

very simply says there is a duty to report. If there is an illegal offer of assistance, if anyone knows of an illegal acceptance of assistance from a foreign leader or foreign national or foreign government, there is a duty to tell the FBI or some other law enforcement official.

The plain fact is our elections are under attack, and 2016 was only a dress rehearsal.

Just this week, talk about hysteria, Facebook banned dozens of fake Russian and Iranian accounts attempting to spread misinformation and disinformation to Americans—the purpose: to disrupt the 2020 election.

It isn't necessarily an ad for one candidate or another. It may be an ad that seeks to suppress the vote. The point is, that attack will continue, and opposition to it is based on hysteria about the potential political implications.

What saddens and angers me is that our Commander in Chief—not just some of our colleagues—refuses to believe that our elections were attacked and will be again. He is actively working to undermine our democracy.

The President's attempts to invite a foreign leader, the Ukrainian President, to interfere in our democratic elections was a betrayal of his oath of office and an abuse of power. It is an impeachable offense. But it will occur again by others, as well as him, if we do not pass measures like the Duty to Report Act.

It started with a whistleblower complaint, but now we have call notes between the President and Ukraine President Zelensky, the corroborating statements of multiple witnesses in the government, and President Trump's own statements—his own words—on live television, admitting that he did this. The transcript of his call chillingly shows how he literally pressured and extorted the Ukrainian President, using the threat of a cut or elimination of military aid vital to Ukrainian lives and Ukrainian defense against an ongoing Russian attack, not to mention the visit to the White House, also used as leverage with these 10 powerful words: "I would like you to do us a favor though." The favor was digging dirt on a political opponent through a full investigation to favor himself over that opponent.

The invitation to interfere in our elections goes to the core of our democratic institutions. It is literally condoning and, in fact, inviting and encouraging an attack on our democratic institution, and the President has said, when he was asked, that if he were offered foreign assistance, he would take it. His son, during the last campaign, was offered Russian assistance, and his response was: "I love it."

That is not the appropriate response for the offer of an illegal act of assistance. It should be to go to the FBI or another law enforcement agency.

Every Republican should be asked to answer the question—in fact, forced to answer this question: Is it acceptable

to solicit or accept the assistance of a foreign power to win an election?

We cannot allow this kind of practice to become the new normal. It is already illegal to accept or solicit such an assistance from a foreign government or leader, and what we want to do is make it illegal to fail to report it.

Finally, as for my colleagues' objection that it would inhibit somehow an active and honest campaign, someone who has reason to know that there is an illegal offer of assistance and someone who knows that that assistance is being solicited by his or her campaign or a member of their family, certainly, should feel a duty to report as a matter of simple patriotism and moral obligation, not to mention legal responsibility.

With the 2020 Presidential election looming, we must stop this kind of foreign interference. We must take active and effective measures against it. We must ensure that the American people—not Russia or China or Iran, and they are all gunning for our democratic institution—decide who the leaders of this country will be and what direction our democracy will take.

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

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

#### VOTE ON WALKER NOMINATION

Mr. PAUL. Mr. President, I ask unanimous consent to commence with the prearranged vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

Mr. PAUL. 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 legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Mississippi (Mrs. HYDE-SMITH), the Senator from Georgia (Mr. ISAKSON), and the Senator from Kansas (Mr. MORAN).

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

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

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

The result was announced—yeas 50, nays 41, as follows:

[Rollcall Vote No. 333 Ex.]

#### YEAS—50

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

#### NAYS—41

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

#### NOT VOTING—9

Booker	Hyde-Smith	Sanders
Coons	Isakson	Warren
Harris	Moran	Whitehouse

The nomination was confirmed.

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

The Senator from Tennessee.

#### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. ALEXANDER. 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.

The Senator for Maryland.

#### UNANIMOUS CONSENT REQUEST— H.R. 2486

Mr. VAN HOLLEN. Mr. President, I am on the Senate floor now, where in a moment I will be asking for unanimous consent for the Senate to take up and vote on a House-passed bill that would provide full mandatory funding for historically Black colleges and universities and other minority-serving institutions.

The reason I am here is that the authority for this mandatory spending expired 24 days ago, and we have it within our power right now to remedy that situation. We can take up a vote on what is called the FUTURE Act. We have a bipartisan Senate bill that is

championed by Senators JONES and SCOTT, and we have before us at the desk a bill passed by the House of Representatives by voice vote, which passed unanimously by the House of Representatives.

Without the passage of this bill, the FUTURE Act, our Nation's historically Black colleges and universities will lose \$85 million a year in critical funding aimed at bolstering their resources, improving their management, and enhancing their academic programs.

In my home State of Maryland, we have four terrific HBCUs—Bowie State, Coppin, Morgan State, and University of Maryland Eastern Shore. Collectively, they stand to lose over \$4 million a year, which they need for things like classroom upgrades, experiential learning opportunities, and services for supporting students and helping them stay in school.

I realize there are some who say that since we just enacted fiscal year 2019 funding, there is no urgency to take up and pass this bill now. But just this past Saturday, I met with board members of the Thurgood Marshall College Fund. That is the organization that represents our Nation's public HBCUs. When they asked me why, when there is so much agreement and support for this program, we couldn't pass the extension, I couldn't give them a good answer.

They gave me a letter they had sent to the U.S. Senate just last week, trying to dispel the myth that there is no urgency to the current situation. Their president, Dr. Harry Williams, wrote:

The expiration of this program is already having real consequences. . . . We already have examples of campuses notifying employees that their positions and programs will be terminated as of September 30, 2020, if not sooner. These are real jobs, held by people who interact with students everyday, in programs that play a critical role in graduating and retaining students in the STEM fields, among other disciplines.

He goes on to write:

The longer we wait to give certainty to these universities, the more institutions will be left with no choice but to begin winding-down programs that materially benefit students and employees alike, and strip away the institutional knowledge bases that our schools have built over time.

That is from Dr. Harry Williams, the president of the Thurgood Marshall College Fund.

I heard the same thing from our Maryland HBCUs, that they have to plan now for what is going to happen next year. They can't budget and they can't plan on hope; they have to budget and plan on reality.

So I understand—our colleague, the Senator from Tennessee and the chairman of the HELP Committee, is on the floor, and, like him, I hope we do a broader higher ed reauthorization. I think we need to do that. I know the House wants to do that. I spoke earlier today with the House Education and Labor Committee Chairman, BOBBY SCOTT. He wants to do something too. He has introduced it. But he and the

House also understand that time is of essence when it comes to this piece dealing with minority-serving institutions, which is why the House sent it over to us in the first place. So there is really no time to waste. We need to give these universities and colleges certainty.

Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 212, H.R. 2486; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, reserving the right to object, with all respect, this is no way to help historically Black colleges and minority-serving institutions. What the Senator from Maryland is suggesting is that we pass a bill that would have 2 years' funding that is supported by a budget gimmick that will never pass the U.S. Senate. If we are relying on that proposal to fund historically Black colleges, it is all over.

What I have offered instead—and I introduced 3 weeks ago on the floor of the Senate—is a bipartisan package of bills that begins with permanent funding for historically Black colleges and minority-serving institutions that is fully paid for.

So if the choice is between 2 years of a gimmick that will never pass the Senate and permanent funding that is fully paid for, that is not much of a hard decision for me.

In addition to that, I suggested at the same time that we pass some other proposals that are bipartisan and have been drafted by 32 Senators—18 Democrats, 14 Republicans. In addition to the long-term, permanent solution for minority-serving institutions of \$225 million a year, we include simplifying FAFSA, which would help 20 million families a year. Senator JONES and I introduced a bill to do that just yesterday. That can pass this week and go to the President and be signed into law. There is also Pell grants for prisoners, short-term Pell grants. Senator DAINES and Senator PORTMAN and many others have suggested that. We have a proposal that simplifies the aid letters. We have a way to pay for the package. We have a way to keep parents from having to send two sets of tax information to two different agencies of government—all in this package.

The eight bills—and three bills I hope to include later—ended up being co-sponsored by 48 Senators, 25 Democrats and 23 Republicans. All of this is ready to be considered by the Senate and sent to the President and can pass this year.

So I am about to object, but what I want to make clear to the historically Black colleges—and there are six of them in Tennessee—is that the Secretary of Education has written a letter assuring them that there are suffi-

cient funds for another year and that the proposal by the Senator from Maryland would only be 2 years, is a budget gimmick, and will never pass the Senate.

So let's work together to permanently fund historically Black colleges, simplify the FAFSA, 2-year Pell grants, increase the number of students who get Pell grants—all of that can be done now. Let's not keep pretending that we are helping the colleges with a proposal that is short-term, a budget gimmick, and will never pass the Senate.

I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Maryland.

Mr. VAN HOLLEN. Mr. President, I would just say to the chairman of the HELP Committee that I believe the best judge of what is good for HBCUs is HBCUs themselves. They have asked the Senate to act immediately on the legislation that passed the House unanimously on a voice vote. So while we all would like to work toward comprehensive reform and reauthorization of higher education, there is no need to wait on this provision that is sitting in the Senate.

Mr. President, I ask unanimous consent to have printed in the RECORD the letters we received from the Thurgood Marshall College Fund and from the UNCF, both organizations that advocate on behalf of HBCUs.

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

Re Title III Part-F Funding to HBCUs and MSIs

THURGOOD MARSHALL COLLEGE FUND,  
Washington, DC, October 14, 2019.

Hon. MITCH MCCONNELL,  
Majority Leader, U.S. Senate.  
Hon. LAMAR ALEXANDER,  
Chair, U.S. Senate HELP Committee.  
Hon. CHUCK SCHUMER,  
Minority Leader, U.S. Senate.  
Hon. PATTY MURRAY,  
Ranking Member,  
U.S. Senate HELP Committee.

DEAR SENATORS: We are sincerely disappointed that the Senate did not pass the FUTURE Act prior to the September 30th deadline to prevent the Title III Part-F program from expiring.

While it is true that Historically Black Colleges and Universities (HBCUs) are funded through the academic school year ending in April 2020, the expiration of this program as set forth in the plain language of 20 U.S.C. §1067q, means that no more grants will be made available to HBCUs going forward and, as such, our institutions will be without the ability to preserve the status quo as it relates to the student programs and jobs supported by this funding.

In fact, the expiration of this program is already having real consequences on the campuses of the publicly-supported HBCUs that we represent. Despite having expired only two weeks ago, we already have examples of campuses notifying employees that their positions and programs will be terminated as of September 30, 2020, if not sooner. These are real jobs, held by people who interact with students everyday, in programs that play a critical role in graduating and retaining students in the STEM fields,

among other disciplines. The longer we wait to give certainty to these universities, the more institutions will be left with no choice but to begin winding-down programs that materially benefit students and employees alike, and strip away the institutional knowledge bases that our schools have built over time with the support of Title III, Part F.

While we welcome a potential long-term or “permanent” solution to Title III, Part F, what we are hearing from our campuses is clear—they simply do not have the time to wait for Congress to work out a deal, particularly on bills that have an uncertain future in both houses of Congress. Therefore, the Thurgood Marshall College Fund (TMCf) strongly encourages the Senate to finally take-up the House-passed, bi-partisan and bicameral FUTURE Act immediately and pass the bill before permanent damage is done to our campuses. This course of action is the cleanest and most expedient way to provide immediate certainty to our nation’s HBCUs and MSIs.

Following the Senate’s passage of FUTURE Act, TMCf looks forward to working with leaders on both sides of the aisle to develop a longer-term solution for Title III, Part F, and for other HEA-related issues in a broader bill like the Student Aid Improvement Act or a comprehensive HEA reauthorization that includes the permanent extension of Title III, Part F funds.

Sincerely,

DR. HARRY L. WILLIAMS,  
*President & CEO.*

UNITED NEGRO COLLEGE FUND, INC.  
*Washington, DC, September 19, 2019.*

Hon. MITCH MCCONNELL,  
*Majority Leader, U.S. Senate,  
Washington, DC.*

Hon. LAMAR ALEXANDER,  
*Chairman, Senate Health, Education, Labor,  
and Pensions (HELP) Committee, Wash-  
ington, DC.*

Hon. CHUCK SCHUMER,  
*Minority Leader, U.S. Senate,  
Washington, DC.*

Hon. PATTY MURRAY,  
*Ranking Member, Senate Health, Education,  
Labor, and Pensions (HELP) Committee,  
Washington, DC.*

DEAR MAJORITY LEADER MCCONNELL, MINORITY LEADER SCHUMER, CHAIRMAN ALEXANDER, AND RANKING MEMBER MURRAY: UNCF (the United Negro College Fund, Inc.) submits this letter urging you to cosponsor, support, and pass the House-passed H.R. 2486, the Fostering Undergraduate Talent by Unlocking Resources for Education (FUTURE) Act. This bipartisan, bicameral bill passed the House Floor on September 17th by voice vote and has now been sent to the Senate for consideration.

UNCF is a non-profit organization with a mission to build a robust and nationally-recognized pipeline of underrepresented students who, because of UNCF support, become highly-qualified college graduates and to ensure that our network of 37-member, private Historically Black Colleges and Universities (HBCUs) is a respected model of best practice in moving students to and through college.

The 101 HBCUs that exist today are valuable institutions with a large economic footprint. Despite only representing 3 percent of all two- and four-year non-profit colleges and universities, HBCUs (1) enroll 10 percent of all African American undergraduates; (2) produce 17 percent of all African American college graduates with bachelor’s degrees; and (3) graduate 21 percent of all African Americans with bachelor’s degrees in STEM fields. Moreover, these institutions have a strong economic impact, especially on the regions in which they are located, by cre-

ating 134,090 jobs, producing \$10.1 billion in terms of gross regional product, and having a total annual economic impact of \$14.8 billion.

Despite the large economic impact of these institutions, they continue to be under-resourced and have endowments that lag behind those of non-HBCUs by at least 70 percent. Unfortunately, this is common for HBCUs and Congress has recognized this and sought out ways to find parity between HBCUs and non-HBCUs. One strategic way in attempting to help HBCUs receive adequate resources was initially through the College Cost and Reduction Act of 2007. This bill allowed for HBCUs, Tribal Colleges and Universities (TCUs), Hispanic-Serving Institutions (HSIs), and other Minority-Serving Institutions (MSIs) to receive \$255 million annually in mandatory funds for Fiscal Year (FY) 2008 and FY 2009. These mandatory funds were directed in the Higher Education Act of 1965 to be used solely for science, technology, education, and mathematics (STEM) education, among other uses largely centered around STEM. Instead of allowing this funding stream to expire, Congress continued to recognize the need of these institutions to offer quality STEM programs on their campuses and continued this funding stream in the Student Aid Fiscal Responsibility Act (SAFRA) of 2009. SAFRA extended funding for these institutions from FY 2009 to FY 2019 at \$255 million annually and was included in the Health Care Reconciliation Act of 2010 that ultimately passed both the House and Senate to become law. Every vote taken on the mandatory funding stream for these institutions has been bipartisan, and it is our desire to have the same outcome for H.R. 2486.

It is imperative that the Senate pass the FUTURE Act because funding for HBCUs, TCUs, HSIs, and other MSIs expires September 30, 2019. While we support a permanent extension of mandatory funding, H.R. 2486, due to its passage in the House of Representatives, is the surest way for these institutions to maintain funding for FY 2020 and FY 2021. We strongly believe that passing this bill now will address the immediate funding needs of our institutions and allow Congress to continue to work towards a permanent extension of this funding moving forward.

Should you have any additional questions regarding this letter, please feel free to reach out to Emmanuel Guillory, Director of Public Policy and Government Affairs.

Sincerely,

MICHAEL L. LOMAX, PH.D.,  
*President and CEO.*

Mr. VAN HOLLEN. I just underscore the fact, with respect to the chairman, that the best judge of what is good for HBCUs, I think, is HBCUs. They are worried because they are already having to provide notice to their professors and their staff that funding might not be available next year. I know, in the Senate, sometimes we think that no one needs to plan ahead, but most of the world needs to plan ahead.

We will be back on this floor in the future again, asking that we pass this urgent matter.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

REMEMBERING CHARLES T. JONES

Mr. MANCHIN. Mr. President, I am here to recognize an unbelievable indi-

vidual who contributed so much to my home State and to our country.

My home State of West Virginia has lost a beloved family man, a noble veteran, a legendary businessman, a very proud West Virginian, and a very dear friend.

President John Kennedy, when visiting our State during our centennial in 1963, said: “The sun does not always shine in West Virginia, but the people always do.”

Charles T. Jones, whom we called “Captain Charlie,” exemplified this, and his light will forever shine through the many people who knew and loved him best. He was truly one of a kind. He was one of the most warm, kind people I ever had the privilege of knowing.

Last year, I had the privilege of submitting a CONGRESSIONAL RECORD statement for Charlie’s 100th birthday. He credited his longevity to good genes, good luck, a great wife, and very supportive family, colleagues, and friends.

Charlie was an innovator. He always had ideas for how to make something better or run more smoothly, making him a joy to work with and to work for.

There is no greater reward in life than to be in a position to give back to the place that made you who you are. While he grew up on the banks of the Kanawha River in West Virginia, Charlie attended school in New Jersey, later earning a degree in business from Babson Institute in Massachusetts.

Charlie then served his country in the U.S. Navy during World War II with the Navy Seabees in Guadalcanal and on a minesweeper as an engineering officer off the coast of Japan and the Philippines.

After the war’s end, Charlie came home to West Virginia and went to work for his family’s coking coal business—Star Coal and Coke Company—which later became Amherst Coal Company in 1946. That was the company his grandfather started in 1893.

Due to the downturn in production of and demand for coking coal, out of necessity, the company ventured into river transportation. In 1951, the family bought the Hatfield-Campbell Creek Coal Company, a business that operated steamboats, barges, and river terminals along the Kanawha and Ohio Rivers. He took over the river operations of the company and renamed them Amherst Barge Company. Along the way, the company became Madison Coal & Supply Company and is now known as Amherst Madison and still specializes in marine services like towing, construction, shipping, and equipment repairs. Amherst and its affiliated companies have proudly employed thousands of Virginians over the past 70 years.

Charlie was one of the most hard-working, humble, and giving people the Mountain State has ever known and was a longtime supporter of many business, charitable, and community organizations throughout the Kanawha