HASSAN, Mrs. HYDE-SMITH, Mrs. ROSEN, Mr. CRAMER, and Mr. KING):

S. 2546. A bill to amend the Employee Retirement Income Security Act of 1974 to require a group health plan or health insurance coverage offered in connection with such a plan to provide an exceptions process for any medication step therapy protocol, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ROMNEY (for himself, Ms. HASSAN, Mr. YOUNG, and Ms. CORTEZ MASTO):

S. 2547. A bill to state the policy of the United States with respect to the expansion of cooperation with allies and partners in the Indo-Pacific region and Europe regarding the People's Republic of China; to the Committee on Foreign Relations.

By Mr. CASEY (for himself, Mr. MERKLEY, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. WHITEHOUSE, Mr. UDALL, Ms. CANTWELL, Mr. MURPHY, Ms. SMITH, Mr. WYDEN, Ms. HASSAN, Mr. CARDIN, Mr. MARKEY, Ms. WARREN, Mr. BROWN, Mr. KAINE, Ms. ROSEN, Mrs. FEINSTEIN, Mrs. SHAHEEN, Mr. BLUMENTHAL, Ms. HARRIS, Mr. SANDERS, Mr. VAN HOLLEN, Mrs. MURRAY, Ms. HIRONO, Mr. LEAHY, Mr. REED, Mr. WARNER, Mr. BOOKER, and Mr. DURBIN):

S. 2548. A bill to amend the Elementary and Secondary Education Act of 1965 to address and take action to prevent bullying and harassment of students; to the Committee on Health, Education, Labor, and Pensions.

By Ms. ROSEN (for herself and Ms. ERNST):

S. 2549. A bill to allow nonprofit child care providers to participate in the loan programs of the Small Business Administration; to the

Committee on Small Business and Entrepreneurship.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. VAN HOLLEN (for himself, Mr. RUBIO, Mr. DURBIN, and Ms. HARRIS):

S. Res. 330. A resolution instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to require certain measures to address Federal election interference by foreign governments; considered and agreed to.

By Mr. COTTON (for himself, Mr. SCHUMER, Mr. VAN HOLLEN, Mr. RUBIO, Mr. YOUNG, Mr. SULLIVAN, Mr. BLUMENTHAL, Mr. CRUZ, and Mr. ROMNEY):

S. Res. 331. A resolution instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the inclusion of the provisions of S. 2118 (116th Congress) (relating to the prohibition of United States persons from dealing in certain information and communications technology or services from foreign adversaries and requiring the approval of Congress to terminate certain export controls in effect with respect to Huawei Technologies Co. Ltd.); considered and agreed to.

By Mr. JONES (for himself, Ms. COLLINS, Mr. TESTER, Mr. CRAPO, Mr. MARKEY, Mr. RISCH, Ms. ROSEN, Mr. BOOZMAN, Mr. COONS, Mr. MORAN, Mr. BENNET, and Mr. ALEXANDER):

S. Res. 332. A resolution instructing the managers on the part of the Senate on the conference on the bill S. 1790 (116th Congress) to insist upon the provisions contained in section 630A of the House amendment (relating to the repeal of a requirement of reduction of Survivor Benefit Plan survivor annuities by amounts of dependency and indemnity compensation); considered and agreed to.

By Mr. SCHATZ (for himself, Mr. DURBIN, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. BENNET, Ms. DUCKWORTH, Mr. SANDERS, Ms. HASSAN, Ms. HARRIS, Ms. WARREN, and Mr. BOOKER):

S. Res. 333. A resolution instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the provisions contained in subtitle B of title XI of the House amendment (relating to paid family leave for Federal personnel); considered and not agreed to.

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

S. Res. 334. A resolution instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the provisions contained in section 316 of the Senate bill (relating to a prohibition on the use of perfluoroalkyl substances and polyfluoroalkyl substances for land-based applications of firefighting foam); considered and agreed to.

By Ms. MCSALLY:

S. Res. 335. A resolution instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the members of the conference to include the provisions contained in section 2906 of the Senate bill (relating to replenishment of certain military construction funds); considered and agreed to.

By Ms. ERNST:

S. Res. 336. A resolution instructing the managers on the part of the Senate on the bill S. 1790 (116th Congress) to insist upon the

members of the conference to consider potential commonsense solutions regarding family and medical leave, including voluntary compensatory time programs and incentives through the tax code; considered and agreed to.

By Mr. SCHATZ (for himself, Mr. SHELBY, Mr. KENNEDY, and Mr. MURPHY):

S. Res. 337. A resolution expressing concern about the fires in the Amazon rainforest; to the Committee on Foreign Relations.

By Mr. MURPHY (for himself, Mr. GRASSLEY, Ms. SINEMA, Mr. BOOKER, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. COONS, Ms. HASSAN, Mr. KING, Mr. ROBERTS, Mrs. FEINSTEIN, Mr. LANKFORD, and Mr. WYDEN):

S. Res. 338. A resolution designating the week of September 23 through September 27, 2019, as "Malnutrition Awareness Week"; to the Committee on the Judiciary.

By Mr. ENZI (for himself, Mr. CARDIN, Mr. ALEXANDER, Ms. HASSAN, Mr. YOUNG, Mr. JONES, and Ms. COLLINS):

S. Res. 339. A resolution supporting the goals and ideals of National Retirement Security Week, including raising public awareness of the various tax-preferred retirement vehicles, increasing personal financial literacy, and engaging the people of the United States on the keys to success in achieving and maintaining retirement security throughout their lifetimes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BROWN (for himself, Mr. VAN HOLLEN, and Mrs. CAPITO):

S. Res. 340. A resolution designating the week of September 23 through September 27, 2019, as "Community School Coordinators Appreciation Week"; to the Committee on the Judiciary.

By Ms. STABENOW (for herself, Mr. CARPER, Mr. BLUMENTHAL, Mr. BROWN, and Mr. MENENDEZ):

S. Res. 341. A resolution designating September 2019 as "National Ovarian Cancer Awareness Month"; to the Committee on the Judiciary.

By Mr. MARKEY (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mr. BOOKER):

S. Res. 342. A resolution expressing the need for immediate climate action in response to the report of the United Nations Intergovernmental Panel on Climate Change entitled "Special Report on the Ocean and Cryosphere in a Changing Climate"; to the Committee on Commerce, Science, and Transportation.

## ADDITIONAL COSPONSORS

S. 133

At the request of Ms. MURKOWSKI, the names of the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Alabama (Mr. JONES) and the Senator from North Dakota (Mr. CRAMER) were added as cosponsors of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 211

At the request of Mr. HOEVEN, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 211, a bill to amend the Victims of Crime Act of 1984 to secure urgent resources vital to Indian victims of crime, and for other purposes.

S. 261

At the request of Mr. HEINRICH, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Missouri (Mr. BLUNT) were added as cosponsors of S. 261, a bill to extend the authorization of appropriations for allocation to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2024, and for other purposes.

S. 366

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 366, a bill to shorten monopoly periods for prescription drugs that are the subjects of sudden price hikes.

S. 474

At the request of Mr. WYDEN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 474, a bill to amend title XI of the Social Security Act to require drug manufacturers to publicly justify unnecessary price increases.

S. 560

At the request of Ms. BALDWIN, the names of the Senator from California (Ms. HARRIS) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 560, a bill to amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to require that group and individual health insurance coverage and group health plans provide coverage for treatment of a congenital anomaly or birth defect.

S. 595

At the request of Mr. CASSIDY, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 595, a bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes.

S. 638

At the request of Mr. CARPER, the names of the Senator from Connecticut (Mr. MURPHY), the Senator from Virginia (Mr. Kaine), the Senator from Nevada (Ms. CORTEZ MASTO) and the Senator from Nevada (Ms. ROSEN) 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. 655

At the request of Mr. DURBIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 655, a bill to impose additional restrictions on tobacco flavors for use in e-cigarettes.

S. 668

At the request of Mr. BROWN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator

from Montana (Mr. DAINES) were added as cosponsors of S. 668, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic intervention is required during the screening.

S. 743

At the request of Mr. ISAKSON, the names of the Senator from Maine (Mr. KING), the Senator from Florida (Mr. SCOTT) and the Senator from West Virginia (Mrs. CAPITO) 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. 1048

At the request of Mr. BLUMENTHAL, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 1048, a bill to amend the Public Health Service Act to provide for a Reducing Youth Use of E-Cigarettes Initiative.

S. 1142

At the request of Mr. HEINRICH, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1142, a bill to amend the Internal Revenue Code of 1986 to provide tax credits for energy storage technologies, and for other purposes.

S. 1191

At the request of Ms. COLLINS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 1191, a bill to reauthorize section 340H of the Public Health Service Act to continue to encourage the expansion, maintenance, and establishment of approved graduate medical residency programs at qualified teaching health centers, and for other purposes.

S. 1209

At the request of Mr. DURBIN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1209, a bill to amend the Federal Food, Drug, and Cosmetic Act with respect to approval of abbreviated new drug applications.

S. 1210

At the request of Ms. COLLINS, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1210, a bill to amend the Internal Revenue Code of 1986 to increase and make permanent the exclusion for benefits provided to volunteer firefighters and emergency medical responders.

S. 1413

At the request of Mr. SCHATZ, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1413, a bill to require the Secretary of Defense to establish an initiative on improving the capacity of military criminal investigative organizations to prevent child sexual exploitation, and for other purposes.

S. 1416

At the request of Mr. BLUMENTHAL, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1416, a bill to amend the Federal Trade Commission Act to prohibit anticompetitive behaviors by drug product manufacturers, and for other purposes.

S. 1564

At the request of Mr. TILLIS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1564, a bill to require the Securities and Exchange Commission and certain Federal agencies to carry out a study relating to accounting standards, and for other purposes.

S. 1590

At the request of Mr. MERKLEY, the names of the Senator from Delaware (Mr. CARPER) and the Senator from New Mexico (Mr. UDALL) 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. 1602

At the request of Ms. COLLINS, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from West Virginia (Mr. MANCHIN), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from New Hampshire (Ms. HASSAN), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Rhode Island (Mr. REED), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Oregon (Mr. WYDEN) and the Senator from Illinois (Ms. DUCKWORTH) were added as cosponsors of S. 1602, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to establish a research, development, and demonstration program for grid-scale energy storage systems, and for other purposes.

At the request of Ms. MURKOWSKI, her name was added as a cosponsor of S. 1602, *supra*.

S. 1678

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 1678, a bill to express United States support for Taiwan's diplomatic alliances around the world.

S. 1723

At the request of Mr. GARDNER, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 1723, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account.

S. 1750

At the request of Mr. WYDEN, his name was added as a cosponsor of S. 1750, a bill to establish the Clean School Bus Grant Program, and for other purposes.

S. 1782

At the request of Mr. KENNEDY, the name of the Senator from New York



(Mrs. GILLIBRAND) was added as a cosponsor of S. 1782, a bill to add suicide prevention resources to school identification cards.

S. 1822

At the request of Mr. WICKER, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 1822, a bill to require the Federal Communications Commission to issue rules relating to the collection of data with respect to the availability of broadband services, and for other purposes.

S. 1880

At the request of Ms. BALDWIN, the names of the Senator from West Virginia (Mrs. CAPITO) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S. 1880, a bill to support the provision of treatment family care services, and for other purposes.

S. 2026

At the request of Mr. LEAHY, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2026, a bill to amend the Richard B. Russell National School Lunch Act to reauthorize the farm to school program, and for other purposes.

S. 2085

At the request of Ms. ROSEN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2085, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes.

S. 2103

At the request of Mr. DURBIN, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2103, a bill to improve access to affordable insulin.

S. 2372

At the request of Mr. MENENDEZ, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Texas (Mr. CRUZ) were added as cosponsors of S. 2372, a bill to enhance global engagement to combat marine debris, and for other purposes.

S. 2384

At the request of Ms. HIRONO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2384, a bill to promote botanical research and botanical sciences capacity, and for other purposes.

S. 2439

At the request of Mr. KING, the name of the Senator from Kentucky (Mr. PAUL) was added as a cosponsor of S. 2439, a bill to amend the Trademark Act of 1946 to provide that the licensing of a mark for use by a related company may not be construed as establishing an employment relationship between the owner of the mark, or an authorizing person, and either that related company or the employees of that related company, and for other purposes.

S. 2461

At the request of Mr. MARKEY, the name of the Senator from Rhode Island

(Mr. REED) was added as a cosponsor of S. 2461, a bill to designate a portion of the Arctic National Wildlife Refuge as wilderness.

S. RES. 73

At the request of Mr. CARDIN, the name of the Senator from Pennsylvania (Mr. CASEY) was added as a cosponsor of S. Res. 73, a resolution calling on the Kingdom of Saudi Arabia to immediately release Saudi Women's Rights activists and respect the fundamental rights of all Saudi citizens.

S. RES. 236

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 236, a resolution reaffirming the strong partnership between Tunisia and the United States and supporting the people of Tunisia in their continued pursuit of democratic reforms.

S. RES. 252

At the request of Mr. GRAHAM, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. Res. 252, a resolution designating September 2019 as National Democracy Month as a time to reflect on the contributions of the system of government of the United States to a more free and stable world.

At the request of Mrs. FEINSTEIN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. Res. 252, *supra*.

S. RES. 277

At the request of Mr. MENENDEZ, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 277, a resolution remembering the 25th Anniversary of the bombing of the Argentine Israelite Mutual Association (AMIA) Jewish Community Center in Buenos Aires, Argentina, and recommitting to efforts to uphold justice for the 85 victims of the attacks.

S. RES. 313

At the request of Mrs. HYDE-SMITH, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from Florida (Mr. SCOTT) were added as cosponsors of S. Res. 313, a resolution designating the week of September 22 through September 28, 2019, as "Gold Star Families Remembrance Week".

S. RES. 318

At the request of Mr. RISCH, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors 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 330—INSTRUCTING THE MANAGERS ON THE PART OF THE SENATE ON THE BILL S. 1790 (116TH CONGRESS) TO REQUIRE CERTAIN MEASURES TO ADDRESS FEDERAL ELECTION INTERFERENCE BY FOREIGN GOVERNMENTS

Mr. VAN HOLLEN (for himself, Mr. RUBIO, Mr. DURBIN, and Ms. HARRIS) submitted the following resolution; which was considered and agreed to:

S. RES. 330

*Resolved*, that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 1790 (116th Congress) are instructed to require the appropriate official of the executive branch, after each Federal election, to promptly submit to Congress a determination as to whether the Government of the Russian Federation, or any other foreign government, has interfered in such election and a detailed assessment of any such interference that identifies, to the maximum extent practicable, the individuals responsible for the interference, and to promptly impose sanctions on any foreign government that has been determined to have interfered in a Federal election, including specified individuals and entities within the territory of that government.

# SENATE RESOLUTION 331—INSTRUCTING THE MANAGERS ON THE PART OF THE SENATE ON THE BILL S. 1790 (116TH CONGRESS) TO INSIST UPON THE INCLUSION OF THE PROVISIONS OF S. 2118 (116TH CONGRESS) (RELATING TO THE PROHIBITION OF UNITED STATES PERSONS FROM DEALING IN CERTAIN INFORMATION AND COMMUNICATIONS TECHNOLOGY OR SERVICES FROM FOREIGN ADVERSARIES AND REQUIRING THE APPROVAL OF CONGRESS TO TERMINATE CERTAIN EXPORT CONTROLS IN EFFECT WITH RESPECT TO HUAWEI TECHNOLOGIES CO. LTD.)

Mr. COTTON (for himself, Mr. SCHUMER, Mr. VAN HOLLEN, Mr. RUBIO, Mr. YOUNG, Mr. SULLIVAN, Mr. BLUMENTHAL, Mr. CRUZ, and Mr. ROMNEY) submitted the following resolution; which was considered and agreed to.

S. RES. 331

*Resolved*, that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 1790 (116th Congress) are instructed to insist upon the inclusion of the provisions of S. 2118 (116th Congress) (relating to the prohibition of United States persons from dealing in certain information and communications technology or services from foreign adversaries and requiring the approval of Congress to terminate certain export controls in effect with respect to Huawei Technologies Co. Ltd.).



SENATE RESOLUTION 332—INSTRUCTING THE MANAGERS ON THE PART OF THE SENATE ON THE CONFERENCE ON THE BILL S. 1790 (116TH CONGRESS) TO INSIST UPON THE PROVISIONS CONTAINED IN SECTION 630A OF THE HOUSE AMENDMENT (RELATING TO THE REPEAL OF A REQUIREMENT OF REDUCTION OF SURVIVOR BENEFIT PLAN SURVIVOR ANNUITIES BY AMOUNTS OF DEPENDENCY AND INDEMNITY COMPENSATION)

Mr. JONES (for himself, Ms. COLLINS, Mr. TESTER, Mr. CRAPO, Mr. MARKEY, Mr. RISCH, Ms. ROSEN, Mr. BOOZMAN, Mr. COONS, Mr. MORAN, Mr. BENNET, and Mr. ALEXANDER) submitted the following resolution; which was considered and agreed to:

## S. RES. 332

*Resolved*, that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 1790 (116th Congress) are instructed to insist upon the provisions contained in section 630A of the House amendment (relating to the repeal of a requirement of reduction of Survivor Benefit Plan survivor annuities by amounts of dependency and indemnity compensation).

SENATE RESOLUTION 333—INSTRUCTING THE MANAGERS ON THE PART OF THE SENATE ON THE BILL S. 1790 (116TH CONGRESS) TO INSIST UPON THE PROVISIONS CONTAINED IN SUBTITLE B OF TITLE XI OF THE HOUSE AMENDMENT (RELATING TO PAID FAMILY LEAVE FOR FEDERAL PERSONNEL)

Mr. SCHATZ (for himself, Mr. DURBIN, Mr. VAN HOLLEN, Mrs. GILLIBRAND, Mr. BLUMENTHAL, Mr. BENNET, Ms. DUCKWORTH, Mr. SANDERS, Ms. HASSAN, Ms. HARRIS, Ms. WARREN, and Mr. BOOKER) submitted the following resolution; which was considered and agreed to:

## S. RES. 333

*Resolved*, that the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 1790 (116th Congress) are instructed to insist upon the provisions contained in subtitle B of title XI of the House amendment (relating to paid family leave for Federal personnel).

SENATE RESOLUTION 334—INSTRUCTING THE MANAGERS ON THE PART OF THE SENATE ON THE BILL S. 1790 (116TH CONGRESS) TO INSIST UPON THE PROVISIONS CONTAINED IN SECTION 316 OF THE SENATE BILL (RELATING TO A PROHIBITION ON THE USE OF PERFLUOROALKYL SUBSTANCES AND POLYFLUOROALKYL SUBSTANCES FOR LAND-BASED APPLICATIONS OF FIREFIGHTING FOAM)

Mr. PETERS (for himself and Mr. BENNET) submitted the following reso-

lution; which was considered and agreed to:

## S. RES. 334

*Resolved*, That the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 1790 (116th Congress) are instructed to insist upon the provisions of section 316 of the Senate bill (relating to a prohibition on the use of perfluoroalkyl substances and polyfluoroalkyl substances for land-based applications of firefighting foam).

SENATE RESOLUTION 335—INSTRUCTING THE MANAGERS ON THE PART OF THE SENATE ON THE BILL S. 1790 (116TH CONGRESS) TO INSIST UPON THE MEMBERS OF THE CONFERENCE TO INCLUDE THE PROVISIONS CONTAINED IN SECTION 2906 OF THE SENATE BILL (RELATING TO REPLENISHMENT OF CERTAIN MILITARY CONSTRUCTION FUNDS)

Ms. MCSALLY submitted the following resolution; which was considered and agreed to:

## S. RES. 335

*Resolved*, That the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 1790 be instructed to insist upon the provisions contained in section 2906 of the Senate bill (relating to replenishment of certain military construction funds).

SENATE RESOLUTION 336—INSTRUCTING THE MANAGERS ON THE PART OF THE SENATE ON THE BILL S. 1790 (116TH CONGRESS) TO INSIST UPON THE MEMBERS OF THE CONFERENCE TO CONSIDER POTENTIAL COMMONSENSE SOLUTIONS REGARDING FAMILY AND MEDICAL LEAVE, INCLUDING VOLUNTARY COMPENSATORY TIME PROGRAMS AND INCENTIVES THROUGH THE TAX CODE

Ms. ERNST submitted the following resolution; which was considered and agreed to:

## S. RES. 336

*Resolved*, That the managers on the part of the Senate at the conference on the disagreeing votes of the two Houses on the House amendment to the bill S. 1790 be instructed to insist upon the members of the conference consider potential commonsense solutions regarding family and medical leave, including voluntary compensatory time programs and incentives through the tax code.

SENATE RESOLUTION 337—EXPRESSING CONCERN ABOUT THE FIRES IN THE AMAZON RAINFOREST

Mr. SCHATZ (for himself, Mr. SHELBY, Mr. KENNEDY, and Mr. MURPHY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

## S. RES. 337

Whereas the Amazon rainforest is the largest rainforest in the world;

Whereas almost 60 percent of the Amazon rainforest exists within the borders of Brazil;

Whereas the Amazon rainforest accounts for 25 percent of the carbon that global forests absorb each year and has as much as 140,000,000,000 tons of carbon sequestered in the ground;

Whereas the ecosystem of the Amazon rainforest is home to over 2,000 species of animals, meaning that 1 in 10 known species of animals is endemic to the region;

Whereas 70 percent of the gross domestic product of South America is generated in areas that receive rainfall or water from the Amazon rainforest, and the trees of the Amazon rainforest influence rainfall patterns as far away as the United States;

Whereas the National Institute for Space Research of Brazil (referred to in this preamble as the "INPE") reported that, between January and September of 2019, there were 87,257 fires in Brazil, including 62,034 fires in the Legal Amazonia, more than double the number of fires that occurred during the entire 2018 calendar year;

Whereas the INPE reported that the Amazon rainforest shrank 1,330 square miles in the first 6 months of 2019, a 40 percent increase in deforestation from 2018;

Whereas public records indicate that, from January 2019 to June 2019, the number of enforcement actions taken by the Government of Brazil aimed at curbing illegal deforestation declined by 20 percent;

Whereas fires and illegal deforestation in the Amazon rainforest impact the benefits that the Amazon rainforest has on regional and global climate stability;

Whereas fires and illegal deforestation in the Amazon rainforest pose a danger to indigenous communities;

Whereas a recent poll conducted by the Brazilian Institute of Public Opinion and Statistics found that 96 percent of the people of Brazil partially or completely agreed with the statement that "President [Jair] Bolsonaro and the Federal government should increase inspection measures to prevent illegal deforestation in the Amazon";

Whereas the United States was the first country to recognize the independence of Brazil in 1822 and has long respected and championed the sovereignty of Brazil;

Whereas the people of the United States have historic, cultural, and familial ties to the people of Brazil; and

Whereas the United States and Brazil share a common interest in the sustainable management of the natural resources of the Amazon rainforest: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses bipartisan concern about the fires and increased illegal deforestation in the Amazon rainforest;

(2) recognizes that the fires and illegal deforestation in the Amazon rainforest affect the whole world;

(3) supports the proactive delivery of financial and technical assistance from the United States to the Government of Brazil and to Brazilian nongovernmental organizations to mitigate the fires and curb illegal deforestation;

(4) supports the reinstatement of protections for indigenous communities stewarding the Amazon rainforest; and

(5) supports the efforts of the Government of Brazil to increase sustainable development of the Amazon rainforest by strengthening environmental enforcement and ending illegal deforestation.

SENATE RESOLUTION 338—DESIGNATING THE WEEK OF SEPTEMBER 23 THROUGH SEPTEMBER 27, 2019, AS “MALNUTRITION AWARENESS WEEK”

Mr. MURPHY (for himself, Mr. GRASSLEY, Ms. SINEMA, Mr. BOOKER, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. COONS, Ms. HASSAN, Mr. KING, Mr. ROBERTS, Mrs. FEINSTEIN, Mr. LANKFORD, and Mr. WYDEN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 338

Whereas malnutrition is the condition that occurs when a person does not get enough nutrients;

Whereas malnutrition is a significant problem in the United States and around the world, crossing all age, racial, class, gender, and geographic lines;

Whereas, in the United States, infants, older adults, people with chronic diseases, and other vulnerable populations are particularly at risk for malnutrition;

Whereas disease-associated malnutrition costs the United States more than \$15,500,000,000 each year;

Whereas approximately ¾ of individuals in the United States have eating patterns of vegetables, fruits, dairy, and oils that are below the recommended dietary guidelines;

Whereas many vulnerable individuals in the United States do not get the daily recommended amount of lean proteins;

Whereas approximately 6,000,000 children in the United States live in food insecure homes;

Whereas the American Academy of Pediatrics has found that failure to provide key nutrients during early childhood may result in lifelong deficits in brain function;

Whereas disease-associated malnutrition affects between 30 and 50 percent of patients admitted to hospitals;

Whereas the medical costs of hospitalized patients with malnutrition can be 300 percent more than the medical costs of properly nourished patients;

Whereas more than ½ of older adults living in the community are at risk for malnutrition; and

Whereas the American Society for Parenteral and Enteral Nutrition created Malnutrition Awareness Week to raise awareness and promote prevention of malnutrition: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 23 through September 27, 2019, as “Malnutrition Awareness Week”;

(2) recognizes registered dietitian nutritionists and other nutrition professionals, health care providers, social workers, advocates, caregivers, and other professionals and agencies for their efforts to advance awareness and prevention of malnutrition;

(3) recognizes the importance of existing Federal nutrition programs for their role in combatting malnutrition and supports continuing resources to prevent and treat malnutrition; and

(4) recognizes the need to reauthorize the special supplemental nutrition program for women, infants, and children established by section 17 of the Child Nutrition Act of 1966 (42 U.S.C. 1786) and the child nutrition programs of the Department of Agriculture to provide critical nutrition assistance to vulnerable populations.

SENATE RESOLUTION 339—SUPPORTING THE GOALS AND IDEALS OF NATIONAL RETIREMENT SECURITY WEEK, INCLUDING RAISING PUBLIC AWARENESS OF THE VARIOUS TAX-PREFERRED RETIREMENT VEHICLES, INCREASING PERSONAL FINANCIAL LITERACY, AND ENGAGING THE PEOPLE OF THE UNITED STATES ON THE KEYS TO SUCCESS IN ACHIEVING AND MAINTAINING RETIREMENT SECURITY THROUGHOUT THEIR LIFETIMES

Mr. ENZI (for himself, Mr. CARDIN, Mr. ALEXANDER, Ms. HASSAN, Mr. YOUNG, Mr. JONES, and Ms. COLLINS) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 339

Whereas people in the United States are living longer and the cost of retirement is increasing significantly;

Whereas Social Security remains the bedrock of retirement income for the great majority of the people of the United States but was never intended by Congress to be the sole source of retirement income for families;

Whereas recent data from the Employee Benefit Research Institute indicates that, in the United States—

(1) 40.6 percent of households in which the head of household is between the ages of 35 and 64 are likely to run out of money in retirement; and

(2) the amount that workers have saved for retirement is much less than the amount those workers need to adequately fund their retirement years;

Whereas the financial literacy of workers in the United States is important so that those workers understand the need to save for retirement;

Whereas saving for retirement is a key component of overall financial health and security during retirement years and the importance of financial literacy in planning for retirement must be advocated;

Whereas many workers may not—

(1) be aware of the various options in saving for retirement; or

(2) have focused on the importance of, and need for, saving for retirement and successfully achieving retirement security;

Whereas, although many employees have access through their employers to defined benefit and defined contribution plans to assist the employees in preparing for retirement, many of those employees may not be taking advantage of those plans at all or to the full extent allowed by Federal law;

Whereas saving for retirement is necessary even during economic downturns or market declines, which makes continued contributions all the more important;

Whereas all workers, including public and private sector employees, employees of tax-exempt organizations, and self-employed individuals, can benefit from developing personal budgets and financial plans that include retirement savings strategies that take advantage of tax-preferred retirement savings vehicles;

Whereas effectively and sustainably withdrawing retirement resources throughout the retirement years of an individual is as important and crucial as saving and accumulating funds for retirement; and

Whereas the week of October 20 through October 26, 2019, has been designated as “National Retirement Security Week”: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the goals and ideals of National Retirement Security Week, including raising public awareness of the importance of saving adequately for retirement;

(2) acknowledges the need to raise public awareness of a variety of tax-preferred retirement vehicles that are used by many people in the United States but could be used by more; and

(3) calls on States, localities, schools, universities, nonprofit organizations, businesses, other entities, and the people of the United States to observe National Retirement Security Week with appropriate programs and activities, with the goal of increasing the retirement savings and personal financial literacy of all people in the United States, thereby enhancing the retirement security of the people of the United States.

SENATE RESOLUTION 340—DESIGNATING THE WEEK OF SEPTEMBER 23 THROUGH SEPTEMBER 27, 2019, AS “COMMUNITY SCHOOL COORDINATORS APPRECIATION WEEK”

Mr. BROWN (for himself, Mr. VAN HOLLEN, and Mrs. CAPITO) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 340

Whereas community schools marshal, align, and unite the assets, resources, and capacity of schools and communities for the success of students, families, and communities;

Whereas community schools are an effective, evidence-based, and equity-driven strategy for school improvement included under section 4625 of the Elementary and Secondary Education Act of 1965 (20 U.S.C. 7275), as added by section 4601 of the Every Student Succeeds Act (Public Law 114–95; 129 Stat. 2029);

Whereas community schools that provide well-designed, expanded learning opportunities have positive academic and nonacademic outcomes, including improvements in student attendance, behavior, and academic achievement;

Whereas community schools have the potential for closing racial and economic achievement gaps, as indicated in a 2017 report;

Whereas community schools provide a strong social return on investment, with one study citing a social return of between \$10 to \$15 for every dollar invested over a 3-year period;

Whereas community school coordinators are essential to building successful community schools and creating, strengthening, and maintaining the bridges between community schools and their communities;

Whereas community school coordinators facilitate and provide leadership for the collaborative process and development of a continuum of supports and opportunities for children, families, and others within a school's community that allow all students to learn and the community to thrive;

Whereas community school coordinators, through their role, deliver a strong monetary return on investment for community schools and their communities, with one study citing a return of \$7.11 for every dollar invested in the salary of a community school coordinator; and

Whereas Community School Coordinators Appreciation Week, celebrated from September 23 through September 27, 2019, recognizes, raises awareness of, and celebrates the

thousands of community school coordinators across the country and the critical role of community school coordinators in the success of students: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates the week of September 23 through September 27, 2019, as “Community School Coordinators Appreciation Week”;

(2) thanks community school coordinators for the work they do to serve students, families, and communities; and

(3) encourages students, parents, school administrators, and public officials to participate in events that celebrate Community School Coordinators Appreciation Week.

#### SENATE RESOLUTION 341—DESIGNATING SEPTEMBER 2019 AS “NATIONAL OVARIAN CANCER AWARENESS MONTH”

Ms. STABENOW (for herself, Mr. CARPER, Mr. BLUMENTHAL, Mr. BROWN, and Mr. MENENDEZ) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 341

Whereas ovarian cancer is the deadliest of all gynecologic cancers;

Whereas ovarian cancer is the fifth leading cause of cancer deaths among women in the United States;

Whereas, in 2019 in the United States, approximately 22,530 new cases of ovarian cancer will be diagnosed and 13,980 women will die of ovarian cancer;

Whereas more than ½ of the women diagnosed with ovarian cancer will die within 5 years of that diagnosis;

Whereas, while the mammogram can detect breast cancer and the Pap smear can detect cervical cancer, there is no reliable early detection test for ovarian cancer;

Whereas the lack of an early detection test means that approximately 80 percent of cases of ovarian cancer are detected at an advanced stage;

Whereas all women are at risk for ovarian cancer, but approximately 20 percent of women who are diagnosed with ovarian cancer have a hereditary predisposition to ovarian cancer, which places them at even higher risk;

Whereas scientists and physicians have uncovered changes in the BRCA genes that some women inherit from their parents, which may make those women as much as 35 times more likely to develop ovarian cancer;

Whereas the family history of a woman has been found to play an important role in accurately assessing the risk of that woman of developing ovarian cancer, and medical experts believe that family history should be taken into consideration during the annual well-woman visit of any woman;

Whereas many experts in health prevention now recommend genetic testing for young women with a family history of breast and ovarian cancer;

Whereas women who know that they are at high risk of breast and ovarian cancer may undertake prophylactic measures to help reduce the risk of developing those diseases;

Whereas clinical trials are fundamental to the discovery of new and better therapies in the fight against ovarian cancer and can offer some patients their best hope for treatment;

Whereas the Society of Gynecologic Oncology recommends that all women who are diagnosed with ovarian cancer receive counseling and genetic testing;

Whereas testing somatic tumors can provide critical information to help effectively treat patients with ovarian cancer;

Whereas many people are unaware that the symptoms of ovarian cancer often include bloating, pelvic or abdominal pain, difficulty eating or feeling full quickly, urinary symptoms, and several other symptoms that are easily confused with other diseases;

Whereas awareness of the symptoms of ovarian cancer by women and health care providers can lead to a quicker diagnosis; and

Whereas, each year during the month of September, the Ovarian Cancer Research Alliance and community partners hold hundreds of events to increase public awareness of ovarian cancer: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates September 2019 as “National Ovarian Cancer Awareness Month”; and

(2) supports the goals and ideals of National Ovarian Cancer Awareness Month.

#### SENATE RESOLUTION 342—EXPRESSING THE NEED FOR IMMEDIATE CLIMATE ACTION IN RESPONSE TO THE REPORT OF THE UNITED NATIONS INTERGOVERNMENTAL PANEL ON CLIMATE CHANGE ENTITLED “SPECIAL REPORT ON THE OCEAN AND CRYOSPHERE IN A CHANGING CLIMATE”

Mr. MARKEY (for himself, Mr. WHITEHOUSE, Mr. BLUMENTHAL, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 342

Whereas every person on the planet benefits from a healthy ocean and a stable cryosphere;

Whereas the ocean covers more than 70 percent of the surface of the Earth;

Whereas the cryosphere includes the frozen components of the system of the Earth, including snow, glaciers, ice sheets, ice shelves, icebergs, sea ice, and permafrost;

Whereas glaciers, ice sheets, and permanent snow hold approximately 69 percent of the freshwater on Earth;

Whereas the ocean generates the oxygen that humans breathe, regulates the climate and weather patterns, supplies food, is a source of cultural value, supports tourism and trade, and is an untapped renewable energy resource;

Whereas the ocean contributes an estimated \$1,500,000,000,000 in value added to the global economy, including a United States fishing industry valued at \$212,000,000,000, which is a critical economic driver in the United States;

Whereas the ocean and cryosphere support biodiversity and regulate the global exchange of water, energy, and carbon;

Whereas, on September 25, 2019, the United Nations Intergovernmental Panel on Climate Change released a report entitled “Special Report on the Ocean and Cryosphere in a Changing Climate” (in this preamble referred to as the “SROCC”);

Whereas the SROCC is the most comprehensive scientific assessment of the effects of climate change on the ocean and coasts and on polar and mountain ecosystems to date;

Whereas more than 100 scientists from 36 countries produced the SROCC, and the SROCC was reviewed by thousands of scientific experts from around the world;

Whereas, according to the SROCC—

(1) since 1970, the ocean has taken up more than 90 percent of excess heat in the climate system, and the ocean has warmed as a di-

rect result of anthropogenic greenhouse gas emissions;

(2) from 1982 to 2016, marine heatwaves very likely doubled in frequency, and marine heatwaves are very likely to become longer-lasting, more intense, and more extensive;

(3) since 1993, the rate of ocean warming has more than doubled;

(4) since the 1980s, the ocean has very likely absorbed up to 30 percent of total anthropogenic carbon, causing the ocean to become more acidic;

(5) the ocean is losing oxygen at an unprecedented rate, and oxygen loss will very likely emerge over 59 to 80 percent of the ocean surface by 2031 through 2050;

(6) since the 1980s, harmful algal blooms have expanded and increased in frequency in coastal environments as a result of ocean warming, acidification, and oxygen loss;

(7) in some regions, fish and shellfish stocks are already on the brink of collapsing;

(8) environmental stressors, such as ocean acidification, oxygen loss, and warming ocean temperatures, are expected to further compromise the abundance, productivity, and food-web interactions of species;

(9) the decrease in biodiversity and decline and shifts in distribution of fisheries will affect the livelihoods and food security of coastal communities;

(10) warmer ocean temperatures are fueling extreme weather events;

(11) rare extreme sea level events are expected to occur frequently by 2050;

(12) in the absence of significant adaptation efforts, extreme events associated with sea level rise, such as erosion, flooding, and salinization, are expected to significantly increase;

(13) during the 20th century, nearly 50 percent of coastal wetlands were lost, and 20 to 90 percent of coastal wetlands are projected to be lost by 2100 as a result of sea level rise and habitat degradation;

(14) coastal blue carbon ecosystems can contribute to climate mitigation by storing carbon;

(15) river runoff in snow-dominated and glacier-fed basins are projected to change in response to projected snow cover and glacier decline;

(16) glacial and snow meltwater reductions have resulted in reduced water supply, declined agriculture productivity, and increased wildfires in mountain regions and the Arctic;

(17) tourism and outdoor recreation activities have been negatively affected by the cryosphere decline;

(18) Arctic sea ice is declining in all months of the year and summers free of sea ice are increasingly likely under 2 degrees Celsius of global warming;

(19) in the last 2 decades, Arctic surface air temperatures have likely increased by more than double the global average, resulting in more sea ice and snow cover loss; and

(20) widespread thaw and degradation of permafrost is projected to occur this century and is anticipated to release tens to hundreds of billions of tons of carbon dioxide and methane into the atmosphere;

Whereas the United States is already facing the consequences of inaction on climate change;

Whereas communities of color, indigenous communities, and low-income communities often face the disproportionate effects of inaction on climate change;

Whereas reducing greenhouse gas emissions, transitioning to a clean energy economy, and investing in climate adaptation efforts can support good-paying jobs;

Whereas, in 2018, the United Nations Intergovernmental Panel on Climate Change released a special report entitled “Global Warming of 1.5°C”, which found that to limit

global warming to 1.5 degrees Celsius, net global greenhouse gas emissions must be reduced to 45 percent below 2010 levels by 2030 and 100 percent below 2010 levels, or net zero, by 2050; and

Whereas, as Congress enacts policies to put the United States on a path to net-zero emissions, there is an opportunity and need for the ocean to be part of the climate solution: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes and accepts the findings of the report of the United Nations Intergovernmental Panel on Climate Change entitled “Special Report on the Ocean and Cryosphere in a Changing Climate”;

(2) commits to supporting ocean-centric solutions to the climate crisis in conjunction with policies to reduce greenhouse gas emissions; and

(3) affirms that immediate action is needed to reduce greenhouse gas emissions to protect the health of the ocean and the stability of the cryosphere.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 942. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 4378, making continuing appropriations for fiscal year 2020, and for other purposes; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 942. Mr. PAUL submitted an amendment intended to be proposed by him to the bill H.R. 4378, making continuing appropriations for fiscal year 2020, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place in division A, add the following:

#### SEC. \_\_\_\_ . REDUCTION IN RATE FOR OPERATIONS.

The rate for operations provided by section 101 is hereby reduced by 2 percent.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. ALEXANDER. Mr. President, I have 11 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 AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to meet during the session of the Senate on Wednesday, September 25, 2019, at 10 a.m., to conduct a hearing

#### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Wednesday, September 25, 2019, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is author-

ized to meet during the session of the Senate on Wednesday, September 25, 2019, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Wednesday, September 25, 2019, at 10 a.m., to conduct a hearing

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, September 25, 2019, at 9:15 a.m., to conduct a business hearing and the following nominations: Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service, Department of the Interior, and Katherine Andrea Lemos, of California, to be a Member of the Chemical Safety and Hazard Investigation Board, and to be Chairperson of the Chemical Safety and Hazard Investigation Board, and 8 General Services Administration resolutions.

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 25, 2019, at 10:15 a.m., to conduct a hearing.

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, September 25, 2019, at 1:30 p.m., to conduct a hearing

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

The Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Wednesday, September 25, 2019, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, September 25, 2019, at 1:30 p.m., to conduct a hearing on the following nominations: Danielle J. Hunsaker, of Oregon, to be United States Circuit Judge for the Ninth Circuit, William Joseph Nardini, of Connecticut, to be United States Circuit Judge for the Second Circuit, Jodi W. Dishman, to be United States District Judge for the Western District of Oklahoma, Sarah E. Pitlyk, to be United States District Judge for the Eastern District of Missouri, and Daniel Mack Traynor, to be United States District Judge for the District of North Dakota.

#### COMMITTEE ON VETERANS' AFFAIRS

The Committee on Veterans' Affairs is authorized to meet during the session of the Senate on Wednesday, September 25, 2019, at 10 a.m., to conduct a hearing.

#### SPECIAL COMMITTEE ON AGING

The Special Committee on Aging is authorized to meet during the session

of the Senate on Wednesday, September 25, 2019, at 10:15 a.m., to conduct a briefing.

#### ORDER OF PROCEDURE

Mr. PORTMAN. Mr. President, I ask unanimous consent that following leader remarks on Thursday, September 26, the Senate proceed to the consideration of H.R. 4378; that the only amendment in order be the Paul amendment No. 942; that the time until 12:15 p.m. be equally divided in the usual form; that at 12:15 p.m., the Senate vote in relation to the Paul amendment; and that following disposition of the amendment, the bill, as amended, if amended, be read a third time and the Senate vote on passage of the bill, as amended, if amended, with 60 affirmative votes required for passage.

Finally, I ask unanimous consent that following disposition of H.R. 4378, the Senate proceed to executive session and resume consideration of the Hyten nomination, with the time until 1:30 p.m. equally divided between the leaders or their designees; that at 1:30 p.m., the postcloture time on the Hyten and Scalia nominations be considered expired and the Senate vote on the nominations in the order listed; and that if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

#### ORDERS FOR THURSDAY, SEPTEMBER 26, 2019

Mr. PORTMAN. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, September 26; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to the consideration of H.R. 4378 under the previous order.

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

#### ADJOURNMENT UNTIL 10 A.M. TOMORROW

Mr. PORTMAN. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 7:23 p.m., adjourned until Thursday, September 26, 2019, at 10 a.m.