

with Hong Kong, does not do what Democratic or Republican Presidents have done in the past in standing up for human rights and democracy. He has not done that. He doesn't seem to care. As we know, he seems more eager to please dictators than to please those who are fighting for democracy.

Congress can act. We have a bipartisan bill in the Senate that has many cosponsors, including the senior Senators from Florida and New Jersey and from Maryland as well, that would reaffirm our steadfast support for Hong Kong's autonomy, democracy, and respect for human rights. It would amend the Hong Kong Policy Act in order to give us the tools to safeguard and protect Hong Kong's democracy and autonomy and hold accountable those responsible for the abuse of the human rights of the people of Hong Kong.

There is no objection to this bill on the Democratic side of the aisle. We believe the Senate should pass it. If there are objections on the Republicans' side, let's take a few days and work through the bill on the floor. We haven't done much legislation. Here is a place at which we can come together in a bipartisan way. So, if there are no objections, great. Let's pass it this afternoon. I believe the Senator from Florida will make a unanimous consent request in that regard. If there are objections, I urge the Republican leader, who has spoken out and defended the protests, to take a few days. Let someone try to invoke cloture—it will fail miserably—and let's vote on this. Then, maybe, the House will pass it. That would be something, I think, that would happen and with the President as well.

In addition, the Senator from Oregon, along with some others, has a bill that U.S. companies shouldn't sell lethal types of equipment to the Hong Kong police that have been used on the protesters. I would hope we could find a way to work that proposal into this bill or, maybe, we could make a unanimous consent request alongside it.

Nonetheless, we should pass the bipartisan bill in the Senate, reconcile it with similar legislation in the House, and quickly send it to the President's desk. It would be the strongest action Congress could take immediately to demonstrate Americans' support for the protests in Hong Kong. It would send a strong and clear message to the ruling party in Beijing. It would make a real difference.

The words on the floor the Republican leader mentioned yesterday were good but were not sufficient. Again, I urge him to move on this legislation, if we can, by unanimous consent. If not, let's have a debate on the floor so the handful of Senators who might try to block it are thwarted, and the bill will move forward.

IMPEACHMENT

Mr. SCHUMER. Madam President, this morning, during the House's im-

peachment inquiry, the American people will hear more important testimony from LTC Alexander Vindman, of the National Security Council, and from Jennifer Williams, an adviser to the Vice President.

Regrettably, some Republicans, including one in this Chamber, have tried, without evidence or substantiation, to undermine, to call into question, and to smear the credibility of the witnesses, including of Lieutenant Colonel Vindman—a Purple Heart recipient who has spent his life in service to our country. The attacks on the witnesses are painful and wrong. They are reminiscent of the actions of a brutal country, not of the democratic Republic that we are.

I hope everyone will treat these witnesses with respect and listen to their testimony with an open mind. Whether they agree or disagree with their testimony, it is unbecoming of any Senator to smear these patriots. The House has a responsibility to seek the truth and uncover all of the facts, and if it comes to it, the Senate has a responsibility to examine the evidence and render impartial judgment.

INFRASTRUCTURE

Mr. SCHUMER. Madam President, finally, on infrastructure, as the impeachment inquiry continues, the Democrats in both Chambers continue to do the work of the American people. Just last week, my colleagues in the House discussed a proposal for a very significant investment in infrastructure. At the very beginning of the Trump administration, the Senate Democrats proposed a trillion-dollar infrastructure plan that would create 15 million jobs.

At our meeting at the White House, I mentioned this to President Trump and asked him to join us in either supporting our bill or in working to modify it in a way that he might be able to support it. At the time, after promising over and over again in his campaign that he would pursue a major overhaul of our Nation's infrastructure, we had hoped President Trump would have worked with us on specific legislation. Unfortunately and typically, after 3 years into the Trump administration, instead of working with the Democrats, President Trump has done next to nothing. Earlier this year, the President walked out of a meeting on infrastructure that was held between him, Speaker PELOSI, me, and some other Congressmen and Senators. We haven't heard from him on the issue since.

Meanwhile, Leader MCCONNELL has turned the Senate into a legislative graveyard and seems uninterested in any bipartisan, bicameral legislation. It is so typical of this administration—of President Trump. He campaigns on infrastructure and has commercials running right now that say the Democrats are not doing anything on infrastructure when he is the one who is doing nothing. He has an amazing

penchant for looking at his own faults and then of pointing the finger at others and saying those faults are theirs. It is glaring on infrastructure.

The idea that the House impeachment inquiry is some sort of distraction from other issues is plain wrong.

President Trump, we are doing nothing here in the Senate. Come talk to us about infrastructure, and we can get something done.

The Democrats in the House and the Democrats in the Senate are willing to work with our Republican colleagues right now. We have over 200 House-passed bills we could consider here on the floor and have plenty of bipartisan Senate bills besides—from bills to lower the cost of prescription drugs to election security, to the Violence Against Women Act. We would like to work on a large infrastructure bill as well. It is entirely up to President Trump and Leader MCCONNELL to decide if we are going to make progress on a topic like infrastructure or if the Senate, under MCCONNELL's leadership, will continue to be a graveyard for commonsense ideas to help so many millions of Americans.

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

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

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Robert J. Luck, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. The majority whip.

DEFENSE APPROPRIATIONS

Mr. THUNE. Madam President, our most fundamental responsibility as Members of Congress is to provide for our Nation's defense, and a big part of that is ensuring that our men and women in uniform have the resources

they need to defend our country. That means, of course, that we have to ensure that our military receives adequate funding to meet today's priorities and to prepare for the threats of tomorrow. It also means we need to ensure that our military receives timely funding.

Our military doesn't just need sufficient funding to cover defense priorities; it also needs to receive that money on time, on a predictable schedule. That means passing the Defense appropriations bill before the end of each fiscal year instead of forcing the military to rely on temporary funding measures that leave the military in doubt about funding levels and unable to start important new projects.

Right now, we are almost 2 full months into the 2020 fiscal year. We should have passed the Defense appropriations bill by the end of September, but we didn't because, unfortunately, our Democratic colleagues were unable to resist the chance to pick yet another fight with the President. This wasn't supposed to happen. At the end of the summer, the congressional leaders of both parties and the President reached an agreement on funding levels for 2020 and 2021. The leaders also agreed on a number of guidelines for appropriations bills, including a ban on poison pills intended to derail appropriations legislation. The idea behind this agreement was to pave the way for the timely passage of appropriations bills and to prevent the kind of situation we are in right now—almost 2 months behind on passing defense and other funding. Unfortunately, the Democrats chose to renege on this agreement.

The Senate Democrats are currently holding up defense funding by insisting on the type of poison pills they promised to forgo just a few months ago. The leader has attempted to bring up the Defense appropriations bill twice, and both times the Senate Democrats have filibustered the legislation. It is deeply disappointing. I understand that my Democratic colleagues are looking for any opportunity to pick a fight with the President, but funding for our men and women in uniform should not be subjected to the Democrats' partisan whims.

Thanks to the Democrats, right now, our military is operating under a continuing resolution that leaves the military short of the funding it needs for the 2020 fiscal year. That has real consequences. In addition to leaving the military underfunded, a continuing resolution prevents the military from starting key projects that will help to ensure our men and women in uniform will be prepared to meet the threats of the future. The Pentagon can't start new procurement projects. New research and development initiatives that keep us a step ahead of our adversaries are put on hold. All told, under a continuing resolution, the military's purchasing power is reduced by, roughly, \$5 billion each quarter.

To put that in perspective, that is the equivalent of losing out on about 56 Joint Strike Fighter planes, depending on the variant, every 3 months. That \$5 billion the Pentagon is going without is urgently needed funding for critical military priorities. The longer the Pentagon goes without this funding, the greater the consequences for our military preparedness.

Playing politics with our national defense is unacceptable. We owe our men and women in uniform timely, reliable, and adequate defense funding, and we owe every man, woman, and child in the United States the same thing. The safety of every person in this country depends on the strength of our military. I hope that at least some of my Democratic colleagues will see their way to joining the Republicans in getting this year's Defense appropriations bill to the President's desk. It is time to get our men and women in uniform the funding that they need and that they deserve.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

E-CIGARETTES

Mr. DURBIN. Mr. President, on September 11, President Donald Trump held a press conference with the First Lady in the Oval Office. He announced that his administration would finally be taking bold action to combat our Nation's youth vaping epidemic. The epidemic is what the Food and Drug Administration characterized as the vaping that is going on in schools across America today—not just high schools, where 27 percent of the students are currently vaping, but middle schools and grade schools as well.

Seated next to the President on September 11 in the Oval Office was the First Lady. On the other side was the Secretary of the Department of Health and Human Services, Alex Azar. Directly across from the President was then-Acting Commissioner of the Food and Drug Administration, Dr. Ned Sharpless.

At the press conference, President Trump stated:

We have a problem in this country . . . and it is called "vaping"—especially vaping as it pertains to innocent children. . . . And we're going to have to do something about it.

Then Secretary Azar said:

An entire generation of children risk becoming addicted to nicotine. . . . So with the President's support, the Food and Drug Administration intends to finalize a guidance document that would . . . require that all flavors other than tobacco flavor would be removed from the market.

This would include mint and menthol flavoring, as well as candy flavors, bubblegum flavor, fruit flavor, and alcohol flavor.

Explaining why this action was necessary, the Acting FDA Commissioner, Dr. Sharpless, said:

Flavored e-cigarette products drive childhood use.

Secretary Azar and Acting Commissioner Sharpless committed to finalizing this guidance, in their own words, within "a couple of weeks." Yet here we are more than 2 months later with no e-cigarette flavor ban in place.

What is worse, now there are reports that President Trump has decided to reverse himself, to break the promise he made to American families, as a direct result of lobbying from big tobacco and big vape companies. We know whom this President is hearing from. He is hearing from JUUL, the company primarily responsible for today's youth vaping epidemic. He is hearing from Altria, the big tobacco company that just bought a major stake in JUUL. He is hearing from the Vaping Technology Association, a lobbying organization that represents vaping shops nationwide. It makes sense that these companies would want the President to reverse himself, to break his word to American families, because they make profits on the backs of our kids, just like Big Tobacco did for so many years.

Today, almost 30 percent of all high school-aged children are vaping. That is more than 5 million kids. Where did they come up with these numbers? From this administration's report to the American people. Four percent of adults are vaping and up to 30 percent of high school kids. When they show these pictures of adults walking around with buttons that say "We vape and we vote," it is a tiny sliver of America. The kids should be wearing buttons that say "We vape, and our health is at risk."

Over the last 2 years of Donald Trump's Presidency, the number of children vaping has increased by 135 percent. More than 1 in 4 high school kids are using e-cigarettes, and more than 1 in 10 middle school children are following their example. Kids are using these products because of the cool, sleek designs of devices like JUUL and because of the flavors designed to appeal to just kids. Listen to them: cotton candy, unicorn milk, cool mint, mom's sugar cookie, and, of course, menthol.

According to the Food and Drug Administration, more than 80 percent of children who vape started with flavored e-cigarettes. Does anyone believe that these vaping flavors are actually intended for a 50-year-old chain smoker looking to quit cigarettes—flavors like Farley's Gnarly Sauce, Bubble Purp by Chubby Bubble, Blue Razz by Candy King, and Cotton Candy by Zonk? Do you honestly think a 50-year-old trying to break a tobacco cigarette habit is going to buy Cotton Candy by Zonk flavoring?

Every single one of these products is on the market today without review or authorization from the Food and Drug

Administration. That is because under President Trump, the FDA decided to delay regulation of these products for years. And while the FDA dithers, children get addicted. As a result, it is the Wild Wild West out there with respect to unapproved, unregulated, dangerous, and addictive vaping products, and it is our kids who are paying the price.

Despite what Big Vape says, these products are not safe. In recent months, we have seen thousands of illnesses and 42 deaths associated with vaping, including four in Illinois.

Two weeks ago, a woman came up to me and said: You don't know me. I am a nurse. And she gave me the name of the hospital. She said: I just want to tell you, I was there when that 22-year-old man died last week from vaping. He had been in our hospital for months waiting for a lung transplant because of the damage he had done to his lungs by vaping. He couldn't find a donor, and he died.

There are other known dangers associated with e-cigarettes and nicotine. Nicotine is a toxic, highly addictive substance that raises blood pressure and spikes adrenaline, increasing the risk of heart disease. Nicotine can have short- and long-term negative health impacts on the developing brain. Kids who use e-cigarettes are more likely to transition to tobacco cigarettes, and those kill 480,000 Americans each year. There is hardly a family in this country who hasn't been touched by tobacco-related death and disease.

A Dartmouth study shows that e-cigarette use leads to 81 new smokers for every 1 smoker who quits. Don't buy the pitch from JUUL that you ought to be vaping so that you can get off of tobacco cigarettes. It is running just the opposite—kids starting on vaping and converting to tobacco cigarettes.

What do we know about e-cigarettes? They are predominately used by our children. Flavors play a major role in hooking kids on nicotine. Nicotine use harms the developing brain, and kids who vape are more likely than their peers to transition to tobacco cigarettes.

Now let's consider what we don't know about e-cigarettes. We don't know whether they are safe. We don't know whether they actually help adult smokers quit. We often don't know what the ingredients are in those devices.

E-cigarette flavors need to come off the market unless or until they can prove they have a public health benefit—and good luck to that.

The President of the United States, the Secretary of Health and Human Services, and the head of the Food and Drug Administration all told us on September 11 that they were on the side of kids and families and public health, and they promised us they were going to do something about it. Today, I am sending the President a letter asking him to keep his word, to ban e-cigarette flavors, which threaten our kids with a lifetime of nicotine addiction, illness, and, sadly, even death.

Along with families nationwide, I am hoping the President cares more about children than he does about the lobbying pressure from big tobacco and big vape companies. Just because they can buy an ad on FOX TV does not mean they are right.

For goodness' sake, Mr. President, stick with your promise of September 11. Protect our kids from this vaping epidemic.

I ask unanimous consent that my letter to the President be printed in the CONGRESSIONAL RECORD.

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

U.S. SENATE,

Washington, DC, November 19, 2019.

Hon. DONALD J. TRUMP,
President of the United States,
The White House, Washington, DC.

DEAR MR. PRESIDENT: As President of the United States, you have a responsibility to put the health and safety of our people—especially our nation's children—above all else. On September 11, 2019, you were poised to do just that, announcing a long-overdue plan from the Oval Office to quickly ban all non-tobacco flavored e-cigarettes, including flavors such as cotton candy, sugar cookie, fruit medley, cool mint, and menthol. Sitting alongside the First Lady, Health and Human Services (HHS) Secretary, and then-Acting Food and Drug Administration (FDA) Commissioner, it had all the trappings of a made-for-television event you seem to relish.

Along with all major public health, education, and parent organizations, I praised this move because e-cigarettes—and their accompanying kid-friendly flavors—are reversing decades of hard-fought progress our nation has made in reducing youth smoking rates. And now, along with all major public health, education, and parent organizations, I have watched in horror over the past two months as you have seemingly caved to Big Tobacco and Big Vape lobbying pressure, breaking your promise to address our nation's youth vaping epidemic.

Here is what we know about e-cigarettes:

We know that, in the past two years of your presidency, our nation has experienced a 135 percent increase in youth use of e-cigarettes.

We know that five million children are now vaping, including more than one in four high-school students and more than one in ten middle-school students.

We know that nearly 30 percent of children under the age of 18 are now vaping, compared with less than 4 percent of adults.

We know that JUUL has fueled this youth public health "epidemic," as it has been defined by every major federal health official in your Administration.

We know that e-cigarette flavors—including mint and menthol—are why children first try and become addicted to e-cigarettes.

We know that more than 2,000 Americans have recently been sickened as a result of vaping. We also know that, to date, 42 people have died—including four in my state.

We know that not a single e-cigarette product available for purchase today is on the market with authorization from the FDA.

Finally, we know that your Administration has completely abdicated its duty to protect the public health by repeatedly delaying and refusing to regulate any of these dangerous and addictive products.

Here is what we do not know about e-cigarettes:

We do not know the short- or long-term health impacts of using these products, espe-

cially in children (though we do know that use of nicotine in the developing brain has many negative and long-term health consequences).

We do not always know what ingredients—beyond nicotine—are in e-cigarettes and the accompanying flavors, nor do we know the short- or long-term health impact of the use of those ingredients. We do not if e-cigarettes and flavors actually help adult smokers quit cigarettes (though we do know that e-cigarette use leads to 80 new smokers for every one smoker who reports quitting).

We do not conclusively know why so many people who vape are getting sick and dying.

We do not have answers to these questions because the tobacco and vaping industries—shrouded in secrecy and deception—have refused to conduct the much-needed clinical trials and studies, instead preferring to keep the health consequences a secret. Perhaps even more concerning is that your FDA—the federal agency responsible for regulating tobacco products—has not required them to do so.

More than two months ago, when you announced the impending e-cigarette flavor ban, you stated, "We have a problem in our country . . . It's a problem nobody really thought about too much a few years ago, and it's called 'vaping'—especially vaping as it pertains to innocent children . . . And we're going to have to do something about it . . . We're looking at very strong rules and regulations."

You further stated, "Vaping has become a very big business, as I understand it—like a giant business in a very short period of time. But we can't allow people to get sick, and we can't have our youth be so affected."

During your September Oval Office press conference with the First Lady, you made big promises that you now appear to be breaking. Children and families nationwide are still hoping that you will reverse course and quickly implement an e-cigarette flavor ban that protects our next generation from a lifetime of nicotine addiction, illness, and death.

Sincerely,

RICHARD J. DURBIN,
U.S. Senator.

AFFORDABLE CARE ACT

Mr. DURBIN. Mr. President, thanks to the Affordable Care Act, 20 million Americans have health insurance, including more than 1 million in my State of Illinois. Why is it so important? Let me tell you the story of Stefanie from Oak Park, IL. Recently, Stefanie wrote about her son, who has a history of mental health and substance abuse issues. Because of the Affordable Care Act, her son will be able to stay on her health insurance plan until he reaches the age of 26.

The Affordable Care Act also required that all health plans cover mental health and addiction treatment. It is hard to imagine that people were selling health insurance in America that did not cover mental health and addiction.

Two Senators on the floor of the Senate—Paul Wellstone, who stood right over there, and Pete Domenici, who stood there—teamed up to require that every health insurance plan in America cover mental illness. It is so obvious. It is an issue many families face. But health insurance plans were excluding it. Why did these two Senators who were wildly different politically decide they would team up for this? Paul

Wellstone had a brother and Senator Domenici had a son who were struggling with mental illness, and they didn't have protection in their health insurance, so the Senators fought to include it.

Thank goodness they did. Because of that health law, insurance companies cannot discriminate against Stefanie's son because of his medical history. Her son just graduated college. She is thankful he can stay on her company's policy until he gets a job, and she is thankful her premiums are not higher due to her son's health needs. Stefanie is afraid that if these protections go away because of a court case that is currently pending or the actions of the Republican majority in this Senate, her son will be uninsurable or face enormous medical bills that he will be unable to pay. Stefanie wrote to me, and she said that if the Affordable Care Act were to be eliminated, they are "contemplating leaving this country to seek manageable health care."

Democrats are fighting to keep healthcare protections for people like Stefanie and her son. Because of the Affordable Care Act, people with pre-existing conditions can no longer be denied coverage or charged higher premiums. Is there anyone among us who doesn't know someone with a pre-existing condition? I have one. This protects 5 million people in Illinois who have a preexisting condition.

Insurance companies are no longer allowed to impose annual or lifetime caps on benefits or to deny coverage for mental health, substance abuse treatment, prescription drugs, or hospitalizations, and young people are allowed to stay on their parents' plan until they reach age 26.

Despite the Republican and Trump administration's continued efforts to repeal these protections both in Congress and in the courts, health insurance under the Affordable Care Act is open for business. If you are interested and want to know the policies available, healthcare.gov is the website to visit.

Open enrollment for 2020 health plans began on November 1 and ends on December 15. If you can, sign up. It is a protection that you hope you will never need, but if you need it, it is good to have it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

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

RUSSIA

Mr. CASEY. Mr. President, beginning with Russia's interference in our 2016

national elections, to the recent withdrawal of U.S. troops from Syria, President Trump has made multiple statements and decisions that serve only to benefit Vladimir Putin's agenda to undermine democracy and expand Russia's influence around the world.

Taken together, these actions aren't just a threat to U.S. national security, but they also undercut and diminish some of the core tenets and values of American democracy and global leadership. The U.S. Senate, as part of a co-equal branch of government, must recognize this threat and act as a body to ensure our institutions at home and interests abroad are protected. Thus far, we have not lived up to this solemn responsibility.

Let me start with a seminal news article from the Washington Post, just recently. White House reporter Anne Gearan, in her October 15, 2019, article, catalogs how the Trump administration has allowed Russia to assert dominance globally. The headline reads: "Trump's moves in Ukraine and Syria have a common denominator: Both help Russia."

Anne Gearan writes as follows, and I will quote in pertinent part.

... President Trump has taken action that has had the effect of helping the authoritarian leader of Russia.

... [The President's] actions in Syria and Ukraine add to the list of policy moves and public statements that have boosted Russia during his presidency, whether that was their central purpose or not, confounding critics who have warned that he has taken too soft a stance toward a nation led by a strongman hostile to the United States.

Anne Gearan goes on to discuss how President Trump's withdrawal of U.S. troops from Syria has allowed Russia to assert a more dominant role in the region. She also discusses how the President's intimidation of Ukraine's recently elected President Zelensky has become the subject of a domestic impeachment inquiry and distracted from actual engagement and support to Ukraine as it continues to grapple with Russian aggression.

Anne Gearan also notes:

[President] Trump has publicly questioned the usefulness of NATO—the post-World War II military alliance established as a bulwark against first the Soviet Union and now Russia—as well as the utility of the European Union, a political and economic alliance Putin would love to weaken.

This is all written by Anne Gearan.

These actions have led to a growing consensus among the national security community that the President is not serving the national interest. Let me move to a second part of this.

Sadly, President Trump's recent actions with regard to Syria and Ukraine are, unfortunately, not isolated. President Trump has been consistent in taking actions that favor Russia. As early as April of 2016, then-candidate Donald Trump vowed to pursue closer ties to Russia if elected to the Presidency. Even before he took office, by way of Twitter and other platforms he was signaling to Vladimir Putin his def-

erence to a Putin-driven U.S.-Russia dynamic.

From there, the American people have only learned more about the Trump campaign's ties to Russia and Russia's interference in the 2016 Presidential election.

The intelligence community's unclassified report concluded:

We assess Russian President Vladimir Putin ordered an influence campaign in 2016 aimed at the U.S. presidential election. Russia's goals were to undermine public faith in the U.S. democratic process, denigrate Secretary Clinton, and harm her electability and potential presidency. We further assess Putin and the Russian government developed a clear preference for President-elect Trump.

The interference with our election process by a hostile government was an attack on our democracy and a threat to our national security carried out by Russian operatives at the direction of Vladimir Putin himself.

Since Special Counsel Robert Mueller's appointment as special counsel to investigate Russia's attack, 34 indictments have been returned in connection with the investigation, including indictments against Russian individuals and Russian companies, as well as former Trump campaign manager Paul Manafort and deputy campaign manager Rick Gates, who were charged with "conspiracy against the United States." Special Counsel Mueller also secured guilty pleas from other campaign advisers, including George Papadopoulos and Michael Flynn.

Despite this ample evidence of wrongdoing, the President attempted to impede the Russia probe at every step of the way. The U.S. intelligence community, the Senate Intelligence Committee, and Robert Mueller and his team of investigators have done a great service to our Nation in investigating the Trump campaign's ties to Russia and Russian interference in our election. The findings further confirm that President Trump not only benefitted from Russian interference but, as Anne Gearan wrote in the October 15 Washington Post story, President Trump "has also disputed, at times, the U.S. intelligence community's conclusion that Russia interfered in the 2016 election to boost his candidacy, and he only reluctantly signed a bill imposing sanctions on Russia for the transgression after weeks of resisting the measure, which he called, 'seriously flawed.'"

Anne Gearan is referencing the Countering America's Adversaries Through Sanctions Act, known by the acronym CAATSA, or C-A-A-T-S-A. That is legislation that I supported, and it passed both Houses of Congress with bipartisan support to impose sanctions on U.S. adversaries, including Russia, for its incursions into Ukraine and Syria and interference in our elections.

I believe it is likely that if CAATSA did not clearly prohibit it, President Trump would have removed preexisting Russia sanctions by now.

So the evidence is clear. By interfering in our national elections and

elevating Donald Trump's prospects for success as a candidate, Vladimir Putin was assuring that a personal ally would be installed in the White House and that that particular ally would clear the way for Putin to advance his foreign policy goals around the world.

Let me move to a second—or, I should say, a third—part of this. If it isn't bad enough that the President is himself undermining our intelligence community's findings, he has deployed Attorney General William Barr to try and discredit those findings—those findings by our intelligence community with regard to interactions with allies.

William Barr has been traveling the world chasing conspiracy theories and investigating President Trump's complaints about the origins of the government's investigation into Russian election interference. Specifically, the Attorney General is examining whether U.S. intelligence and law enforcement agencies acted properly when they examined possible ties between the Trump campaign and Russia, which ultimately led to Special Counsel Mueller's investigation. We have learned that this probe is now a criminal investigation, suggesting that it is focused on the unfounded allegations pushed by the President's allies about how the Russia probe was started.

Considering that Special Counsel Mueller, the intelligence community, and the bipartisan Senate Intelligence Committee all confirmed in great detail that Russia interfered in the 2016 election, it is entirely unclear what legal or factual predicate Attorney General Barr is even relying on to justify this criminal investigation into the origins of the government's investigation into Russia's election interference.

Attorney General Barr is pursuing these efforts, despite the fact that Italy's Prime Minister Giuseppe Conte stated that Italy's intelligence services played no role in the Russian investigation. It appears that Attorney General Barr is using the Justice Department to chase unsubstantiated conspiracy theories that could benefit the President politically and also undermine Special Counsel Robert Mueller's Russia investigation.

The Attorney General has also demonstrated eagerness to prejudge his own investigation by already telling lawmakers in April that he believed that "spying did occur" by the FBI on the Trump campaign. So the President has dispatched a top U.S. law enforcement official around the world to pursue a biased investigation into an effort to undermine our intelligence agencies and to undermine the work of a special counsel who was appointed by the very same Justice Department that Attorney General Barr leads, with the primary goal—the primary goal—being to clear Vladimir Putin's government of wrongdoing. It is hard to comprehend or adequately articulate how disturbing that is.

Let me move to another part of the evidence with regard to how the President deals with President Putin and his government—the Helsinki summit. President Trump's dangerous deference to Vladimir Putin was most evident at the July 2018 summit in Helsinki. Putin and President Trump had a 2-hour one-on-one meeting, followed by an unprecedented press conference.

President Trump appears to overwhelmingly favor one-on-one, closed-door, direct communications with Putin on a regular basis. I have to ask at least two questions, among many we could ask. Question No. 1 is, What is he hiding? No. 2 is, Why not have experienced U.S. personnel present at such bilateral meetings?

Even more disturbing were the President's statements following the Trump-Putin meeting. Here is a brief summary of what happened at that meeting:

President Trump praised Putin and his leadership.

No. 2, he repeatedly sided with Putin over our intelligence community, asserting that Russia did not, in fact, interfere in the 2016 elections. The President repeatedly siding with Putin over our intelligence community was a grave offense by the President that made our Nation less safe—in my judgment, for sure less safe. It was one of the worst moments in any American Presidency.

No. 3 in my brief summary of that public meeting in Helsinki is that Mr. Putin was silent the whole time when this was happening.

President Trump's rambling comments over several minutes reflect not only the President's disturbing desire to flatter and to show support for Putin but also his complete failure—in that instance, his complete failure—to advance U.S. interests.

Let me move to the impeachment that is underway regarding Ukraine.

The transcript of the now-infamous July 25 phone call with Ukrainian President Volodymyr Zelensky that is the subject of the current impeachment inquiry also reflects the President's failure to prioritize U.S. national security interests when it comes to Russia.

Going back to Anne Gearan and the Washington Post story of October 15 of this year, she wrote: "During that call, Trump did not mention longstanding U.S. policy goals for Ukraine, including standing up to Russian pressure, and he may have tarred and weakened Zelensky and his winning anti-corruption platform by dragging him into domestic U.S. politics."

Such major omissions send a clear signal to Putin that he could expand his aggression in Ukraine beyond Crimea and to the Ukrainian people and also the message to the Ukrainian people that Zelensky is not going to be the strong leader with U.S. backing that Ukraine needs at this time.

We have already seen the impact of President Trump's abandonment of

Ukraine amid this impeachment scandal. In early October, President Zelensky was effectively backed into a corner to sign Ukraine on to the so-called Steinmeier Formula, which sets the path toward elections in the Donbass region of eastern Ukraine and eventual negotiations with Russia over the future of Russian-occupied territories. He did this without achieving previously imposed preconditions of Russian troop withdrawal and security for the elections.

Zelensky was effectively shamed into pursuing this Steinmeier Formula after President Trump urged him to negotiate with Putin—with Putin—several times on camera during the United Nations General Assembly meetings in September. As Anne Gearan puts it, "The result: A country that was looking for strong U.S. backing, amid worries that Russia could seek to move its aggression beyond the annexation of Crimea, has been left to wonder about the Trump administration's commitment to its national interests."

Let me move to Syria. President Trump's latest moves in Syria only further amplify the alarm over this President's affinity for Vladimir Putin.

In early October, President Trump announced the abrupt withdrawal of U.S. troops from Syria, clearing the way for Turkey to pursue a military operation against Kurdish allies of the United States in northern Syria. Following an initial U.S.-brokered ceasefire, Turkish and Russian authorities have agreed to a more permanent status, sharing control of Syria's northern border.

Turkish and Russian forces are not only occupying Kurdish-held areas but also further expanding Russia's role in Syria and committing war crimes against Kurdish civilians, according to the United Nations.

Russia has already occupied U.S. military camps in the region, and Turkish President Erdogan's deepening relationship with Vladimir Putin—as evidenced by Turkey's purchase of the Russian S-400 missile system—only undercuts U.S. influence in Syria, all but guaranteeing that U.S. interests will not be represented in a future Syrian political settlement.

President Trump's decision serves to benefit Vladimir Putin. Prior to withdrawal, the United States was Russia's only military equal in Syria, but Russia is now the primary and, according to some analysts, the sole power broker in Syria.

In the vacuum left by the United States, Putin will be able to return control of the country to Bashar al-Assad, exercise increased control over Turkey—a NATO ally—and return to Russia's Cold War-era dominance in the Middle East.

As Georgetown University Russia specialist Andrew Bennett put it, "[W]hat is clear is that Russia and the [Bashar al-] Assad regime that it backs have been the big winners in Trump's abrupt retreat. . . . Now, suddenly

Putin is back in the driver's seat in Syria, with leverage over all sides."

Mr. President, it is even worse than that. Let me recount some recent news with regard to actions by Vladimir Putin.

President Trump's transgression goes beyond simply allowing Russia to fill a vacuum. On October 13, just 2 days before Anne Gearan's Washington Post story, the New York Times reported that "the Russian Air Force has repeatedly bombed hospitals in Syria in order to crush the last pockets of resistance to President Bashar al-Assad."

The Times published evidence in that story that the Russians bombed four Syrian hospitals in a 12-hour period in May of this year. During the assault, the Kafr Nabl Surgical Hospital in Idlib Province was struck four times in 30 minutes. Let me say that again. A hospital was struck four times in 30 minutes. Dozens of hospitals and clinics in Idlib Province have been struck since, and Syrian medical workers live in constant fear of the next strike.

Russia continues to act with impunity. Not only did it bomb another hospital in Idlib last week, Russia is using its sway at the United Nations Security Council—where U.S. leadership has diminished significantly under this administration—to limit the scope and the impact of a U.N. inquiry into these bombings.

Such atrocities go beyond the pale of violating the Geneva Conventions and the laws of war; they demonstrate just how ruthless Putin and his regime are and the lengths they are willing to go to assert Russia's influence in the Middle East. The tragedy is, this administration is allowing it to happen. Under this administration, we have seen U.S. leadership erode and multilateral institutions deteriorate to the point where the U.N. is powerless to hold Russia accountable for these atrocities.

I cannot emphasize enough that this administration is not only failing the American people with regard to our relationship with Russia and national security interests, but it is also making us less safe by allowing unspeakable atrocities to occur against innocent civilians—all on our watch.

IMPEACHMENT

Mr. President, I will be brief because I know I only have about 5 minutes before we have to move on, but I want to turn to some brief comments about the courageous public servants whom we have watched and will continue to watch testify before the House Intelligence Committee both last week and again this week in the impeachment inquiry.

We have heard from George Kent, Ambassador Taylor, Ambassador Yovanovitch, and today, Lieutenant Colonel Vindman and others, and my remarks go out to do justice to all those who will testify for their courage. I want to make some brief comments.

These individuals and so many others are putting their careers and reputa-

tions on the line to testify publicly in defense of U.S. national security, moral leadership, and our democratic institutions. It is outrageous—and that is an understatement—that they have been subjected to partisan attacks—public servants who have sacrificed so much for our Nation. In the case of the diplomats, the diplomats have been attacked without any support or defense from Secretary of State Pompeo or other senior Department of State officials.

We should all be inspired by these and countless other public servants who work to protect and serve the United States every day. When I reflect upon their service to our country and their integrity, I am reminded of just one line from "America the Beautiful": "O beautiful for patriot dream, That sees beyond the years." One of the dreams of a patriot, of course, is to see beyond our own circumstances, to dream about a better future by upholding our institutions and by serving the rule of law, our democracy, and our Constitution.

I will skip over all of the information we already know about the service of these Ambassadors and just conclude with some comments about what happened today.

Today, Lieutenant Colonel Vindman, before questioning by the committee Members, was going through his experience. I will go through it briefly: infantry officer, foreign area officer specializing in European and Eurasian political military affairs, political military affairs officer, serving on the National Security Council, and serving our country in combat and paying the price of being wounded in combat.

At the end of his statement today, Lieutenant Colonel Vindman talked about his father. He said:

His courageous decision [to come to this country] inspired a deep sense of gratitude in my brothers and myself and instilled in us a sense of duty and service. All three of us served or are currently serving in the military. Our collective military service is a special part of our family's story in America.

He went on to say:

I am grateful for my father's brave act of hope 40 years ago and for the privilege of being an American citizen and public servant, where I can live free of fear for mine and my family's safety.

He contrasted that with what happens in Russia. I think it is a good reminder for all of us.

Let me conclude with these thoughts. It is appalling to see individuals such as Lieutenant Colonel Vindman who dedicated their entire lives to the safety and security of the United States be smeared by the President and by his attack dogs who are more concerned about tweets and FOX News headlines than protecting our Nation's domestic foundations.

Nothing the President has said or done in his nearly 3 years as President convinces me he has any understanding of public service. Looking beyond the current impeachment inquiry, this ad-

ministration's blatant disregard and disrespect for career diplomats has had a grave impact on the State Department and our National Security Agency's ability to recruit the next generation of talented, committed public servants who promote U.S. interests abroad.

I will not allow this administration's continuing assault on our diplomats to undermine, devalue, or dishonor their service or the service of future patriots who choose to make a career of serving and protecting our Nation.

The Ambassadors and officials who testified last week, as well as today—others, including Lieutenant Colonel Vindman—have lived honorable and dutiful lives in service to the United States of America. We owe them our deepest gratitude and appreciation for their integrity and commitment to American values. These are real American heroes who, despite the President's bullying and harassment, have stood up in defense of our democratic institutions and the values the Founders fought for to guide our Nation.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Tennessee.

WIND PRODUCTION TAX CREDIT

Mr. ALEXANDER. Mr. President, I have come to the floor to talk about the wind production tax credit. This is a subject that I've talked about before. The Senator from Pennsylvania, Mr. TOOMEY, will, I believe, come soon to talk on the same subject.

The wind production tax credit is so generous with taxpayers' money that wind developers can actually give away their electricity for free and still make a profit. Let me say that again. I am talking today about the wind production tax credit, which is a tax subsidy—taxpayer dollars—given to wind developers, and it is so generous that the developers can actually, in some cases, give away their electricity for free and still make a profit.

That wind production tax credit has been extended 11 times. It has been on the books for more than 25 years. This was a tax credit that was supposed to jump-start a new industry—that's 25 years of jump-starting. Four years ago, Congress agreed to end it. We thought that was it. In doing so, Congress asked taxpayers to provide another \$24 billion, according to the Joint Committee on Taxation, to extend the wind production tax credit—\$24 billion more in subsidies for another 5 years and gradually phase out the credit. That is what we thought we did 4 years ago. We would spend \$24 billion more in exchange for phasing out and ending the wind production tax credit. This is on top of the nearly \$10 billion taxpayers paid between 2008 and 2015 and the billions more the taxpayers have paid since the wind production tax credit was created in 1992. That was supposed to be the end of the wind production tax credit 4 years ago. Remember, it

was supposed to jump-start a new industry. President Obama's Energy Secretary said years ago that wind is already a mature industry. That was during the Obama administration.

Now some Members of Congress are trying to break the agreement of 4 years ago to end the wind production tax credit. Earlier this summer, the House Ways and Means Committee reported legislation that extends that credit through the end of 2020. This huge amount of money is not the only thing wrong with that proposal.

First, the wind production tax credit undercuts reliable electricity like nuclear power. This is called negative pricing, which is when wind developers have such a big subsidy that they can give away their electricity and still make money. If you are a wind developer, for every kilowatt hour of electricity one of these 40-story-high wind structures produces, the taxpayers will pay you up to 2.3 cents, which in some markets is more than the cost of the wholesale value of each kilowatt hour of electricity. Negative pricing such as this distorts the marketplace. It puts at risk more reliable forms of energy such as nuclear power, which produces 60 percent of all the carbon-free electricity in the United States. In contrast, wind produces about 19 percent of all the carbon-free electricity in the United States. I think it is important to produce carbon-free electricity. I believe climate change is a problem and that humans are a cause of the problem.

Why would we undercut the production of nuclear power—which is 60 percent of our carbon-free electricity—by the negative pricing of this big, expensive wind production tax credit? With nuclear power available, expecting a country the size of the United States to operate on windmills is the energy equivalent of going to war in sail boats.

Second, in my view, windmills destroy the environment rather than save it. You could run these 40-story structures from Georgia to Maine to produce electricity, scarring the entire eastern landscape or you could produce the same amount of electricity with eight nuclear power plants. If you did run these giant structures from Georgia to Maine, you would still need natural gas or nuclear power to produce electricity when the wind is not blowing, which is most of the time.

There is a much better way to spend the dollars that are available for clean energy. Instead of subsidizing wind developers, the United States could use that money to double the nearly \$6.6 billion that the Federal Government spends on basic energy research to make truly bold breakthroughs that will help us provide cleaner, cheaper energy and raise family incomes.

Earlier this year, I came to the Senate floor and called for a New Manhattan Project for Clean Energy, a 5-year project with 10 grand challenges that will use American research and tech-

nology to put our country and the world firmly on a path toward cleaner, cheaper energy. Specifically, I encouraged funding breakthroughs in advanced nuclear reactors, natural gas, carbon capture, better batteries, greener buildings, electric vehicles, cheaper solar, fusion, advanced computing, and doubling energy research funding. All of that is a better use of funding than more funding for wind developers, which is so generous that in some cases they can give away their electricity and still make a profit. Let wind energy go where we said it should go in 2015; let it go unsubsidized into the free market. That is where we thought we sent it 4 years ago, and that is where it should go.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I want to join my colleague from Tennessee in explaining why we ought to allow this deal to stand—the deal that was struck some years ago to phase out these incredibly inefficient subsidies.

I thank my colleague from Tennessee for his leadership on this issue. As you know, this is a very large tax subsidy. The government is already set to spend about \$67 billion in energy tax subsidies just over the next 5 years, and we should be very clear about this: These subsidies lead to a lower standard of living. When we choose to take an inefficient form of energy and throw a lot of money at it, it just lowers the standard of living. We have less resources available for all the other things we could be doing with that money.

As my colleague from Tennessee mentioned, the wind production tax credit began in 1992 for the very straightforward, simple reason that it couldn't compete. It is completely economically uncompetitive. The idea is, we will have this temporary subsidy to enable the wind production to reach an economy of scale, reach a maturity in the industry that would allow it to compete, and the consensus at the time was that ought to be achieved by about 1999. After about 7 years of taxpayer subsidies, the industry should be on its feet, should be competitive, and there would be technological improvements and everything would be fine. That was 20 years ago. We have been subsidizing it ever since.

We extended this program 11 times. The wind component of all of our energy subsidies is about \$25 billion over a 5-year period, and they still can't compete. The reason it can't compete is because it is just extremely expensive to build the electricity-generating capacity if it is a windmill. It is much more expensive than alternative forms of energy. The cost of building wind capacity versus natural gas, for instance, is pretty stark. It costs less than \$1,000 per kilowatt of capacity for a natural gas-fired powerplant. It costs over \$1,600 per kilowatt for wind production.

Obviously, after the production is done, windmills don't require ongoing

fuel. Amazingly enough, that savings is not enough to ever recoup the huge amount of capital you have to lay out upfront to build this very, very expensive technology. You don't have to take my word for it. Warren Buffett had something to say about this. He knows something about investments. He knows something about economic efficiency. Warren Buffett said:

We get a tax credit if we build a lot of wind farms. That is the only reason to build them. They don't make sense without the tax credit.

That is the reality we have. It is compounded by the fact, of course, that wind energy is inherently unreliable. This will come as no surprise to my colleagues. You don't generate electricity from a windmill unless the wind is blowing. Unfortunately, it is just a fact of nature that wind generation tends to peak in the middle of the night and early morning hours when our energy needs are at their lowest.

It is very hard to store electricity, so we end up with this bizarre situation that the Senator from Tennessee alluded to, where sometimes the wind farms are generating tremendous amounts of electricity, when no one needs electricity, because there is a wind storm in the middle of the night, but because they are so heavily subsidized by taxpayers, the wind farm companies are willing to pay the electric grid operator to take their electricity. Normally, you sell your electricity. They actually will pay money to have the electrical grid take their electricity. This is extremely disruptive for the conventional sources of electricity, whether it is nuclear or gas or coal, because they have to be there all the time to adjust for the wild fluctuations that come from wind-generated electricity. It is very hard for them to have a vehicle business model when occasionally the product they produce has a negative value. It is just bizarre.

I want to stress another element of this, which is the original rationale. The original rationale was that this was a new industry. It was going to need some help getting on its feet and getting established, and after some period of time, it would be able to compete on its own. This is no longer even remotely the case. In fact, there is a tremendous amount of wind-generated electricity in America because these subsidies have been so big for so long.

In 1999, we had only 4½ billion kilowatt hours of electricity generated from wind. In 2018, we had 275 billion kilowatt hours—a 6,000-percent increase in two decades. It is now 7 percent of all U.S. electricity generation because these subsidies are so expensive.

I think it was, in part, because of the enormous growth of this industry and the maturity of it—the decades-long history—that Congress finally decided back in 2015 that we would phase out these subsidies. We wouldn't do it immediately, but we would phase them

out by 2019. So 20 years after the subsidies were supposed to end, we are now on a glide path to phasing this out and having these taxpayer subsidies expire at the end of this year.

At the time the Wind Energy Association looked at this in 2015, they said: "Growth in the wind industry is expected to remain strong when the PTC is fully phased out." PTC is the production tax credit. That is what we are talking about. Lo and behold, we get to the end of 2019, or nearly so, and, sure enough, some folks in Congress are saying: Well, let's not stick to that deal. Let's continue this subsidy even longer. So we had a markup in the Ways and Means Committee of the other Chamber to add yet another year's extension to the wind tax credit that will cost another \$2 billion.

I just don't think we should break the deal that we had in 2015. This is an inefficient use of taxpayers' money. This makes our economy less efficient. This lowers our standard of living and is disruptive to the ongoing base sources of electricity that we need across the country.

The last point I want to make is that it is not as though we have an energy shortage in this country. It is not as though we are going to have to turn to hostile foreign sources to get the energy to replace if we don't continue heavily subsidizing wind production. The fact is we have staggering amounts of natural gas—enough natural gas to serve our electricity generation needs for the indefinite future. In 2017, the United States became a net exporter of natural gas. It is a huge, growing source of electricity generation that is clean, that is reliable, and that is incredibly abundant. We came to the right conclusion some years ago. Now is our opportunity to stick to it.

I yield the floor.

The PRESIDING OFFICER (Mr. CRUZ). The Senator from Texas.

SENATE LEGISLATIVE AGENDA

Mr. CORNYN. Mr. President, history has taught us that the closer you get to election day, the harder it gets to pass legislation here in the Congress. It is hard, anyway, by design. You have to pass a bill through committees in the House and in the Senate. Both bodies have to pass a bill if they are different. They have to reconcile those in a conference committee. Then, you have to negotiate with the White House in order to get the President's signature. So, by design, it is hard to pass legislation, but it shouldn't be this hard.

With less than a year to go before the 2020 election, we are racing against the clock. We started this year with bipartisan ambitions to address healthcare costs, to bolster international trade, and to get the appropriations process back on track and avoid unnecessary government shutdowns. Yet, somewhere along the way, politics hijacked the process.

Our colleagues across the aisle decided that no matter how critical legislation may be, foiling President Trump

was even more important. They are so outraged by the President and so consumed by his every word and every tweet that they have brought the work of this body to a screeching halt in an effort to remove him from office less than a year before the next general election. It seems they have no desire whatsoever to pass legislation that would benefit the American people, let alone any urgency to get things moving. The only thing our Democratic colleagues seem to care about is stopping the President from getting anything that could be construed as a win.

Over in the House, the Democrats have put legislating on the back burner and are spending their days trying to nullify the results of the 2016 election. They are slow-walking negotiations on the National Defense Authorization Act, which has passed every year without fail since 1961. Their negotiations with the administration over the USMCA—that is the successor to NAFTA, which helped to benefit the employment of roughly 13 million Americans—have kept farmers, ranchers, and manufacturers in limbo for months. Along with the necessary funding to help to make up for the lack of funds in the highway trust fund, they have also complicated efforts to get a long-term highway bill reauthorization passed.

Despite the partisan frenzy in the House, I have always believed the Senate should do its best to stay above the fray, but the minority leader has proven me wrong. In fact, last week, I came to the floor to ask unanimous consent to pass a bill that Senator RICHARD BLUMENTHAL, of Connecticut, a Democrat, and I, a Republican, introduced together. Incredibly, this bill passed unanimously out of the Committee on the Judiciary.

Our legislation is designed to do what all here in Washington say they want to do, which is to reduce drug prices—in this case, by stopping drug makers from gaming the patent system. Our bill strikes a delicate balance of protecting innovation, which is very, very important—we must not lose sight of that—while it increases competition, and you know competition helps to bring down prices. As an added bonus, it would lower Federal spending by more than a half a billion dollars over 10 years. That is not even talking about what it would do in the non-governmental sector for savings.

Senator BLUMENTHAL and I have done what you are expected to do here in a legislative body, which is to work hard to build consensus and come up with a bill that could gain bipartisan support. By any measure, we have succeeded in doing that, as it has a dozen bipartisan cosponsors. As I mentioned, when this legislation was reviewed by the Committee on the Judiciary—a committee that, notably, can be pretty contentious at times—the committee passed it unanimously. Every Republican and every Democrat voted for it.

I had hoped that would have been some indication that this bill would

have quickly passed the full Senate when brought to the Senate floor. Apparently, the minority leader, the Senator from New York, had other plans in mind, because when I, along with Senator BLUMENTHAL, came to the floor last week to try to get this legislation passed, he objected—hence, the Schumer graveyard.

On November 18, 2019, when referring to S. 1416, regarding the lowering of drug prices, Senator SCHUMER said: "Democrats are happy and eager to work on those issues."

One thing I have learned around here is that it is not just what people say but what they do that counts, and he objected to this virtually unanimously supported bill, on a bipartisan basis, to lower drug prices. He actually called it a good bill. He said it was well-intentioned, but he said there were other ideas that had to be included before he would lift his objection. So he doesn't have any objection to our bill. He understands it is a good bill but that it may not be as comprehensive as he would like.

Another thing I have learned in my time in the Senate is that if you demand everything and are not willing to compromise, you are going to end up with nothing. Apparently, that is what the Democratic leader is happy with, including for his constituents in New York, by the way, who will have to pay more money out-of-pocket as a result of his objection to this commonsense bill.

I would hope that he would talk to his own Members who have cosponsored this bill. Most notably, the Democratic whip, Senator DURBIN, of Illinois, has cosponsored the bill as well as Senator MURRAY, of Washington, who is the ranking member on the Committee on Health, Education, Labor, and Pensions. They are both cosponsors of this bill that the Democratic leader objected to.

While all Senators have said they want to address rising drug prices, Senator SCHUMER has the distinction of being the only Senator to have actually blocked a bill that would do exactly that. Why would he do that? He claims—I think, mistakenly so—that passing my bill would somehow render the Senate incapable of passing any other drug pricing legislation. That is, obviously, ridiculous and untrue.

I happen to sit not only on the Committee on the Judiciary but on the Committee on Finance. There is a significant bipartisan Committee on Finance bill, together with the Health, Education, Labor, and Pensions Committee's bill, that has been produced by Senator ALEXANDER and Senator MURRAY. Both of those contain many good ideas. I wish we had the time and the bandwidth to debate and vote on those on the Senate floor and in the House. But for the fact that our House colleagues are so obsessed with impeachment and seem incapable of doing anything else, I think we could do that.

Of course, even though the Democratic leader himself is the reason this

bill did not pass last week, it hasn't stopped him from complaining about the lack of progress on other legislation. Yesterday evening, for example, he came to the floor and said: "Democrats are happy and eager to work on those issues." I would suggest, when he says they "are happy and eager to work on those issues," that it is just happy talk, not our actually rolling up our sleeves and working together to get the work of the American people done, which is the reason I thought we were here.

The Democratic leader went on to say that the Senate Democrats are waiting with bated breath for the Republican leader to put any of these bills on the floor and for any Republican to speak out and demand they go on the floor. Yet, when I asked for this bill to be passed on the floor, it was not a Republican who blocked it. It was the same person who said he would be happy and eager to work on those issues. Again, what people say in Washington, DC, is not what they actually do sometimes. I suggest it is important to see what people do, not just listen to what they say.

Sadly, this isn't the only time the Democratic leader has blocked progress on bipartisan priorities. It is just the latest. Here are some other tombstones in the Schumer graveyard.

Over the summer, our colleagues on the Committee on Appropriations had the foresight to prepare for the funding fight that we expected this fall. That was a normal part of the process. They negotiated a spending caps agreement to make the appropriations process much more straightforward in both Chambers of Congress, and the House and the Senate approved the terms. We agreed to that top-line funding level both for defense and nondefense spending. There was also a promise not to derail the process with poison pills in the form of policy riders. We got all of it done with plenty of time to spare.

After we voted on that, there was reason for hope and optimism in that, somehow, we had made it much easier for us to do the Nation's business when it had come to the spending bills. While there was still a lot of work to do, we thought this put us on a strong footing to get funding bills passed before the end of the fiscal year. Yet here we are today, on November 19—a long time from those votes in August—and we still don't have those spending bills passed.

Our Democratic colleagues have, on two instances, actually objected to even debating the Defense appropriations bill, which provides a pay raise for our troops. They will not even talk about it. They will not offer amendments. They just blocked it. They just stopped it dead in its tracks. You would have thought everybody would have learned not to play politics with the appropriations bills. Our Democratic colleagues have held up government funding due to a disagreement that is equal to about 0.3 percent of the

discretionary spending budget, and they are trying to reopen the very budget agreement that they agreed to last summer that has become law.

They blocked vital education funding, which would have provided more than \$71 billion to the Department of Education. This spending bill would bolster a number of the grant programs that our students and our schools rely on, and it would promote college access and affordability to help more prospective college students. That same funding bill would have invested nearly \$4 billion in our fight against the opioid epidemic, supported workforce training programs, and strengthened our nationwide mental health system.

Could the majority leader put aside politics just long enough to let this funding bill, which would do so much good, pass? Well, apparently not.

If you think that is bad, it just gets worse. Our most fundamental responsibility in Congress is to provide for the common defense. Before we can worry about anything else, we need the safety and security that our military provides to fight, if necessary, our Nation's wars and to defend our democracy. Actually, the strength of our military is directly related to our ability to live in peace because when our adversaries see us as tentative or weak or withdrawing or unwilling to fund our military training and readiness, they view that as a sign of weakness, which itself can be a provocation, which, again, ignores our most basic job as Members of the Congress.

There have always been disagreements about exact dollar figures; we are not talking about that. But the top-line figures were agreed upon last summer, so I thought we were ready to fund our military on time.

Well, shame on me for being an optimist or at least optimistic enough to believe that people would keep their commitments, keep their word, and we would somehow head down this path to funding the U.S. Government.

Here we are, with one continuing resolution expiring in 3 days' time. I believe the House will vote on an additional continuing resolution that will take us to December 20, and then the Senate will have to do that just to keep the lights on here in Washington, DC—just to make sure that government actually functions.

None of this is necessary, and all of it is directly related to hyperpartisan conflict, which we all understand, but it simply is getting in the way of our ability to do our business.

The one that strikes me as the most indefensible, beyond the prescription drug objection, is blocking funding for our troops. We depend on an all-volunteer military, and obviously many of our military members are not just single; they have families who depend on them and on the funding that Congress provides. But our colleagues blocked it two different times—again, voting against the motion to proceed to the bill which, in plain English, is just saying that they didn't even want to start

talking about or amending the underlying bill, which each Senator would have the opportunity to do if they would allow us to begin that process, which they blocked.

Well, the Democratic leader loves to talk about the legislative graveyard here in the Senate. What he really means is that he wants to control the agenda, even in his seat as the minority leader. Well, he knows the rules of the Senate don't permit the minority to control the agenda. That is why it is so important that Senator MCCONNELL is where he is and that Republicans have a majority.

We are not saying that you have to do it our way or the highway. We are saying: Let's engage in the legislative process. Let's take up legislation on the floor of the Senate and let Senators offer their amendments, their suggestions, and then let's vote on them. But let's not just stop things dead in their tracks because of partisan politics or because somebody doesn't want somebody who happens to be on the ballot in 2020 to get a "win." That is really beneath the dignity of the Senate or any Senator. It is less than what the American people have a right to expect of us.

I would ask the Democratic leader again: Please don't head down this path by creating a graveyard of your own for bipartisan legislation that could and should become law. It is not my way or the highway. We have to work on this together, and we are willing to do our part.

Let's work on bills that strengthen our military, lower drug prices, help students, assist in the fight against the opioid crisis, and so much, much more.

I think it is a shame that our Democratic colleagues seem to be unable to compartmentalize their feelings about the President from the urgent need for them to do the jobs they were elected to do here in the Congress. They have been given countless opportunities to engage with us on a bipartisan basis to pass meaningful legislation that would make the American people's lives better. Again, that is why I think we are here, but they refuse to do anything that could be construed as giving somebody a victory because of political considerations. While Senator SCHUMER continues to kill bipartisan bill after bipartisan bill—really, because of it—the work of this Congress has become paralyzed.

We are not going to give up, though. We will keep fighting to ensure that the American people are not the ultimate victims of our Democratic colleagues' war against this President—again, less than a year before the election. Why can't they channel all of their anger, all of their energy into the election rather than invoking the impeachment process? This would be the fourth time that has been initiated in American history, and it has never been successful in getting a Senate conviction and a removal of any President in American history. Our Democratic colleagues know they are likely

headed to the same conclusion here, but they nonetheless want to occupy all of our time and all of our attention on something that they know, ultimately, will likely be futile, will be unsuccessful, and in the meantime leave the American people on the sideline and not care or do anything that would help make their lives just a little bit easier and our country just a little bit stronger.

I yield the floor.

RECESS

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

Thereupon, the Senate, at 12:37 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, all postcloture time has expired.

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

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

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

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

The result was announced—yeas 64, nays 31, as follows:

[Rollcall Vote No. 358 Ex.]

YEAS—64

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

NAYS—31

Bennet	Cortez Masto	Hirono
Blumenthal	Duckworth	Kaine
Brown	Durbin	King
Cantwell	Gillibrand	Markey
Cardin	Hassan	Menendez
Casey	Heinrich	Merkley

Murray	Shaheen	Van Hollen
Peters	Smith	Warner
Rosen	Stabenow	Wyden
Schatz	Tester	
Schumer	Udall	

NOT VOTING—5

Booker	Klobuchar	Warren
Harris	Sanders	

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 action.

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 Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

Rick Scott, Steve Daines, Mike Crapo, Pat Roberts, Marco Rubio, Lindsey Graham, John Hoeven, Roy Blunt, Mike Rounds, John Thune, John Cornyn, Deb Fischer, John Barrasso, James E. Risch, John Boozman, Tim Scott, Mitch McConnell.

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

The question is, Is it the sense of the Senate that debate on the nomination of Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit, 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. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 80, nays 15, as follows:

[Rollcall Vote No. 359 Ex.]

YEAS—80

Alexander	Cassidy	Feinstein
Baldwin	Collins	Fischer
Barrasso	Coons	Gardner
Blackburn	Cornyn	Graham
Blumenthal	Cotton	Grassley
Blunt	Cramer	Hassan
Boozman	Crapo	Hawley
Braun	Cruz	Heinrich
Burr	Daines	Hoeven
Capito	Duckworth	Hyde-Smith
Cardin	Durbin	Inhofe
Carper	Enzi	Isakson
Casey	Ernst	Johnson

Jones	Paul	Shelby
Kaine	Perdue	Sinema
Kennedy	Peters	Smith
King	Portman	Sullivan
Lankford	Reed	Tester
Leahy	Risch	Thune
Lee	Roberts	Tillis
Manchin	Romney	Toomey
McConnell	Rounds	Udall
McSally	Rubio	Warner
Menendez	Sasse	Whitehouse
Moran	Scott (FL)	Wicker
Murkowski	Scott (SC)	Young
Murphy	Shaheen	

NAYS—15

Bennet	Hirono	Schatz
Brown	Markey	Schumer
Cantwell	Merkley	Stabenow
Cortez Masto	Murray	Van Hollen
Gillibrand	Rosen	Wyden

NOT VOTING—5

Booker	Klobuchar	Warren
Harris	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 80, the nays are 15.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Barbara Lagoa, of Florida, to be United States Circuit Judge for the Eleventh Circuit.

The PRESIDING OFFICER. The Senator from Louisiana.

FCC AND C-BAND AUCTION

Mr. KENNEDY. Madam President, I want to spend a very few minutes today to say thanks. I want to thank Chairman Ajit Pai and his colleagues at the Federal Communications Commission. The Chairman announced yesterday that he was going to put 5G technology and the American taxpayer first by holding a public auction, as opposed to a private auction, of what we call the C-band. It was a courageous decision that he made against a lot of pressure.

Allow me, for just a few minutes, to explain why that is important. We have all heard about 5G, which stands for fifth generation. It is a brandnew wireless technology. It means incredibly fast internet and cell phone calls. It means the ability to deliver as much as 100 times more data through wireless technology than we can do today.

We will notice it in our iPads; we will notice it in our computers; but we will notice it also in our cell phones.

As you know, a cell phone is really a sophisticated walkie-talkie. I will use the cell phone as an example to explain 5G. A cell phone is just a very sophisticated, much more complicated walkie-talkie. How does a walkie-talkie work? How does a cell phone work? Radio waves. The scientific term is "electromagnetic radiation."

A radio wave is just what it says, a wave that goes from my cell phone, say, to the President's cell phone through an antenna, a transmitter, and a receiver. A radio wave and the air through which it travels and the right to send a radio wave is a sovereign asset. It belongs to the American people. The American people own that