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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable MARSHA BLACKBURN, a Senator from the State of Tennessee.

### PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

Almighty God, we are reminded at this time of year of the greatness of Your gift to us in sending Your Son. Use us as instruments for His glory. Because of our faith in You, make us bold as lions in these turbulent times.

May our lawmakers work together to protect and defend our Constitution, realizing, as iron sharpens iron, so friends sharpen friends. Lord, make our Senators grateful for the fires in our Nation's history that have tested their commitment to freedom, providing them with opportunities to become profiles of courage, serving their generation with faithfulness.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

The Presiding Officer led the Pledge of Allegiance, as follows:

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. GRASSLEY).

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 11, 2019.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby

appoint the Honorable MARSHA BLACKBURN, a Senator from the State of Tennessee, to perform the duties of the Chair.

CHUCK GRASSLEY,  
President pro tempore.

Mrs. BLACKBURN thereupon assumed the Chair as Acting President pro tempore.

### RESERVATION OF LEADER TIME

The ACTING PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The ACTING PRESIDENT pro tempore. Morning business is closed.

### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The ACTING PRESIDENT pro tempore. Under the previous order, the Senate will proceed to executive session to resume consideration of the following nomination, which the clerk will report.

The legislative clerk read the nomination of Lawrence VanDyke, of Nevada, to be United States Circuit Judge for the Ninth Circuit.

#### RECOGNITION OF THE MAJORITY LEADER

The ACTING PRESIDENT pro tempore. The majority leader is recognized.

#### ORDER OF PROCEDURE

Mr. McCONNELL. Madam President, I ask unanimous consent that following the disposition of H.R. 2333, the Senate proceed to executive session and resume consideration of the VanDyke nomination; further, that the postcloture time on the VanDyke nomination expire at 4:15 p.m. today and the Senate vote on the confirmation of the nomination; further, if confirmed, that the motion to reconsider be con-

sidered made and laid upon the table and the President be immediately notified of the Senate's action; further, that following the disposition of the VanDyke nomination and notwithstanding the provisions of rule XXII, the Senate vote on the motions to invoke cloture on the Sullivan, Hahn, and Skipwith nominations in the order listed; finally, that if cloture is invoked on the Sullivan, Hahn, and Skipwith nominations, the confirmation votes occur at a time to be determined by the majority leader, in consultation with the Democratic leader, on Thursday, December 12.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

#### SENATE LEGISLATIVE AGENDA

Mr. McCONNELL. Madam President, it is no secret that Washington Democrats have been itching to impeach President Trump since the moment he took the oath of office. Remember the Washington Post's headline on Inauguration Day in 2017: "The campaign to impeach President Trump has begun." That was the Washington Post's headline on Inauguration Day in 2017.

Just a few months later, in April of 2017, one leading House Democrat had already made up her mind. She declared she would "fight every day until he's impeached." As an aside, this same senior Democrat is one of the committee chairwomen whom Speaker PELOSI asked to help lead the impeachment process. She was literally standing at the Speaker's shoulder as she announced yesterday that she will bring two articles of impeachment up for a vote. Yet she had had her mind made up more than 2 years ago, long before this supposedly fair inquiry. This is sort of emblematic of their whole process.

House Democrats announced yesterday that they will rush ahead and prepare to send the Senate articles of impeachment based on the least thorough and most unfair impeachment inquiry

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



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in modern history. Well, the House Democrats' denigration of their solemn duty will not cause the Senate to denigrate ours. If the House continues down this destructive road and sends us articles of impeachment, the Senate will take them up in the new year and proceed to a fair trial.

Now, in the meantime, our colleagues' obsession with impeachment has left us with a host of important, bipartisan legislation that is still unfinished at this late date.

For months, Senate Republicans have been calling on our Democratic colleagues to go beyond picking fights with the White House and actually legislate for the American people. Yet, for practically the entire autumn, our Democratic friends' political calculation seemed to be that these vital pieces of business could wait until the eleventh hour because impeachment was the higher priority—and wait they have.

Finally, after weeks of pressure from the Republicans and from hard-working Americans across the country, Speaker PELOSI backed down yesterday and announced that she will let the House vote on President Trump's USMCA. The Democrats have stalled this agreement for so long that it is now impossible for the USMCA to become law in 2019, especially given all of the other urgent things they have stalled right alongside it. The Democrats have simply run out the clock. Assuming the House Democrats send us articles of impeachment next week, a Senate trial will have to be our first item of business in January. So the USMCA will continue to be a casualty of the Democrats' impeachment obsession for several more weeks before we can actually turn to it. Yet I am glad the Speaker is finally beginning to bring her USMCA obstruction to a close.

As we triage in the coming days, the Republicans hope we will be able to pass not only the NDAA conference report but also government funding legislation that allocates taxpayers' hard-earned money to urgent Federal priorities. The NDAA has consistently brought Members together from across the political spectrum—and with good reason—in that it gives Congress the opportunity to set priorities for the U.S. military of the future. The NDAA helps to guide the Pentagon's investments in modernization and readiness, cutting-edge weapons and capabilities, and in servicemembers and military families.

I am grateful for the efforts by Chairman INHOFE and Ranking Member REED, who made compromises from the beginning and worked hard to ensure the conference report remained true to the 58-year tradition of a bipartisan bill that prioritizes our military and sets aside unrelated partisan priorities.

I cannot say the same thing about the Democrats in the House, unfortunately, but I hope they will learn from this year's difficult path to a con-

ference report. Next year, I hope they will produce a bipartisan bill from the beginning that will put our national security interests first. Now, obviously, that authorizing legislation should be paired with the appropriations measure that will actually fund our service-members' tools and training and enable our commanders to actually plan ahead.

I am grateful for the hard work by Chairman SHELBY, his counterpart in the House, and our subcommittee chairs to reboot a stalled appropriations process and try to get bills over the finish line in the short time that remains.

To be frank, only a laser focus from both parties in both Chambers on getting results will create a path to pass appropriations bills this year. There is simply not the time left for my Democratic friends to continue hagglng over the exact kinds of poison pills, partisan policy riders, and Presidential transfer authorities that the Speaker and the Democratic leader had explicitly agreed months ago would be off the table. Under the agreement months ago, these were supposed to be off the table.

The White House, Republican leaders in both Chambers, and the Democratic leaders in both Chambers all agreed to these parameters—literally pledged in writing that these kinds of partisan roadblocks would be kept out of the process. So if all parties honor what they agreed to, we should have an opportunity to agree on government funding in time to make this a law this month, which means next week.

Now that our Democratic colleagues are back at the table, Senate Republicans stand ready to do all we can in the time we still have. Let's end this legislative year on the right foot. Let's deliver for our All-Volunteer Armed Forces and for families all across our country.

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. 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.

#### PRESCRIPTION DRUG COSTS

Mr. THUNE. Madam President, over in the House this week, Democrats are taking up the latest installment in their campaign to have the government take over Americans' healthcare: the Pelosi prescription drug bill.

There is no question that high prescription drug costs are a problem. One in four seniors reports difficulty affording medications, and there are too many stories of patients being forced to ration pills or to abandon their prescription at the pharmacy counter. But the Pelosi drug bill is the wrong prescription for the problem of high drug prices. Why? Because it would reduce Americans' access to lifesaving treat-

ments and discourage investment in prescription drug research.

Between 2011 and 2018, more than 250 new medications were introduced worldwide. American patients have access to nearly all of them, but that is not the situation for patients in a lot of other countries. The chamber of commerce reports that patients in France have access to just 50 percent of those new drugs. French patients, in other words, are missing out on fully half of the new drugs that have been introduced in the past 8 years.

Why do Americans have such tremendous access to new drugs while other countries trail behind? Because the U.S. Government doesn't dictate drug prices or drug coverage. As statistic after statistic demonstrates, when governments start imposing price controls, patients' access to new drugs and treatments diminishes.

Government price controls also discourage the medical research and innovation that produce the prescription drug breakthroughs of the future. The United States leads the world in prescription drug innovation, and a big reason for that is because the U.S. Government doesn't dictate drug prices.

It wasn't always this way. European investment in drug research used to exceed U.S. investment, but that changed when European governments stepped in and started imposing price controls. Today, European investment in drug research and development is almost 40 percent lower than U.S. investment, in large part because of European governments' price controls.

No other country comes close to achieving the number of prescription drug breakthroughs that companies in the United States achieve. That situation, however, is not going to last if the Democratic Party has its way.

The Pelosi drug bill would impose a system of government price controls on up to 250 medications, and reduced access to drugs and fewer medical breakthroughs would soon follow.

The California Life Sciences Association released a statement noting that the Pelosi drug bill could result in "an 88-percent reduction in the number of drugs that are brought to market by small/emerging companies in California." It goes on to say that "such a dramatic decline would be felt most in the higher risk/smaller population therapeutic areas of R&D, including new drugs for endocrine, metabolic, genetic and rare diseases, and pediatric cancers." Again, that is from the California Life Sciences Association. In other words, there would be fewer medical breakthroughs for those who need them the most.

As I said earlier, the high cost of some prescription drugs can be a real problem for many families, but the answer—the answer—is not to introduce a government-run pricing system that would mean that important prescription drugs would not be there when you or your child needs them.

There are a lot of things we can do to lower the cost of prescription drugs

without resorting to government price controls. Multiple Senate committees have been actively engaged on this topic. There are options for how to improve transparency in a complicated and often opaque drug-pricing process. There are ideas to examine competition and consolidation in the pharmaceutical supply chain; to ensure that generic companies can access the samples they need to develop a new generic or biosimilar; to prevent companies from engaging in patent thicketing to block competition; to promote real-time benefit tools to help inform consumers of cheaper drug options; to advance value-based insurance design to support coverage of high-value items and services, like medicines, that people with chronic conditions need to manage their health; and to modernize the Medicare Part D plan design and cap seniors' out-of-pocket costs.

Republicans in the House recently introduced legislation on prescription drug costs that both promotes innovation and contains bipartisan ideas for reform, including increased transparency in drug pricing and provisions to prevent drug companies from gaming the system. This bill provides several ideas passed by the Senate Finance Committee, while focusing on policies that can be passed through both Chambers of Congress. Importantly, it eliminates those policies that have divided us.

There are bipartisan solutions on the table. It is unfortunate that House Democrats have abandoned bipartisan efforts on drug pricing and have decided to pursue their government-run alternative.

It boils down, really, simply to this: Government price controls mean access to fewer drugs, and access to fewer drugs means that when you or your child or your mom or your dad needs a lifesaving medication, that drug may be out there, but it may not be out there for you, and that is not acceptable.

The Pelosi drug bill is a bad prescription for the American people.

I yield the floor.

I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### JERSEY CITY SHOOTING

Mr. SCHUMER. Mr. President, before I begin, I want to express deep sympathy for the families and the victims of the shooting yesterday in Jersey City, which left one fallen police officer, Detective Seals, and several bystanders as victims. My heart goes out to their friends and family today.

Local and Federal law enforcement must investigate quickly and professionally so we can implement the best responses. We are not sure yet if this was motivated by hate or if it was criminal in nature, but whatever the answers, rest assured the response must be swift, sure, and strong.

#### IMPEACHMENT

Mr. President, now on impeachment, yesterday, the House Judiciary Committee announced two Articles of Impeachment against the President of the United States. The articles allege that President Trump abused the office of the Presidency by soliciting the interference of a foreign power in our elections to benefit himself personally. They also allege the President obstructed Congress in the investigation of these matters.

The President has had every chance to defend himself against these allegations. He has had every chance to rebut the specific evidence that was presented in the House. If there is information or a witness who the White House believes can provide exculpatory evidence in defense of the President, nothing is stopping them from testifying under oath. But if the President is so innocent, if this is a mere witch hunt, then why isn't he answering the specific charges? Why is he blocking witnesses from testifying who would have direct knowledge of these facts?

The House has made an extremely strong case. The burden now lies on the President to rebut it, if he can. And what the majority of Americans are saying is that the fact that he refuses to produce rebutting evidence, the fact that he blocks witnesses from testifying, the fact that he won't let documents come forward may well indicate that he did everything alleged in the House proceedings.

To talk about things that are unrelated to the charges against the President have nothing to do with what happened here. The President merely needs to claim his innocence. If he has nothing to hide, he should have nothing to fear from handing over documents or allowing witnesses to testify. So their silence, the silence imposed by the White House on top officials with knowledge of these dealings, speaks volumes.

What has the President, the White House, and their congressional allies here in the Senate and the House tried to do? Instead of defending the President with facts, the White House, the President himself, and congressional Republicans employ one fringe conspiracy theory after the next to explain away the President's conduct, even though they have nothing to do with the specific charges against the President.

Here in the Senate, unfortunately, we have several Members on the other side of the aisle who are forming their own conspiracy caucus. Any conspiracy theory pulled out of the air by known pranks, then broadcast on FOX News, which shows an all-too willingness to

broadcast this stuff, is then picked up here as a diversion. Why do they want to divert? Is it because they know the facts can be answered?

For the past few weeks, certain Republican Senators have repeated the fiction invented by Putin's intelligence services that Ukraine, not Putin, interfered in the 2016 election. They are mouthing Putin's propaganda. The Republican Party is to be anti-Russian, anti-Putin, anti-Communist, but now all of a sudden, because President Trump has created so many different diversions because he seems to go along with what Putin wants, these Republicans have become Putin mouthpieces when it comes to these conspiracy theories.

Today, an example, the chairman of the Senate Judiciary Committee is holding a hearing on the report issued this week by the Department of Justice Inspector General, which found no evidence of a political motive for the FBI investigation into the Trump campaign. The deputy counsel of the FBI said there was an obligation to investigate—not by anyone's design—once they heard these allegations that came from a credible source.

What will the Judiciary chairman do? Will he focus on the central finding of the IG report? I suspect not. I suspect Republicans on that committee, instead, will take every opportunity to contort the facts to further the President's baseless claim that the FBI was out to get him. So many people accused of crimes and wrongdoing, instead of addressing the issue when they know they are guilty, blame the prosecutor. That is not what our system of justice is about.

But, astonishingly, that is what the chief law enforcement officer of the land, the Attorney General of the United States, did yesterday in interviews. Contradicting the findings of his own inspector general—someone who would study the case for months, someone who the Attorney General himself had recently praised as fiercely independent and a superb investigator—what Attorney General Barr did was push the false narrative that the FBI acted in bad faith when it investigated the Trump campaign. Attorney General Barr has signed himself up to be a charter member of the conspiracy caucus.

The real bad faith is the relationship between the Attorney General and his oath of office. He did not swear to "support and defend President Trump," but that is what he has done as Attorney General. It is deeply, dangerously corrosive to the primary rule of law in our constitutional system.

At the same time, the Attorney General's handpicked prosecutor John Durham put out a ridiculous statement on Monday, criticizing the findings of the IG report. Durham used to have some credibility as a no-nonsense prosecutor, but when Barr chose him, I said, Uh-oh, because Barr is not a down-the-middle guy. By putting out a

hugely partisan, political statement on a pending investigation he is doing, Mr. Durham has signaled to the world he is not capable of producing a report that anyone can take seriously.

Unfortunately, Mr. Durham, like too many others, has aligned himself with Attorney General Barr and consigned himself to the world of alternative truth facts, many of them on the fringe. Whatever reputation Durham had for fairness is now in tatters.

Now, Mr. President, there is a possibility that the Senate will be served with the Articles of Impeachment for the President from the House. We may soon, in all likelihood, confront the demands of hosting a trial for the Chief Executive and serving as judges and jurors in determining the fate of that trial. With such a weighty constitutional responsibility on the horizon, I implore my colleagues to stop dipping their toes in the murky waters of conspiracy. Hew to the facts. Don't prejudge the outcome. Remember our oaths to the Constitution, our responsibility to do impartial justice in the Senate trial. That is our responsibility. History will judge whether we live up to it or not.

#### BORDER SECURITY

Mr. President, now, on the recent decision about the wall by the Federal court in Texas. Yesterday, the Federal court in Texas issued a nationwide injunction, blocking the Trump administration from using military construction funding to build his wall. The decision confirms what many Democrats and a few Republicans in the past have said. The President's emergency declaration, which allowed the administration to steal the profits from military families to pay for a wall President Trump promised Mexico would pay for, is an outrageous legal power grab.

The injunction is a win for the rule of law. It should serve as a warning to Republicans in Congress and the Trump administration that the power of the purse, given exclusively to Congress by the constitution, cannot be usurped. At his rally last night, President Trump said, The courts are siding with me on the wall. He had not read the decision. He has already built so much of the wall. Well, thank you, Mr. Trump. You have just buttressed a portion of the wall that President Obama built—nothing new.

As we look ahead to concluding negotiations on appropriations before the end of the year, my Republican colleagues should remember that a Federal court ruled the Trump administration was beyond its legal right when it took funding from other sources to build a wall.

#### NOMINATION OF LAWRENCE VANDYKE

Mr. President, the VanDyke nomination, today, the Senate will vote on the confirmation of Lawrence VanDyke to serve on the Ninth Circuit Court of Appeals. After seeing so many radical and unfit judicial appointments over the past few years, I am almost surprised

President Trump is still able to find nominees like Mr. VanDyke who is unqualified, even in comparison to some of the worst nominees we have seen under this administration.

VanDyke has a history of bigoted writing about LGBTQ Americans, radical views on even the most common-sense gun safety legislation, and a proven hostility to reproductive rights. On top of his radical views, Mr. VanDyke has received stunningly negative reviews on his qualifications and temperament. The American Bar Association doesn't do this much, but it rated him "Not Qualified." In over 60 interviews with Mr. VanDyke's colleagues, he was described as "arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice, including procedural rules."

It went on to say, "The nominee lacks humility, has an 'entitlement' temperament, does not have an open mind, and does not always have a commitment to being candid and truthful."

This is whom we are voting on today, my Republican friends. What is going on? Because someone is hard right and radical, we excuse all of their personality defects found by the ABA? And, amazingly, this is someone not even for a district court but the circuit court. This is getting to the point of utter absurdity.

For obvious reasons, both home State Senators objected to VanDyke's nomination. In the past, the Senate would respect those objections. It would be a check on someone so unqualified on getting to the bench, but Leader MCCONNELL and Senate Republicans are in such a rush to fill the bench with these hard-right nominees that they have blown through Senate traditions and most standards of reason and good judgment.

Please reject this nominee. He is so unqualified. He is a low human being—at least according to all of this—and he will have a lifetime appointment on the circuit bench? That would indicate the decline of America, one more indication, unfortunately, propagated by this administration.

#### TAX REFORM

Mr. President, finally, in a week or so, it will be 2 years since Republicans jammed through a massive tax cut for corporations and the megawealthy on a party-line vote.

Two years later, it is worth looking back on the promises Republicans made when selling this to the American people. At the time, the President said the bill would be "a middle-class miracle." The administration promised Americans would get a \$4,000 raise. Congressional Republicans said giving a corporate tax cut would boost jobs and investment.

Two years later, it is clear the tax bill has failed to live up to any of those sunny predictions. Middle-class wages still aren't growing fast enough to keep up with the cost of living. Businesses aren't investing in newfound profits in jobs or wages. In fact, since the passage

of the Trump-Republican tax bill, while capital expenditures by businesses remain low—that is investing in jobs and equipment and things that employ people and give them better wages—corporate stock buybacks, which, by and large, benefit wealthy shareholders, explodes, setting annual records. Last year alone, over \$1 trillion was spent on stock buybacks, while millions of middle-class Americans didn't see enough improvement in their quality of life.

As many Democrats, including myself, predicted 2 years after its passage, the Republican tax bill has overwhelmingly benefited shareholders and corporate executives, not workers and their families. America will remember that as we head into an election year.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

#### BIPARTISAN AMERICAN MINERS ACT OF 2019

Mr. MANCHIN. Mr. President, I rise today, and I want to make it very clear—it is going to be very short and succinct—that time is running out on our coal miners. We need to fix this now—not in 2020 but now. I will explain why.

We have over 13,000 coal miners who will lose their healthcare and 82,000 coal miners who will lose their pensions next year if we do not do something now. That is why I am standing here before you. That is why I am putting a hold on all legislative business coming through the Senate until we get assurances.

This is not who I am. Anybody who knows me, knows I don't do this, but I am so committed to the people who built this country and to a commitment we had in a 1946 agreement with the Federal Government that they would be able to have a pension and retirement for the very difficult and very dangerous hard work that they do. They weren't asking taxpayers or anyone else to bail them out. It was coming from the sale of the product, the coal that they mine for the energy for this country.

Only my bill, which is the Bipartisan American Miners Act, has bipartisan support on both sides in the Senate and over in the House. I know if Congress passed it, President Trump would sign it. I know that.

Can you imagine being one of the coal miners trying to enjoy your holidays this year knowing that you might wake up January 1 with no healthcare coverage and a reduction in your pension?

Let me explain to you the pensions. The average pension of a coal miner—most of these are widows now because the miners might have passed away—is \$600 or less, so we are not talking about thousands of dollars. We are not talking about that whatsoever. This is all the means of sustaining a quality of life or helping them through a quality of life.

These coal miners and their families deserve the peace of mind of knowing

that the healthcare they have earned and the pensions they have paid—these are things they have paid into and earned. They didn't take home this money. It stayed right there in their investments. We can give them that peace of mind today, and no legislative business will pass without coal miners first.

I reluctantly say that we might be here through Christmas or we might be here through New Year's, but I will do and make whatever sacrifice I can for the people who made the sacrifice for us, and that is the coal miners who provide the energy for us to be the greatest Nation on Earth, for us basically to be the superpower of the world and the leader of the free world. It is because of the energy they have produced. If we can't honor that, then what do we honor, whom do we honor, and what is our purpose for being here?

I ask each one of my colleagues to please talk to all of our leaders. Let's come together sensibly. Let's make sure this is in the package we put together, and we will continue business and be able to go home and enjoy the holidays the same as they should be able to enjoy the holidays. Our going home and their not being able to enjoy it is not who we are; it is not the American dream; and it is not who we are as Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Arkansas.

#### HONORING STEPHEN CARR

Mr. BOOZMAN. Mr. President, I rise today to honor the life of Fayetteville, AR, Police Officer Stephen Carr, who made the ultimate sacrifice in the line of duty on Saturday, December 7.

Officer Carr was sitting in his patrol car in the parking lot behind the police station when he was shot and killed. The 27-year-old had been a member of the Fayetteville Police Department for 2½ years and was assigned as a patrol officer in the Dickson Street entertainment area.

In that short time with the police department, he demonstrated his professionalism and duty to upholding the rule of law. The Fayetteville police chief described Carr as an exemplary officer who was an all-American boy. The chief said at a press conference over the weekend: "If I had 131 Stephen Carr's, I wouldn't be more ecstatic."

Carr grew up in a law enforcement family. He witnessed the dedication, service, and commitment to protecting the community by people he loved. His friends described him as a strong and kind person, whose lifelong dream was to serve as a police officer.

He loved spending time outdoors hunting and fishing. A graduate from The Woodlands High School in The Woodlands, TX, Carr played football and earned recognition as an all-district offensive lineman. He went on to play football at Southwest Baptist University in Bolivar, MO, and his former coach described him as a young man who made a big impact on campus.

We rely on law enforcement officers to keep us safe. Each day they put on their uniform, knowing the risks that come with public duty to serve and to protect. Officer Carr's death is a reminder of the dangers these first responders face daily and how quickly a situation can go from ordinary to deadly, which is why those willing to take on this role deserve both our gratitude and our respect.

The outpouring of support from the Fayetteville community has been a tremendous strength to the police department as they mourn the loss of a brother in blue. I pray they will find comfort from this encouragement during this very, very difficult time.

My thoughts and prayers go out to Officer Carr's family and friends. I also stand with all Arkansans in expressing our gratitude for Officer Carr's service and commitment to honoring the sacrifice that he and others have made to protect us. We will forever remember him as a true American hero.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

#### TAX REFORM

Mr. WYDEN. Mr. President, over the next 45 minutes or so, finance Democrats will come to the floor, and we will be discussing the second anniversary of the Trump tax bill. As the ranking Democrat, I am going to begin it. I know my colleagues will be joining me.

The Trump tax law is now 2 years old, and for millions of middle-class Americans, it is not a very happy anniversary. My own view is that the economic legacy of the Trump administration will be that they spent \$1.5 trillion to widen the economic gap in America. If I were to sum up what the law—the Trump tax law—was all about, it was about making wealthy people wealthier and the middle class being an afterthought. I am going to walk through some of the reasons I reached that judgment, and then my colleagues will be getting into some of these issues as well.

Donald Trump and Republicans in the Congress promised—promised—they would write a bill that was focused on helping workers and the middle class. The President told me personally that he thought he and people like him should not get a tax break. He said that to me personally, but that simply wasn't the case.

We were told that the Trump tax legislation would pay for itself. That was wrong by a couple of trillion dollars. We were told that it would kick off a towering wave of job-creating investments in so many hard-hit American communities. That has not been the case. We were told that workers would get, on average, a \$4,000 raise. That was wrong once more. It was wrong on all counts with respect to the promises made to the American people.

What, in fact, did happen is rates were slashed for folks at the top and multinational corporations. The cor-

porations then turned around and shoveled that money back to the shareholders who, by and large, are wealthy themselves, and you saw a historic boom in stock buybacks.

Now the sugar high has worn off, and I have been going home for town meetings open to all. I am going to be in a county this weekend that President Trump won. I will be listening to people. I won't give any speeches. I will be just listening to people. What I hear at these meetings in counties in Oregon that Donald Trump won is that folks see very little evidence that their lives have changed or that somehow this tax bill ended up trickling down to them. My sense is, it is amazing that a bill can cost so much and can borrow so much and fail the middle class so thoroughly.

There are two issues that are important to focus on going forward, and we are going to talk about those. There is a lot of talk about how congressional Republicans and the Trump administration are talking about another—another—scam tax proposal, basically going to the same playbook that made the middle class an afterthought 2 years ago. I think it is important that people understand that all the evidence indicates this second bill isn't going to focus on the middle class either.

According to the reports in the press that have been discussing this new Republican proposal—which is, in effect, an admission that the first proposal failed the middle class while helping the most fortunate—what we hear about this new proposal is that Republicans are considering what would amount to yet another massive hand-out for folks at the top of the economic pyramid.

One Trump adviser is reportedly discussing a proposal that would effectively wipe out the taxation of capital gains, and we all know that a fraction—a tiny fraction—of the American people get most of those capital gains, and they happen to be the most fortunate.

The U.S. Tax Code is already a tale of two systems. We have one for cops and teachers. Their taxes are taken out of every single paycheck. We have another one for high flyers who can make most of their money, for example, off investments. To a great extent, because of the laws that allow them to defer paying their taxes, those high flyers can pay what they want when they want to. I don't know of any cops or teachers in North Dakota or Oregon who have that. Their taxes are taken out of every paycheck once or twice a month. Their system is mandatory.

If you are a high flyer and you make most of your money off investments, your taxes aren't mandatory, and if you use the doctrine of tax deferral, you can just defer and defer and defer. And after you pass, you can hand everything off to your kids, Johnny and Mary, and they get the stepped-up basis, and then they get to do the same thing.

You have to have one set of rules that applies to everybody. That is what we, on our side of the aisle, have been working for. We think you ought to have one set of tax rules that applies to everybody. That, by the way, gives everybody in America the chance to be successful. That is what Bill Bradley—somebody I look to for advice, a member of the Finance Committee, and another tall Democrat with a lot better jump shot than mine—but he and Ronald Reagan got together, and they produced a proposal that gave everybody in America a chance to get ahead.

That is not what this new Trump tax discussion is all about, this new proposal. I am not talking about the top paying a fair share. I will just mention what it could mean for folks at the very top. Wealthy people whose income is based on capital gains could be off the hook completely—completely.

The first Trump tax law took what is already broken about our tax system, and they embedded unfairness to the middle class and made the problem even worse. They are not going to fix it by doubling down on the same failed policies.

The second issue that the Trump folks are apparently going to be focusing on, going forward, is handouts to billionaires and corporations. That is the big accomplishment to date. It is inseparable from the Trump agenda, which is all about helping those at the top at the expense of everyone else.

Donald Trump has sought to kick more than 20 million Americans off their healthcare since day one. He has tried to gut Medicaid, which is a lifeline for so many seniors who depend on long-term care and nursing homes, and it is a centerpiece of our fight against opioid addiction.

The President proposed slashing education funding for students and teachers and slashing housing funds at a time when millions of Americans are struggling to afford rent or to cover the mortgage. I can go on—home heating assistance, Meals on Wheels, same pattern again and again.

Tax handouts for the most fortunate multinational corporations and billionaires—the ones we were told would pay for themselves—sent the deficit into the stratosphere, and then working people and the middle class, in addition to being an afterthought in terms of benefits, are expected to endure the pain of the Trump budget cuts.

Middle-class folks know they got a raw deal in the Trump tax law in 2017. That is why it has been so unpopular. I was struck in the campaign of 2018 by Republicans who thought they had done something that would be so valuable to the American people. They couldn't even go out and talk about it with middle-class folks because middle-class folks would say: We didn't really see much of anything. We might have gotten a little bit to take the family to dinner, but we don't remember getting much of anything.

So, on the anniversary of the Trump tax law, the people who are celebrating

are the high flyers and corporate executives who are tallying up stock buyback benefits and the handouts they got, but if you work for a living, you really are saying: This sure looks like a con job.

In the months and years ahead, my Democratic colleagues and I on the Finance Committee and in our caucus are going to be working with anybody who is interested in fixing our broken tax system for good. We have shown that is our interest. Personally, I wrote the only two comprehensive bipartisan proposals to reform our taxes since Bill Bradley and Ronald Reagan got together, first with Judd Gregg, then the chairman of the Budget Committee and, most recently, with our colleague who is director of National Intelligence, Dan Coats.

So I and others—and I see TOM CARPER, a valued member of the Finance Committee from Delaware here—are committed to working with our colleagues in a bipartisan way to have a tax system that gives everybody a chance to get ahead. That is not what we got 2 years ago, but we want it understood that we are going to continue, and I say personally, as ranking Democrat on the Finance Committee, that we are going to continue to reach out a hand of welcome to Republicans who want to work for something different than what passed 2 years ago and a tax code that would create one set of rules in America, built on fairness, that applies to all Americans.

I note my colleague from Delaware is here to make remarks on this subject.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Mr. President, I thank my colleague and my friend for his leadership, and I thank him for yielding the floor to me.

I have been here 19 years. It is pretty hard to believe. Some of my detractors say it seems longer. It has gone by pretty fast. In the past, I have been privileged to have been a naval flight officer for many years and retired as a Navy captain. I am the last Vietnam veteran to serve in the U.S. Senate today.

I have been privileged to serve as treasurer, Congressman, Governor, and Senator for my State. I loved being Governor. I love being a Senator. I am really lucky. There are 1,900 people in the history of our country who have had the privilege of serving here, and we get to be among them.

Before I came here, I was Governor for 8 years and got to be chairman of the National Governors Association as well. It was a huge honor to work with Governors. There are a bunch of former Governors here whom I get to work with today. I like that a lot.

During the 8 years I was Governor, we had 8 years of balanced budgets. In 7 out of those 8 years, we actually cut taxes, but we always balanced our budget. We paid down some debt, and we earned an AAA credit rating for the

first time in State history. More jobs were created in those 8 years—in the 8-year period in the history of the State of Delaware. I don't say that to be boastful. I didn't create one of them. As Governor, I tried to provide some leadership and to work with stakeholders in our State and in our government and outside of government—people from all walks of life and businesses large and small. I tried to create a nurturing environment for job creation and job preservation. That is what we tried to do, and we were pretty good at it. We were pretty good at it. We are still pretty good at it in Delaware.

That nurturing environment is made up of a lot of different things. Among the elements are our workforce, people who are educated, trained, and have the experience to work to contribute in the workplace, whether it is agriculture, tourism, financial services, manufacturing, technology, you name it.

Right now, we have a big challenge in filling all of these holes in jobs around the country. We just got a jobs report last Friday that shows how the job market was going in the country in the month of November. One of the things we learned in the jobs report was that maybe about 156 million or 157 million people went to work in November every day, but there are 5 million or 6 million jobs where nobody showed up. Nobody showed up because they didn't have the skills, the education, or the training, or they didn't live in the right part of the country, they didn't want to do that kind of job, or maybe they couldn't pass a drug test.

A lot of jobs are going wanting in this country. That has to be a concern as we try to provide a nurturing environment, work on the workforce side of preparing them for success, and help to bolster the growth of our economy going forward.

Among the other pieces of that nurturing environment, besides the workforce, are access to foreign markets and the investment by the Federal Government and State governments, too, in the private sector to put investment into research and development that can be commercialized in order to create the successful businesses going forward in the future.

Transportation is important, not just roads, highways, and bridges, but rail transportation, shipping, air. All of that is important. Access to the internet—there are a lot of places in the country that don't have access to the internet. We think they are just in rural areas, but a lot of them are in cities—in cities that have tough neighborhoods and are struggling.

Last night I was privileged to have dinner with the cabinet secretary for the State of Delaware, who has been working in a great partnership in our State, where the State provides money and we work with private sector partners to help bring broadband to virtually every rural part of our State.

That is a great goal, and I think we are closing in on achieving that. That is another important element in the environment for successful businesses and for business growth.

Other ingredients include public safety, and they include the protection of our intellectual property, cyber security, and the ability to make sure that for our products—whether they are goods and services, or goods or services, or both—we have the ability to sell those into markets around the world without impediment.

Another one that is important is the Tax Code—a tax code that is fair, a tax code that fosters economic growth, a tax code that is not incredibly difficult for people to understand and comply with, and a tax code that doesn't leave us with a huge hole in our budget deficit.

The folks at CBO tell us these days, if we look at spending as a percentage of GDP—Federal spending as a percentage of GDP—today, it is a little over 20 percent, maybe 20.5 percent. The percentage of revenues of GDP is about 16 percent. When you spend 20 percent of GDP and you raise about 60 percent of GDP revenue, that delta there is our deficit.

The deficit for the last fiscal year was \$850 billion. I haven't sat down and added this up. That is probably more than the first 200 years of our country, combined, and it is \$850 billion in 1 year.

The deficit for the current year is expected to be \$1 trillion. It is an unimaginable number, except maybe in the case of a war, like World War II or maybe World War I.

I serve on the Finance Committee with Senator WYDEN, Senator BROWN, who is on the floor now, and Senator STABENOW. We were faced with the opportunity to do smart things with respect to our Tax Code, to try to make it more fair, better able to foster economic growth, less complex, and, actually, to reduce deficits.

As it turned out, without a single Democratic vote—in fact, we didn't have the opportunity to offer amendments as the measure moved through committee and on to the floor through the Senate, and we had no opportunity to offer amendments.

I just sat in a hearing in the Finance Committee a few minutes ago, and they quoted Rob Wallace, from Wyoming, a senior official now in the Interior Department. Rob Wallace likes to say that the best solutions are the most lasting solutions, and they are bipartisan solutions. They are bipartisan solutions. We had the tax changes. They were massive changes in the Tax Code that were run through here without any bipartisan support.

We were told at the time the tax bill was signed into law by President Trump that it would pay for itself, that it would not increase deficits—that it would actually pay for itself, it would lower taxes. It would pay for itself, and we would have more revenues.

As it turns out, that is not true. It wasn't true this time, and, frankly, it has been asserted many times that if we can continue to cut taxes, revenues will just flow, and everything will be just hunky-dory. That is not true, unfortunately.

Almost 2 years, to the day, have passed since the Republican tax bill was enacted. I think it is time to take a good look at some questions that my Democratic colleagues and I posed when we were debating this bill, to see how this law has fared.

First of all, is it fair?

A fair tax law would have ensured that working families in Delaware and across the country share in the benefits of tax reform. Unfortunately, the 2017 Republicans tax law fails the fairness test in spectacular fashion.

According to the nonpartisan Tax Policy Center, by 2027, the top 1 percent of earners will receive 83 percent of this tax law's relief. Eighty-three percent is for the top 1 percent. By the same time, Americans earning less than \$75,000 will actually see their taxes go up. How about that?

When it became clear that the wealthiest Americans would get the lion's share of the benefits, this administration tried to play a game of smoke and mirrors with the American people by promising that their massive corporate tax giveaway would trickle down to working families.

President Trump told us that the average household would see their income increase by \$4,000 to \$9,000 per year. Sadly, it is clear that has not happened. In fact, according to a report by the nonpartisan Congressional Research Service, ordinary workers saw very little wage growth in 2018.

What about the bonuses that workers were promised? That same Congressional Research Service report shows that the bonuses attributed by companies to the tax law—when divided among all American workers—comes out to \$28 per person. It is not exactly the rewards that were promised.

The second question is, how does this tax law encourage economic growth? It was passed at a time when we were about 8 years into the longest running economic expansion in the history of the country when this was enacted. It came as the economy was growing consistently for almost a decade.

Two years ago, a survey of top economists from across the political spectrum found that only 1 out of the 43 experts surveyed believed this type of tax reform would boost economic growth. It turns out that the other 42 were right. Don't take my word for it. Let's look at some facts.

The CRS report I mentioned earlier found that in 2018, GDP grew at 2.9 percent, the same as what the nonpartisan Congressional Budget Office predicted before the tax law was factored in. Business investment did increase in 2019, but CRS found that the investment patterns did not align with the incentives of the 2017 tax law, raising

questions about how much longer term, sustainable growth will result from the law. For example, CRS found that the tax law made investing in R&D comparably more expensive than investing in other areas, such as equipment and structures. But R&D investment actually increased faster than investment in equipment and structures in 2018.

In fact, now that the sugar high of the corporate tax cuts has passed, business investment has started to slow in 2019 to the point where the Federal Reserve has cited what they call continued softness in business and investment as a key reason for the Fed's most recent interest rate cut. Instead of sustained investments, corporations have used their savings from the tax law for record-setting stock buybacks that have an outsized benefit for wealthy shareholders and senior executives.

Job growth follows the same pattern. Despite President Trump's constant self-congratulations over jobs numbers, job growth has averaged about 180,000 per month so far in 2019, down from the sugar-high average of 223,000 per month in 2018. In fact, average job growth in 2019 is more comparable to job growth in 2016, where it was about 193,000 a month. In 2017, it was about 179,000 per month, in the 2 years leading up to the tax law's enactment.

The third question: Did it simplify the Tax Code?

One goal of tax reform was supposed to be simplifying the Tax Code, to reduce the unpredictability and uncertainty, but the 2017 Republican tax law fails on this question too.

In 2017, Republicans said that after tax reform, Americans would be able to file their taxes on a postcard. What we ended up with last year is a mighty big postcard—one that included six new schedules, and, as then-National Taxpayer Advocate Nina Olson predicted, caused additional complexity and hassle for taxpayers, increased the risk of errors, and resulted in higher tax preparation bills for most American families. In fact, the word "postcard" got to be so unwieldy that the IRS has now redesigned the form to look more like the one Americans filled out pre-tax law.

We also failed to get greater certainty from the 2017 tax law. I have heard from Delaware families and businesses alike that they are concerned about the impact of the tax law's mistakes and unintended consequences—an unsurprising development since our colleagues rushed to pass the law in the dead of night without any public hearings and with changes scribbled in the margins.

What is more, the law created a new fiscal cliff at the end of 2025, which makes tax policy unpredictable for families and businesses.

That brings me to my fourth and final question: Has it been fiscally responsible?

Even though the law's individual provisions—including the increase in child



tax credit increase in the standard deduction—expire at the end 2025, this law blows a \$1.5 trillion hole in our national debt. And it will be far costlier than that as the deficits grow in the years and decades ahead.

Two years ago, our Republican friends in Congress and the administration repeatedly claimed their tax law would pay for itself. As I said earlier, it just hasn't happened.

According to the nonpartisan Congressional Budget Office, U.S. tax revenue in 2018 was \$275 billion lower than if the tax law had not been enacted and lower than otherwise would have happened. This sharp drop in corporate income tax revenue has been particularly dramatic.

CBO data shows that corporations paid \$135 billion less in 2018 than they would have if the law had not gone into effect—a decline of nearly 40 percent. As a result, U.S. revenue as a percentage of GDP in 2018 was 16.4 percent, a lot lower than the 19 percent during the 4 years of balanced budgets in the Clinton administration, when we had a Republican majority in the House and Senate.

The other side of this equation is, again, that the spending was 20.5 percent. That delta between those two numbers explains the deficit.

Let me close with this. I would like to quote a fellow from Wyoming, who was recently before the Energy and Public Works Committee. He has been nominated to be the head of the part of the Interior Department that includes national parks and fisheries and wildlife. He used to work for Malcolm Wallop here. He is a longtime friend of JOHN BARRASSO and I think others from Wyoming, MIKE ENZI. He is a very impressive guy. I like him a lot. This is one of the things he said: Bipartisan solutions are lasting solutions. That is what he said. He said: Bipartisan solutions are lasting solutions.

The tax law that was enacted 2 years ago was not a bipartisan solution. As it turns out, in retrospect, it has not been fair, it has not fostered the kind of economic growth long term that we expected or hoped or told it would bring, and it has not made the Tax Code all that much simpler. And, finally, it has just dramatically inflated the budget deficit. That is not sustainable. Other than that, it turned out just great.

I yield the floor to some others who have been waiting, including Senator BROWN and Senator STABENOW.

The PRESIDING OFFICER (Mr. PERDUE). The Senator from Ohio.

Mr. BROWN. Mr. President, I appreciate the comments of Senator CARPER and Senator WYDEN and all the members of the tax-writing committee with Senator STABENOW. I believe a couple more Senators will join us—I believe Senators CARDIN and CANTWELL.

Thanks for the work you do, Senator STABENOW, on this issue and so many others.

We all know now what the Trump tax scam did. We know it was a giveaway

to the richest people in the country. It was a \$1.5 trillion tax cut. Seventy percent of it went to the wealthiest people in the country. We know that. We pretty much knew that in the beginning. We know the President said all kinds of things—one lie after another—about it.

I want to tell two stories. One of them is from when I was at the White House with the President and half a dozen other Senators sitting in the President's Cabinet Room when he was talking about the tax bill. He said to me and to other Senators that every American will get at least \$4,000 more in their paycheck—at least. I guess he meant people in Gallipolis and Ironton, OH, and Portsmouth and Cleveland and Lansing, MI, and Kalamazoo and everywhere else. He said everybody was going to get \$4,000. That is what he said when the bill was being written. When he signed it, he said everybody was going to start seeing a lot more money in their paychecks. Well, he lied. No surprise there—he always does that. He lies about a lot of things. But I particularly take it personally when he lies about something like that; when voters in Lima and Piqua, OH, don't get what he promised them; when citizens and workers just don't get the help.

At the same time, when I was at that meeting, I went up to the President. I had in my hand a bill I was working on called the Patriot Corporation Act. I went up to the President after the meeting. I had mentioned it during the meeting, and then I walked up to him and said: Mr. President, this is the Patriot Corporation Act. I want you to consider this.

Unlike the bill we were looking at, which gave tax cuts to all kinds of corporations and all kinds of the wealthiest people in this country, the Patriot Corporation Act was simple. The Patriot Corporation Act said: If you pay your workers a decent wage; if you provide adequate benefits—health and retirement—to your workers; and if you are in manufacturing and you do your production in the United States, then you will get a break on your taxes. So if you do things right as an employer—decent wages, decent benefits, do your production in the United States—you get a lower tax rate. But if you don't, if you pay low wages or outsource jobs, you pay something called the corporate freeloader fee.

This is because so many companies in this country—they might be retail outlets, whatever these companies are—pay \$8 or \$10 or \$12 an hour, and their workers are eligible for Medicaid, food stamps, Section 8 housing, and, basically, those companies are subsidized by taxpayers. So why not have a tax system where corporations that do the right thing get a lower tax rate, and corporations that rely on the government to fund them—food stamps, the earned income tax credit, Medicaid, and all of that—those corporations ought to pay a corporate freeloader fee to the government.

That is the first story. The second story I wanted to tell you about—the

three of us right here in this room right now, Senator CARDIN and Senator STABENOW and I, were in the midst of this—when this tax bill was written, it was written in the Senate Finance Committee. You know, when we do things in the Senate, we do these things out in public—in the Senate Finance Committee—but we know that much of the work is done in Senator MCCONNELL's office down the hall. That is where the corporate lobbyists who want these big tax cuts line up.

We were doing our public meeting in the Senate Finance Committee, and they were in such a hurry to pass this bill. We worked way into the night, which we are all fine with doing, but the next day we worked, they were moving so fast that we would get an amendment that would be handwritten in not very good writing, and it would be added to the bill, and we really didn't know exactly what we were voting on. They didn't want to give us time to do it.

The people who run this place—Senator MCCONNELL and the special interest lobbyists who line up down the hall—know that if they can operate and people can't understand what they are doing—they will work all night sometimes. They will do things by hand instead of actual legible writing so that we end up with the kind of confusion that came out of that. Well, you know what happened, Mr. President. There were all kinds of mistakes in this bill, and the President signed it. We didn't know what the mistakes were, but then we found out.

Now Republicans are coming back and they want us to clean up this mess. Well, cleaning up the mess means more corporate tax breaks, more giveaways to corporate America, and more help for the richest 1 percent in this country.

We are saying: We want to fix the technical mistakes you made when you hurried through this bill. We want to do that. We all voted against the bill because it was a corporate giveaway and a giveaway to the rich. We want to fix this so the Tax Code actually reads right and there won't be all these court cases regarding it. But if we are going to do that, you are going to give some tax breaks to middle-class families, and you are going to pass legislation expanding the earned income tax credit and the child tax credit.

We have simply said to the President and to the Republican majority that writes these bills that we will work with you. We want to do that, but you are not going to hurt middle-class and working-class taxpayers again. You are going to expand the earned income tax credit, take care of electric vehicles and the kinds of issues we want to do there, but fundamentally you are going to help low-income and moderate-income children whose parents work just as hard as any Senators work but don't have much to say for it.

Again, it comes down to, whose side are you on? Are you going to stand



with workers, or are you going to stand with corporations? Do you fight for Wall Street, or do you fight for the dignity of work? If you love this country, you fight for the people who make it work. The President promised to fight for American workers. He betrayed American workers, as he has betrayed American workers on minimum wage and overtime and trade deals. He has betrayed workers over and over again. He broke that promise he made.

It is important that we fix it and we fix it for the broad middle class in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Mr. President, I want to join with my colleagues today in expressing great dismay as we are approaching the 2-year anniversary of the massive Republican tax giveaway. Middle-class families and workers have not gotten even remotely close to what they were promised. Instead, President Trump and Republicans gave the big drug companies, the wealthiest Americans, and other special interests an enormous tax cut just in time for the holidays. Merry Christmas to them. But what did he give the majority of families in Michigan? He gave them the equivalent of a beautifully wrapped gift box with nothing in it. There is a word for that, when you make a bunch of promises and fail to keep them. In Michigan, we call that a betrayal.

President Trump made some really big promises about the Republican tax giveaway. In his words, it would be “one of the great Christmas gifts to middle-income people.” Unfortunately, President Trump turned out to be less like Santa Claus and more like Ebenezer Scrooge. The wealthiest 1 percent of taxpayers received an average tax cut 64 times the size of the one given to the middle class.

He said—as my other colleagues have referred to—people would get an average of \$4,000 more in their income. We in Michigan are still waiting for that \$4,000 per person who is working to show up. What happened is, the real number is about \$514. And what is even worse is that bonuses for working people have actually gone down 22 percent since the tax giveaway passed. Bonuses are down, not up. You don’t have to have the math skills of Bob Cratchit to know that is far from what was promised.

He also promised that businesses would use their tax windfall to invest in workers and create jobs. Unfortunately, that has not happened. We know that in the third quarter of this year, business investment was a negative 2.7 percent. That is the second straight negative quarter for business investments despite the promise of “tremendous” business investment. I am deeply worried because we have had two straight quarters now of contraction on manufacturing, which is actually the technical definition of a recession. Coming from Michigan, where we

proudly make things and grow things, that is deeply concerning to me.

Meanwhile, in the first year of the Republican tax betrayal, businesses rewarded CEOs and wealthy shareholders with more than \$1.1 trillion in stock buybacks. What does that mean? That means you do a buyback of your stock. It drives up the price of the company stock. It enriches the CEOs and major shareholders but does nothing for the workers. In fact, corporations spent 140 times as much money on stock buybacks as they did on increasing wages and benefits for workers. In 2018 alone, the 10 biggest drug companies spent \$115 billion—with a “b”—on stock buybacks and dividends, but I don’t recall seeing the cost of medicine go down. Instead, they keep raising the prices, which is outrageous.

Perhaps the most ridiculous promise that President Trump made was on the national debt. He said: “We have \$21 trillion in debt.” That is what he said back in July 2018. “When [the Republican tax law] really kicks in, we’ll start paying off that debt like water.” I am not exactly sure what that meant, but it didn’t happen. Instead, the Federal budget deficit has risen by \$319 billion so far, and counting, since the passage of the Republican tax law.

To add insult to injury, our friends across the aisle doing the budget used the fact that there was a deficit to one more time say that we need \$1.5 trillion in cuts to Medicaid and \$800 billion in cuts to Medicare to reduce the deficit because, oh my gosh, we have a deficit, so we should take healthcare away from seniors and families across America.

On top of all of that, the Trump administration now is implementing rules that could take food assistance away from up to a million people who work part time or seasonal work. They get a job at the mall during Christmas, but then they lose it. They are in and out of the market. By the way, the average amount of help to these men and women who are working hard, trying to hold it together, is \$127 a month—just barely making sure they are not starving. As another Republican President once said, “There you go again.”

Let me say in conclusion that 2 years ago, President Trump promised middle-class families, working families across Michigan and the country, a whole lot of things. He said that the deficit would disappear, that corporations would pass along their tax savings in the form of jobs and better wages, and that people would get \$4,000 more in their paychecks, in their income. He said that this giveaway would be one of the great Christmas gifts to middle-class people. Instead, the majority of Americans got a lump of coal.

Promises have not been kept. We believe in keeping promises in Michigan. This is about more than the numbers; it is about making sure everybody who is working hard is treated fairly and has a fair shot to care for their families and have the American dream. That is

not what happened with this tax giveaway.

I yield the floor to the Senator from Maryland.

The PRESIDING OFFICER. The Senator from Maryland.

Mr. CARDIN. Mr. President, I join my colleagues on the floor today to point out that 2 years ago, we had an opportunity in the Congress to reform the Tax Code. The Tax Code, basically, was the one enacted in 1986. In 2017, we had an opportunity to reform that Tax Code, and that opportunity was missed.

What the Republicans did, instead of engaging in a truly bipartisan process that would have used the expertise of all Members of Congress, they went on a partisan mission in order to help big corporations and wealthy taxpayers at the expense of middle-income taxpayers and fiscal responsibility. As a result, our children and grandchildren will pick up the tab for this bill, and those who are going to benefit will not be middle-income families. They are the losers. The ones who are going to benefit will be big corporations and wealthy taxpayers.

Let me just talk about some things that should be the basic ingredients for tax reform.

First, it should be fair to the taxpayers of this country. The tax bill that was enacted 2 years ago was certainly not fair. It failed in that test. As I pointed out, who benefited? Large corporations benefited dramatically by this bill, but they said: Look, we will pass it on to the workers. Yet did they pass it on to the workers? In 2018, \$1.1 trillion was used to repurchase stock to make the wealthiest even wealthier, and it did not go to the benefit of the workers. The benefit was the greatest on the personal income tax side as it went to the highest income taxpayers. They are the ones who benefited the most, and it was not fair to middle-income taxpayers.

Secondly, a tax reform bill should be fiscally responsible. After all, we have taxes in order to raise revenue, in order to pay for services so we don’t borrow from the future—from our children and grandchildren—to pay for what we are doing today. The administration said this would be a fiscally responsible bill. The verdict is back, and \$2 trillion has been added to the national deficit—\$2 trillion. It has certainly failed on fiscal responsibility. Corporate taxes have gone down 40 percent. So we have given a break to corporations at the expense of our deficit. Who is picking up the bill? Middle-income taxpayers are picking up the bill.

Thirdly, the Tax Code should be efficient, and we should try to make it as simple as possible. No one can argue that the 2017 tax bill has simplified the Tax Code or has made it more efficient. To the contrary, we are now told we are going to need technical corrections because of the mistakes that were included in it. I can say, in my talking to many individuals who had the plan based upon the Tax Code, that there is

so much more uncertainty in the Tax Code now than there was prior to the passage of the 2017 tax bill.

Who is going to pick up the tab? Middle-income taxpayers are going to pick up the tab, and let me just give you some examples.

The 2017 bill included a limitation on State and local tax deductions, and let me just talk a little bit about the taxpayers of Maryland. Almost 50 percent of Maryland's taxpayers used the itemized deduction and took the advantage of taking off of their Federal taxes what they paid in State and local taxes so they didn't have a tax on a tax. As a result of the limitations that were imposed in 2017, these taxpayers are now no longer able to take the full amount of the State and local tax deductions. In fact, because of the full changes, Maryland's number is down to about 25 percent when we did have almost 50 percent taking advantage of itemized deductions. We have lost about half of those filers who today can't take any of those tax deductions.

This is an affront to federalism, and it also hurts middle-income taxpayers. It is philosophically wrong to have a tax on a tax. So the verdict is in with Maryland taxpayers, and the average refunds are down 6 percent. The refunds are what middle-income taxpayers depend on, and they are down in our State.

It has also affected the ability of State and local governments to provide essential services that are important for all citizens. Yet whether it is their support for public education, public safety, et cetera, these essential services are very much dependent on middle-income families. All of those are now being stressed because of the restrictions on State and local tax deductions.

Let me also talk about middle-income taxpayers. They don't benefit from the corporate tax cuts, which I already pointed out, but these tax cuts were made permanent. The individual tax changes were temporary in nature. Again, this hurts middle-income families.

Lastly, let me point out that it was advertised by this administration that it would strengthen our economy. When you take a look at the first six quarters since the passage of the 2017 tax giveaway to the wealthy families and corporations, the gross domestic product has grown about 2.5 percent, which is far less than what the administration predicted. If you take the six quarters before the passage of the bill, it had gone up by 2.6 percent. So there has actually been a slight decline, and we haven't seen a boost to the economy.

There is a better way to do this as this bill ignores small business. I have the opportunity of being the ranking Democrat on the Committee on Small Business and Entrepreneurship, and we have had many discussions with small business leaders who tell us this tax bill actually hurts them—it doesn't

help them—because they don't pay the C rate but, rather, the individual rate, and the pass-throughs that were put in here don't benefit small companies. So, when we are talking about helping the driver of our economy—small business—the tax giveaway 2 years ago has made it even more difficult.

The better way is to work in a true bipartisan fashion and engage all Members of Congress on both sides of the aisle. Let us truly change our Tax Code so that middle-income families benefit and so that we don't burden future taxpayers by our making irresponsible changes that are not fully funded. Let's do it in a way in which it will help the growth of our economy. That is what we should be doing. There was a missed opportunity 2 years ago, and it is moving the Nation in the wrong direction. 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. TESTER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

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

#### SUICIDE PREVENTION COORDINATORS ACT

Mr. TESTER. Mr. President, I rise today because far too many of our veterans feel like they have run out of options when it comes to dealing with the physical and mental scars of war. These are folks who have served in defense of our freedoms and who often suffer tremendous invisible wounds of war.

I can't tell you the number of times I have heard from men and women in uniform, in Montana and across this country, who feel helpless, and they feel as though they have been abandoned by their own country. The facts tell us that we are not doing enough here in this body to help. The reality is that our country loses as many as 20 Active-Duty or veteran servicemembers each and every day due to suicide. Regardless of political party, we can all agree that one life lost to a suicide is too many.

That is why, as ranking member of the Senate Veterans' Affairs Committee, I have been working with my colleagues across the aisle—colleagues like Senator SULLIVAN—to make sure that our vets have the access to the help and the care they need.

The bill that we are going to consider here shortly—our Support for Suicide Prevention Coordinators Act—is a bipartisan effort to help tackle the suicide epidemic by ensuring that we take a comprehensive approach to connecting veterans with urgent, life-saving care. This bill starts by identifying and addressing staffing needs for VA employees and suicide prevention professionals who are our Nation's first line of defense when it comes to combating veteran suicide.

It is clear that we have much more to do to prevent this national health epidemic, and it starts with under-

standing the scope of the problem. If we don't have the tools in place to take care of these folks when they return home, then, we should think twice before we send them in the first place.

I urge the Senate to vote for this bill when it comes up and to get it passed out of this body quickly so the President can quickly sign it into law.

It is not something that can solve our suicide problems among our veterans by itself, but it is certainly one of the tools in the toolbox that can help folks when they need help and to ensure that no veteran slips through the cracks.

I want to thank the Senator from Alaska for everything he has done to make sure that this bill becomes a reality.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

Mr. SULLIVAN. Mr. President, I want to thank my friend from the great State of Montana, Senator TESTER. This is actually a bill that he and I have cosponsored out of the Veterans' Affairs Committee, and it is a companion bill that we are going to be bringing over from the House to vote on here in a couple of minutes to hopefully get this on the President's desk very soon to get him to sign it.

There is a lot of legislation that focuses on these kinds of issues: How do we address this growing problem of suicide in our country?

The real tragedy is that all suicides are tragic, but there are very high numbers of suicides that impact our veterans.

My State, the great State of Alaska, has more vets per capita than any State in the country. We are proud of that patriotic fact. Sadly, we also have some of the highest suicide rates in America.

So since I have come to this body, I have had the privilege to serve my fellow Alaskans, and focusing on suicide has been a very, very important issue for me. It is a very important issue for my constituents, and it is a very important issue for America. As a matter of fact, the first bill I cosponsored as a U.S. Senator was called the Clay Hunt Suicide Prevention Act, which was named after a young marine who had a number of deployments, and, unfortunately, when he was seeking help, he couldn't really get it, and this young, brave hero took his own life.

This should be a priority for the Senate. We have been prioritizing the veterans and the members of the military who are in crisis when we draft legislation that tries to address these challenges, but what we are doing today is also important.

This bill actually focuses on the people who help our veterans. These are suicide prevention coordinators. They are specially trained employees at the VA medical centers who identify and connect high-risk veterans with the care they need.

Across the Nation, these VA professionals conduct outreach, promote

awareness, and disseminate suicide prevention best practices. They are, literally, on the frontlines.

But, as you can imagine, this isn't an easy job. This is a hard job, and there are reports that many of these prevention coordinators throughout the VA system are overworked and unable to keep up with their many responsibilities. What we are focused on here is that we want to make sure that the people who are helping our veterans are also taken care of and adequately resourced so that they can do the best job in terms of helping our veterans.

The VA must have a skilled and resourced workforce available, trained to recognize the warning signs of a veteran in crisis, and then be able to work with that veteran, hopefully successfully, to connect them with lifesaving resources before it is too late.

That is what the Support for Suicide Prevention Coordinators Act requires. That is what Senator TESTER and I worked on together to bring this out of the Veterans' Affairs Committee, and, hopefully, if we get that right, then, it has a positive impact on lessening this high rate of suicide among our veterans.

Senator TESTER mentioned what is in this, but it is not just additional resources. It is also a comprehensive study by the GAO to make sure that our coordinators are resourced and have a strategy to make sure they can do their jobs most effectively to impact our veterans.

It is an overall look at the VA system of preventing veteran suicide with a focus on these frontline coordinators who do really, really important work. They are not always recognized.

For those who are doing that work, I commend you, the Senate commends you, and I think we are going to have an overwhelming vote here in a couple minutes that will make sure of your ability to do this really, really important job for our veterans and for our Nation and that you are going to be able to do it better.

I applaud the leadership on both sides of the aisle for bringing this bill to the floor, and I encourage my colleagues to vote in favor of this legislation. Let's get it on the President's desk for his signature soon, and we can take another step—another step—to make sure that we are taking care of our veterans and are trying to address this horribly tragic situation where far too many veterans in America are taking their own lives.

LEGISLATIVE SESSION

SUPPORT FOR SUICIDE PREVENTION COORDINATORS ACT

The PRESIDING OFFICER (Mr. LANKFORD). Under the previous order, the Senate will proceed to legislative session to consider H.R. 2333, which the clerk will report.

The legislative clerk read as follows:

A bill (H.R. 2333) to direct the Comptroller General of the United States to conduct an assessment of the responsibilities, workload, and vacancy rates of Department of Veterans Affairs suicide prevention coordinators, and for other purposes.

Thereupon, the Senate proceeded to consider the bill.

The bill was ordered to a third reading and was read the third time.

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

Mr. SULLIVAN. 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.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), 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 95, nays 0, as follows:

[Rollcall Vote No. 390 Leg.]

YEAS—95

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

NOT VOTING—5

|        |         |        |
|--------|---------|--------|
| Bennet | Paul    | Warren |
| Booker | Sanders |        |

The bill (H.R. 2333) was passed.

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. Under the previous order, the Senate will proceed to executive session to resume consideration of the VanDyke nomination.

The Senator from Texas.

UNANIMOUS CONSENT REQUEST—S. 1416

Mr. CORNYN. Mr. President, as all America knows, climbing healthcare

costs continue to keep the American people up at night. A Kaiser Foundation poll in September found that the No. 1 health concern of the American people is prescription drug pricing. A whopping 70 percent of those polled think lowering prescription drug costs should be a top priority—a top priority—for Congress, making it the No. 1 item on our to-do list, but our friend and colleague from New York, the minority leader, objected last time I offered unanimous consent to take up and pass a bill, which I will describe here momentarily.

I hope, given the intervening time and further reflection, he will not do so today, and we can get this bill passed and address this top priority of the American people.

The good news is, Republicans and Democrats both agree we need to do something about it. I have the honor of serving on both the Finance and Judiciary Committees, where we have been looking into this problem and some of the potential solutions.

There are pharmaceutical CEOs who earn big bonuses as sales go up. I am not opposed to them receiving compensation, but pharmacy benefit managers who negotiate backdoor rebates that drive up out-of-pocket costs are a problem because of the lack of transparency.

What I find very seriously concerning as well is anti-competitive behavior when it comes to patents by drug manufacturers. There are two practices, in particular, that the legislation I intend to offer a unanimous consent request on would address.

One is called product hopping, which occurs when a company develops a reformulation of a product that is about to lose exclusivity. Let me just stop a moment and say that one of the ways we protect the investment and the intellectual property of American innovators is to give them exclusivity over the right to sell and license that intellectual property, including drugs. That encourages people to make those investments. In turn, it benefits the American people and the world, literally, by creating new lifesaving drugs, and that is a good thing. There is a period of exclusivity, and after that expires—after that goes away—then it opens that particular formulation up to generic competition; meaning, the price will almost certainly be much lower and more affordable to the American people.

This issue of product hopping is gamesmanship, as I will explain. First of all, before the drug loses exclusivity, the manufacturer pulls the drug off the market. This is done not because the new formula is more effective, but it will block generic competitors.

The second issue is patent thicketing, which occurs when an innovator uses multiple, overlapping patents or patents with identical claims that make it nearly impossible for competitors to enter the market. This is nothing more and nothing less than

abuse of our patent system, and it is coming at a high cost for patients who rely on affordable drugs.

Earlier this year, I introduced a bill with our friend and colleague from Connecticut, Senator BLUMENTHAL, who happens to be a Democrat, to address these anti-competitive behaviors. Our bill is called the Affordable Prescriptions for Patients Act, and it streamlines the litigation process by limiting the number of patents these companies can use in court. So companies are spending less time in the courtroom and, hopefully, more time innovating these new lifesaving drugs, while opening up these drugs once they lose their exclusivity to generic competition and more and more affordable prices for consumers.

This legislation does not stifle innovation; it doesn't limit patients' rights; and it doesn't cost taxpayers a dime. In fact, the Congressional Budget Office estimates it would lower—lower—Federal spending by more than a half a billion dollars over 10 years. This is just savings to the Federal Government for Medicare and Medicaid. Undoubtedly, it would show significant savings for consumers with private health insurance as well.

I am sure it comes as no surprise, then, that this legislation passed unanimously out of the Judiciary Committee; not a single Senator opposed it. That happened in June. This is December, and there has been no movement since then.

We have tried to be patient because we know there are other bills coming from the Health, Education, Labor, and Pensions Committee. There is a bill coming out of the Finance Committee on which the Presiding Officer and I sit. My hope is that we would have been able to make progress on a larger package, but here we are at the end of the year, and there has been no movement. We have been more than patient, but I think there comes a time when patience ceases to be a virtue, particularly when it comes to providing something that would benefit the American people.

There are no concerns about the policies laid out in the bill, as you can see by some of the comments reflected in this chart. Again, our colleague, the Democrat from Connecticut, Senator BLUMENTHAL, said: "This bill offers a positive, solid step toward ending abuses in the use of patents."

Senator DURBIN, who is the Democratic whip, a member of leadership, said:

It is a bipartisan measure that passed the Senate Judiciary Committee. I not only voted for it, I cosponsored it, and I believe it should pass and should become the law of the land.

So imagine my surprise when the Democratic leader objected to a unanimous consent request to pass it a couple of weeks ago. He even went so far as to call this "a manipulative charade" and "a little game," which is strange because he also called it a good

bill. His biggest criticism was it didn't do enough, but as I pointed out then, if you sit around waiting for the big bill to get passed, nothing happens in the meantime, and it is a loss to the American people.

I think it is past time for us to take up this legislation, get it passed, get it signed by the President. Our friends in the House of Representatives have already passed two bills, which, put together, essentially reflect the same policy.

I can't think of any other reason for the Democratic leader to object than pure politics. He doesn't want anybody to get a "win." That also goes for the Senator from Iowa, when she had offered a bill to reauthorize the Violence Against Women Act. She happens to be on the ballot in 2020 as well. The only rationale I can possibly think of that the Democratic leader would continue to object to these bipartisan consensus bills is just that he doesn't want somebody to be able to score a point on this side because he feels like that will disadvantage his candidates in the next election and advantage us.

There comes a time when we need to put those election considerations to the side and focus on making good policy. I happen to believe good policy is good politics.

The truth is, the Democratic leader, in objecting to the passage of this legislation, does have one very big and powerful cheerleader behind him; that is, the drug companies. The drug companies love it when bipartisan legislation gets blocked on the Senate floor for whatever reason. The truth is, they hate this bill, and they don't want to see anything done on this issue. Inadvertently or not, the Democratic leader seems to be providing them a lot of cover right now.

My constituents didn't send me to Washington to play these endless games. They sent me here to get results, and that is exactly what I aim to do.

Mr. President, I ask unanimous consent that as in legislative session, the Senate proceed to the immediate consideration of Calendar No. 132, S. 1416. I ask unanimous consent that the committee-reported substitute be withdrawn; that the Cornyn amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. SCHUMER. Mr. President, reserving the right to object.

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Mr. President, my good friend, the Senator from Texas, is just engaged in a gimmick to cover up all that he hasn't done on making drug costs lower. Now, 99 percent of what the public wants is not being allowed on the floor by his leadership when he was the whip, by this leadership, and

now he wants to get well with a bill that is very small.

Open up the floor to debate. We will debate all the big things that will really reduce prices, which people want, and we will debate his bill. I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from Texas.

Mr. CORNYN. Mr. President, I point out to my friend from New York, I am not the leader or the floor manager of legislation. That is up to Senator MCCONNELL, the Senator from Kentucky. Obviously, there has been foot-dragging on important things like appropriations bills, the USMCA—the important trade agreement with Canada and Mexico—and now there is impeachment mania that has consumed the House of Representatives and has crowded out our ability to get other things done; hence, my loss of patience after waiting since June to get this bill passed.

This isn't a case of my wanting to get well; this is a case of wanting to make the American people well by providing them access to low-cost generic alternative drugs and preventing Big Pharma from engaging in the sorts of gamesmanship that keep drug prices up and keep the American consumer down.

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. 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.

#### HEALTHCARE

Mr. CASEY. Mr. President, I rise this morning, or I guess this afternoon, to talk about a couple of issues. I will start with healthcare and talk about the Supplemental Nutrition Assistance Program, as well as another piece of legislation we are considering in the next couple of days.

Let me start with healthcare. There is a lot to talk about here. We don't have time for all of it today, but a number of things are happening on the healthcare front that I think most Americans are aware of but maybe have not heard a lot about recently.

I would argue there are three basic threats to healthcare right now—not just healthcare for some but, in large measure, healthcare for all. One is a lawsuit, which is being litigated in the Fifth Circuit Court of Appeals. It is a lawsuit that would wipe out the Affordable Care Act, and that lawsuit has already prevailed at the district court level. It is now before the appellate court, and if that lawsuit were to prevail, the Affordable Care Act—or I

should say it by its full name—the Patient Protection and Affordable Care Act would be declared unconstitutional. That would have ramifications not only for those 20 million who got covered—coverage they didn't have before—but also the tens of millions who have protections they never had before the act was passed in 2010.

If you have a preexisting condition, for example—roughly, one out of two Americans has a preexisting condition—if you have one, you should be very concerned about the result of that lawsuit, the determination of which could be made in a matter of days or weeks. That is a big threat. That is the biggest threat to healthcare for virtually every American or at least every American family.

The second big threat to healthcare is what the administration has undertaken since day one of the Trump administration, and that is the sabotage of the existing system in this regard, especially with respect to the insurance exchanges. What the administration has done is try to take administrative action, action by agencies under the President's jurisdiction, to undermine the exchanges.

How do they do that? Well, they cut the advertising. So when they advertise to say that you can shop for a health insurance plan on the exchanges, they cut the advertising budget by 90 percent. They left 10 percent there. I guess we are supposed to be happy with that.

So they cut advertising by 90 percent. Then they started attacking the contracts for navigators. These are individuals all across the country who sit with people and say: Let me help you go through the options you might have for purchasing insurance or changing your insurance plan.

For example, right now, we are in an open enrollment period, so folks can change their health insurance plans until Sunday—basically, December 15. It would be nice to have a navigator—an assistant, in a sense—sitting next to you if you are making those decisions about your healthcare.

So threat No. 1 to healthcare is the lawsuit; threat No. 2 is the sabotage; and threat No. 3 has not quite played out yet, but I don't know a Member of the House or the Senate in the Republican caucus in either Chamber who is not against the threat—the cuts to Medicare and Medicaid proposed by the administration.

I thought it was bad when the administration—or I should say, House Republicans—back in the spring of 2018 proposed a cut of \$1 trillion to the Medicaid Program over 10 years. That was bad enough. That was dangerous enough. But the administration went further than that. The administration's proposal and, I have to say, unless it is contradicted, the official position of Republican Members of Congress is a 10-year cut to Medicaid of \$1½ trillion—\$1½ trillion. That means the official Republican position in Con-

gress—unless they say they disagree with the President, and I haven't heard any Member say that yet—is that the Medicaid Program should be cut by \$150 billion each and every year for 10 years. That is the proposed cut. That is Medicaid.

By the way, Medicaid is the kids' disabilities and nursing home program, for shorthand. Most of the people helped by Medicaid are folks in nursing homes, low-income children, children from low-income families, and children with disabilities who have a substantial stake in this.

When you consider those three threats—the lawsuit, the sabotage, and the budget cuts—all are bad news, but then when you start getting into the details of each, you realize one aspect of this, which I wanted to raise today, and that is the adverse impact on children.

We are told by the Georgetown University Health Policy Institute Center for Children and Families—I am holding up a November 2019 summary of a report, a back and a front. I will not read all of it and I will not enter it into the RECORD because there is a lot of detail here that we probably can't enter into the RECORD. I do want to read into the RECORD a couple of highlights from it, though. These folks have been doing research on children's health insurance for many years and have spent their lives working on this. The headline reads "The Number of Uninsured Children is on the Rise."

The United States of America, which finally, decades after passing the Medicaid Program, which was a great advancement in children's health insurance, then added to that with the enactment in the 1990s of the Children's Health Insurance Program—it had the letter "S" before it, the SCHIP program—which really was adopting programs that have been adopted in my home State of Pennsylvania and a few others.

That same country which made a great advancement for children's health with Medicaid—tens of millions of kids—then made a greater advancement with the Children's Health Insurance Program and then made even more substantial gains when we passed the Patient Protection and Affordable Care Act and substantially drove down the number of uninsured Americans. Basically what happened was that about 20 million people got healthcare coverage in about 6 years—not even a decade. A number of those Americans were children.

As we were substantially driving down the uninsured rate, what has happened in the last 2 years? The uninsured rate is going up. The Census Bureau told us in September that the uninsured rate is going up by 2 million people—to be exact, 1.9 million people. A big share of the 1.9 million people who are now uninsured—that number is going up instead of down, as it had been for most of the decade—a lot of those are children.

Here is a summary of finding No. 1 in this report by the Georgetown University Health Policy Institute Center for Children and Families, November 2019. It is by Joan Alker and Lauren Roygardner. "The number of uninsured children in the United States increased by more than 400,000 between 2016 and 2018, bringing the total to over 4 million uninsured children in the nation."

That same Nation which made great advancements by lowering the number of uninsured children is now going in the wrong direction.

Finding No. 2: "These coverage losses are widespread, with 15 states showing statistically significant increases in the number and/or the rate of uninsured children."

The following States are listed: Alabama, Arizona, Florida, Georgia, Idaho, Illinois, Indiana, Missouri, Montana, North Carolina, Ohio, Tennessee, Texas, Utah, and West Virginia. That is significant. Those States are represented in some cases by two Democratic Senators, sometimes two Republican Senators, and sometimes Senators of both parties. So it is happening in a widespread fashion. The rate of uninsured children is going up.

Finding No. 3: "Loss of coverage is most pronounced for white children and Latino children (some of which may fall into both categories)."

The other category where the number is going up substantially is younger children, under the age of 6. So we are not just talking about children losing coverage; we are talking about that number being more pronounced for children under the age of 6.

This also includes children in low- to moderate-income families who earn between 138 percent and 250 percent of the poverty level, meaning a little more than 29,000 bucks to 53,000 bucks annually—"bucks" is my word, not the report's word—\$29,435 to \$53,325 annually for a family of three. So these folks who are struggling in a lot of ways—low-income families trying to climb that ladder to get to the middle class, in many cases working two or three jobs, trying to make ends meet—at least in many cases, their children had coverage, and now children in those families are losing coverage.

Point No. 4 and the last point: "States that have not expanded Medicaid to parents and other adults under the Affordable Care Act have seen increases in their rate of uninsured children three times as large as states that have," meaning States that expanded Medicaid. The expansion of Medicaid was part of that advancement I talked about.

The three threats to healthcare are bad enough. It is especially bad when you consider that the Americans who are carrying the heaviest burden of that uninsured rate going up are, in fact, children.

The second thing I want to raise is the Supplemental Nutrition Assistance Program. We had a great effort undertaken in the 2018 farm bill. There were

efforts by some to cut the Supplemental Nutrition Assistance Program, which we used to know as food stamps. Fortunately, those efforts to cut the program and to knock people off of the SNAP program were unsuccessful.

We came together in a bipartisan effort in both the House and the Senate, and the President signed it into the law just about a year ago—December 2018. The ink was barely dry on his signature when his administration and the Department of Agriculture started to think of other ways to do the same thing to SNAP they couldn't do by way of legislation.

So where are we? Well, we have had basically three proposals over the course of the last year by the administration that would take 4 million people out of the SNAP program, kick 4 million people off the program.

Here is what one of those proposals would do: According to the U.S. Department of Agriculture's own estimates, the proposed changes to one part of SNAP called categorical eligibility would eliminate millions from the Supplemental Nutrition Assistance Program, and it could also leave nearly 1 million children without access to free school meals. I don't know about everyone here, but I think that is a step in the wrong direction.

The Supplemental Nutrition Assistance Program is important not only for those families—many of them working families, many of them with a child in the household who needs food assistance, who faces food insecurity without SNAP—many of those same families might have a child and an individual with a disability in the same household or one or the other. That is the SNAP program.

By the way, everyone else in the country benefits when people spend those SNAP dollars because when you provide those dollars and folks buy food, guess what happens. You guessed it. The economy gets a jump-start from that activity. The SNAP program isn't about just the people who are directly benefiting. I think we have an obligation to help them, for sure. We all benefit when there is economic activity. There is more than a bang for the buck in the SNAP program; you spend a buck, and you get a lot more than a buck in return.

This is all in the context of where we are with a lot of families. We hear a lot on the floor of this Chamber and I am sure on the floor of the other body, the House, about "Well, certain people shouldn't get this benefit," and some make an argument against that.

It is interesting that in the SNAP program for many years now, not just for the last couple of years, the payment error rate in that program has been way down, the lowest levels ever. Why? It is because of good efforts to detect fraud, and also technology allows payments to be tracked. The payment error rate is at its lowest level ever. Yet we still have efforts undertaken to knock people out of the pro-

gram. That is not just insulting, it is very dangerous to people's lives.

I hope Members of the Senate will tell the administration to back off those proposals that have been undertaken to knock literally, if you have the effect of all three proposals, 4 million people off of the program, many of whom are children.

This all happens in the context of those healthcare issues I raised before. The same child or the same family who might have their SNAP benefits cut or taken away might be the same family who is losing their coverage because of cuts to Medicaid and Medicare or because of the uninsured rate going way up in a country that was driving it way down. Both are happening at the same time.

#### BIPARTISAN AMERICAN MINERS ACT OF 2019

Mr. President, I want to raise another issue, and then I will conclude. This is about coal miners across the country but in particular in a couple of States, like my home State of Pennsylvania, and I know this is true of Kentucky and Virginia and West Virginia, just to name several—or I should say the main States we are talking about here.

The Bipartisan American Miners Act of 2019, S. 2788—I know Senator MANCHIN and others have spoken about this. We are trying to get this legislation or some version of this passed by the end of this year. I won't go through all the details of the legislation, but it attempts to help on the miners' pension issue—and these are obviously retired coal miners—as well as the healthcare for those same miners, those same families.

I will make a comment about what this means. Many of those same families had to wait way too long—several years—before this body acted to provide a measure of relief to some of those retired miners on healthcare. The job isn't done yet on healthcare but even more so on pensions.

The point I have always made here is that our government made a promise to them decades ago. In fact, it was the time when President Truman was in office in the late 1940s. We made a promise to coal miners at that time.

In that whole intervening time period, those decades, they kept their promises. Many of them were sent overseas to fight in wars, from World War II, to Korea, to Vietnam and beyond. They kept their promise to the country by fighting for their country. They kept their promise to their employer by going to work every day in the most dangerous job in the world, likely. I am not sure there is one that is more dangerous. They kept their promise to their families to go to work and to support them, sometimes on that one income of a coal miner.

In my home area of Northeastern Pennsylvania, the novelist Stephen Crane—he is known for the "Red Badge of Courage," but what he is not known for as much is an essay he wrote about coal mining in the late 1800s—1890s to

be exact. He described all the ways a coal miner could die in a coal mine. He described the coal mine as a place of inscrutable darkness, a soundless place of tangible loneliness, and then walked through the ways a miner could die.

I know we have advanced from the 1890s—thank God we have—but there are still coal miners in the recent history of this country who have lost their lives. All they have asked us to do—they haven't asked us to come up with some new fancy plan for them and their families; all they have asked us to do is to have this government—the executive branch and the legislative branch—keep the promise to coal miners and their families with regard to healthcare and pensions. Both of those parts of our policy are promises.

So when we work on this between now and the end of the year to try to find a solution, we will be only meeting that basic obligation of keeping our promise to retired coal miners and their families like they kept their promise to their country.

I yield the floor.

The PRESIDING OFFICER (Mr. ROMNEY). The Senator from Kansas.

#### TRIBUTE TO KELLY MCMANUS

Mr. MORAN. Mr. President, today, I want to take a moment to recognize the contributions of Kelly McManus. She is a member of my staff. She is U.S. Army MAJ Kelly McManus, who has spent the last year working in my personal office as part of the U.S. Army Congressional Fellowship Program.

Before Kelly departs my office here at the end of the year to return to the Big Army, I rise to express my appreciation to Major McManus for all of her hard work and dedication and service to our Nation.

Kelly's 10 years of service in the U.S. Army have developed her leadership abilities and shaped her perspective on major defense issues of national significance. These assets and attributes have made her an invaluable asset to our team as we work to serve Kansans, servicemembers, and veterans.

Before joining our office, Kelly's assignments had taken her around the world in service of our country. She deployed to both Iraq and Kuwait to support operations New Dawn and Spartan Shield, from 2011 to 2012, served as the medical planner for the Allied Land Command in NATO headquarters in Izmir, Turkey, and reported to Wiesbaden, Germany, to serve on the personal staff of the U.S. Army Europe headquarters commanding general, LTG Ben Hodges.

Kelly has also served stateside, leading her detachment through deployment in Fort Dix, NJ, in support of Hurricane Sandy relief efforts and commanded a medical company in the 2nd Infantry Division at Joint Base Lewis-McChord in Washington State.

Kelly joined our team in January 2018. From day one, she embraced Kansas, its people, and the challenges they face day in and day out. On her first official trip to Kansas, she visited our



military installations and talked with soldiers and airmen to learn about their life experiences. She made it a priority to spend time in Kansas and to learn from the Kansas people so that she could bring their thoughts and ideas back to the Nation's Capital. These personal conversations with Kansans and Kelly's experience in the Army have helped to drive meaningful policy.

She led our efforts to secure maternity leave for those serving in the National Guard and Reserve after talking with an expectant mother in the Kansas National Guard. She has also sought to increase access to suicide prevention programs and destigmatize the notions surrounding mental illness.

In addition, her experiences in serving in uniform have been instrumental to my efforts to support our veterans. Over the past year, I have continually been impressed by Kelly's leadership and professionalism. At every opportunity, she has proven herself to be an important and fully integrated member of my team, carrying the equal weight and responsibility of my personal staff. Her seamless communications and her skill in tackling issues big and small have been a great benefit to our office and the people that we serve. Kelly has exceeded all of my expectations and has demonstrated a commitment to excellence that has been nothing short of outstanding.

A testament to her leadership over the past year was her promotion to major in July. It was my honor to be part of her promotion ceremony and to have the privilege to pin her new and deserving rank on her uniform.

It will be sad when she leaves our office at the end of the month, but I know she will serve the Army well next year in the Army's Budget Liaison Office, where I am confident she will be a highly effective ambassador to Congress for the Army.

Kelly is one of the most impressive military officers I have had the honor of knowing, and I hold her in the highest regard, personally and professionally. She is a significant asset to our country and to the U.S. Army. Kelly represents the best that the Army has to offer, and I know that she will continue to be a benefit to the future of our Nation. There is no group of people I hold in higher regard than those who serve our Nation, and I want to reiterate my gratitude to Kelly for her dedication and service to our country.

Once again, thank you, Kelly, for all you have done for Kansans this year and what you will continue to do for our Nation. You have been a model of selfless service and leadership. I know you will continue to do great things throughout your Army career and your life in service, wherever that path my lead you.

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

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

#### REMEMBERING BERKLEY BEDELL

Mr. GRASSLEY. Mr. President, I come to the floor today to pay tribute to an extraordinary Iowan with whom I shared a decades-long friendship—a very prominent Democrat from my State.

Over this past weekend, former Iowa Congressman Berkley Bedell passed away at the age of 98. For nearly a century of life, Berkley took his grandmother's advice to heart: "You can do almost anything within reason if you will only set your mind to it."

From an early age, Berkley Bedell set his mind to a high standard of achievement. He set an example for the rest of us. He practiced what he preached and he made a difference in this world.

As a child raised during the Great Depression, Berkley became a soldier in the U.S. Army. He was, obviously, a World War II veteran, an entrepreneur, a job creator, a philanthropist, a policy influencer, and, most of all, a devoted husband and father.

What I left out is how I got acquainted with him. He was a fellow Member of the House of Representatives during my early years and for some time after I came to the Senate. Our decades-long friendship began when Berkley and I were elected to serve Iowans in the House of Representatives in 1974. Soon after the orientation for new Members, Barbara and I developed a close relationship with Elinor and Berkley. This friendship remained for the next 45 years.

Looking back, those were lonely days for a freshman Republican House Member. That is when the Watergate scandal upended the midterm elections. Voters elected 91 new House Members to that Congress. I happened to be the only Republican in the Iowa congressional delegation. Among our so-called Watergate class of 1974, I was joined by Iowans Tom Harkin, Michael Blouin, and Berkley Bedell. We were all freshman Members of Congress. We joined then with more senior Members from the State of Iowa—Neal Smith, who went on to serve 36 years in the House, and Ed Mezvinsky. The Democrat Senators from Iowa were Dick Clark and John Culver. Berkley would go on to represent Iowa's Sixth Congressional District for six terms, from 1975 to 1987. Even though he lived about another 32 years after that, I presume he would have served a lot longer if his health had held out.

Although Berkley and I didn't share the same political points of view, we did share a common approach for representative government, meaning with dialogue and feedback from Iowans that was very necessary if we were going to represent them properly. Most

often, the forums for that were our respective townhall meetings.

Throughout our service together in Congress, party labels didn't displace our ability to work with and for Iowans. As one example, during the farm crisis of the 1980s, which was much worse than this farm crisis we have right now, we used our voices to raise public awareness and steer help to struggling farm communities in our home State. We did everything possible to shape farm policy and restore hope to thousands of farm families who were coping with double-digit inflation and with the farm debt crisis.

As a Federal lawmaker, Berkley took his oversight work seriously. Even though I take oversight seriously, I didn't do it in quite the way he did. His was kind of an unorthodox approach. He just ventured, willy-nilly, into a Federal bureaucracy here or a Federal bureaucracy over there. He took the liberty of dropping by in person at these agencies. He would go up to people and ask: What is your job? I don't know exactly the questions he asked, but in knowing Berkley the way I did, I think he probably wanted to have very calm conversations with them to determine what they did and maybe even see if they were doing it right, particularly if they were spending the taxpayers' money right. He did this to keep tabs on how these Federal employees in these various bureaucracies were serving the Nation and, particularly, serving Iowans. Now, that is what I would call an in-the-flesh gut check—a very different type of oversight from what I have done.

Berkley was born in Spirit Lake, IA. I assume he lived his entire life in Spirit Lake, IA, except for the period of time he was in the military and until he spent some retirement time in Florida. Spirit Lake, IA, is a close-knit farming community in Dickinson County. His neck of the woods is located in the Iowa Great Lakes region—a regional destination for fishing, boating, and outdoor recreation. I will bet the Presiding Officer has been there many times.

The area is fondly known as the University of Okoboji, where generations of families go year after year to vacation and enjoy life. By the way, the University of Okoboji is not really a university but is very much a selling point for that part of the State, from an economic development point of view, and it has worked very successfully.

As I just described, this is where Berkley's insatiable work ethic took root. It guided him for his nearly 100 years of life on Earth. Through philanthropic good works, he leaves behind a legacy of conservation, stewardship, and historic preservation. With his wife, he helped to launch the Okoboji Foundation more than three decades ago. Since then, the foundation has awarded millions of dollars to scores of nonprofit organizations in that lakes region of Iowa.

In other words, Berkley believed in paying it forward. He cared deeply about giving back to his community for future generations to enjoy. As you would expect an Iowan to do, he rolled up his sleeves, opened his wallet, and pitched in to make a difference. By my measure, his represents a life well lived, and he lived life well.

As I mentioned earlier, Berkley and Elinor became steadfast friends with Barbara and this Senator. We shared an abiding mutual respect, and we cherished their gracious regard for that friendship. After the Bedells moved to Florida in their retirement, Barbara and I enjoyed an annual gift from the Bedells each February. It was a very simple annual gift but one that had a lot of meaning to it—more than the material it represented. They sent us a box of oranges from their home in the Sunshine State. Just as regularly as a clock, we received these over many, many years.

Through these many years, their annual Christmas letter was something that we looked forward to. In many years, in personal notes in those very letters, they even thanked us for our friendship. Berkley also stayed in touch with a friendly Valentine note each year to Barbara, my wife. With Berkley's passing, we are saddened to know that these tokens of friendship have now come to an end.

Berkley's story is an inspiration for younger generations of Americans who are pursuing their dreams. It is never too early to dream big. This was how Berkley Bedell was dreaming as a 16-year-old: He became an entrepreneur. Berkley launched a fishing tackle business with Jack, his brother. It was called the Berkley Fly Company. I am told he started the company with \$50 from paper route money. He started tying fly fishing lures in his bedroom.

Pouring years of sweat equity into the family business boosted the local economy and created jobs in his beloved Iowa Great Lakes. His tenacious leadership developed a strong workforce for what was then called Berkley Industries. That company, which is now called Pure Fishing, is today one of the leading fishing tackle manufacturers in the world.

At 98 years young, Berkley didn't let age slow him down by any stretch of the imagination. He remained active in public policymaking and immersed in electoral politics in Iowa. Usually, at least once a year, he called on me here in Washington, in the Hart Office Building, to tell me about some legislative issue he was interested in, and we worked together on some of those legislative issues. Everything here in Washington is so political, so this may sound very unusual, and maybe it is unusual today: Despite our differences in political philosophies—he was a Democrat; I am a Republican—we both appreciated how crucial it was to engage the next generation in civic life.

Berkley's leadership and legacy will be remembered for generations to

come. I am proud to have called him a very good, good friend.

Barbara and I extend our condolences to his sons, Ken and Tom, and to Joanne, his daughter.

Your dad made a big footprint in his life's journey.

As my former colleague in the House of Representatives, Berkley later became my constituent when I was elected to serve here in the U.S. Senate. I never knew Berkley Bedell to stop advocating for his community or for the good of our Nation. It became Berkley's lifelong hallmark to leave God's green Earth better than he had found it for generations to come.

I wish Godspeed to my good friend Berkley Bedell, who joins Elinor, his beloved wife, in eternal life.

I yield the floor.

The PRESIDING OFFICER. The Democratic whip.

Mr. DURBIN. Mr. President, I was in my office and just learned, by Senator GRASSLEY's floor speech, about the passing of Berkley Bedell, and I just wanted to add my voice to his.

He was a wonderful man. I served with him in the House of Representatives. Spirit Lake was his home area in Iowa. He was a really knowledgeable man when it came to issues of agriculture, and I didn't learn until many years later that he was a very successful businessman in the fishing tackle business, if I remember correctly, and sporting goods. He had many interests.

He was a spirited, friendly, good person who worked hard at his job and was a credit to the U.S. House of Representatives, regardless of party, and I think Senator GRASSLEY's remarks reflect that.

I am going to miss his annual Christmas card. He and his wife—she passed away just recently, as well—would send a card about the comings and goings of their big, old family. It was a big oversized card, and I always looked forward to it.

I feel honored to have been able to serve with him. I thank my colleague and friend Senator GRASSLEY from Iowa for paying tribute to him.

Mr. GRASSLEY. 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. GRASSLEY. 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. GRASSLEY. Mr. President, I ask unanimous consent to speak for 2 minutes.

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

#### THE WORLD BANK AND CHINA

Mr. GRASSLEY. Mr. President, last week, despite the objections of the United States, the World Bank adopted a plan for lending more than \$1 billion annually to China.

China is the world's second largest economy, and its per capita income is

well above the level at which countries are supposed to graduate from needing World Bank assistance. American tax dollars should not be used, even indirectly, for lending to wealthier countries, particularly when they violate human rights.

China seeks legitimacy through international institutions for its bad practices, including for its own predatory lending through the Belt and Road Initiative. Despite what the recent World Bank Group's Country Partnership Framework reads, China is not an example developing countries should follow.

To sum up on this point, China has the second largest economy in the world, and it still wants to be considered a developing country and lend taxpayers' dollars around the world in order for there to be a greater Communist influence. As taxpayers, we should not stand for that to happen.

#### 78TH ANNIVERSARY OF THE ATTACK ON PEARL HARBOR

Mr. President, on another point, this past weekend marked the 78th anniversary of Japan's attack on Pearl Harbor—a raid that plunged the United States into World War II. Almost 2,500 U.S. soldiers lost their lives that day.

I am proud of the many Iowans who have served and sacrificed for our great country. Earlier this year, three of these people returned to Iowa to be laid to rest—Robert J. Bennett, William L. Kvidera, and Bert E. McKeeman.

I honor them and all of our servicemembers for their sacrifices in serving our people, protecting our constitutional rights and the freedom and liberties we have.

I yield the floor.

#### NOMINATION OF STEPHEN HAHN

Mr. DURBIN. Mr. President, I am going to take a chance this afternoon and vote for one of the President's nominees. Some of my colleagues have come up to me and said I am making a big mistake, and I hope I am not.

His name is Stephen Hahn. He is a medical doctor and an oncologist from MD Anderson in Texas, and he has been named to serve as the Food and Drug Administration Commissioner.

This is a relatively small agency by Federal standards that has a major-size impact on the lives of Americans and beyond. I think it is one of our most important agencies. It regulates so many things relating to safety and quality of life, and Dr. Hahn would come to this position at an auspicious moment in our history.

I refer, of course, to the fact that we are now battling a vaping epidemic across the United States of America.

The Presiding Officer, from Utah, and I have worked on this together, and I thank him for his leadership in this regard.

I look at Dr. Hahn and I think of all the questions that I have asked him. I had a face-to-face meeting with him in my office and then had him on the phone last night for another half hour, and he was very patient in answering my questions.

I asked him about the vaping crisis we face, the epidemic that we face. He readily concedes that this is something he feels very strongly about.

The latest disclosure from the youth tobacco report suggests that 28 percent or more of high school students across the United States are currently using e-cigarettes or vaping. Yesterday, I had a group of high school students from New York who asked to see me, and they said: Senator, you are wrong. It is over half.

A majority of the students in high school now are using JUUL devices, or vaping devices, and these flavors, and they have developed nicotine addictions, which have become controlling in their lives and it affects the way they feel and the way they perform as students.

That is why it is so important, from my point of view, for Dr. Hahn to make this a major priority. He assured me that he would. He reminded me that he is a lung cancer doctor, and we had a long conversation about my father, who died of that disease, and tobacco and the impact it had on his life. I felt sincerity on the part of the doctor when he was discussing this.

We talked about working with Dr. Azar, who has been an ally in this conversation about controlling vaping devices and cigarettes.

He said that regardless of how I voted for him, he would look forward to working with me. I am going to vote for him as the new FDA Commissioner. It is a leap of faith because I am not certain where the President of the United States is at this moment.

The Presiding Officer was at a meeting a couple of weeks ago in the White House, and I have commended him for the questions he asked there, hoping to hold the President and First Lady to their promise of September 15 to really take on this epidemic of vaping and e-cigarettes. I don't know at this moment whether he is going to continue in that effort or whether the vaping industry has diverted him to a different point of view.

Dr. Hahn may find himself in a compromised position soon, and I told him as much. If it comes to the point where the President has abandoned his effort against vaping and the industry is going to prevail, then, I am afraid that Dr. Hahn is going to be wearing the collar for some of the things that follow. Even though he may not even agree with the President's conclusion, he will be working for the President as part of his administration.

Dr. Hahn said to me: I don't want to be known in history as the head of the FDA who saw this epidemic grow dramatically when it comes to vaping by young people.

I am going to give him my vote, and I do it with the hope that he will have a persuasive voice with Dr. Azar and the administration to move in the right direction.

I applauded President Trump—which is unusual from my side of the aisle—

when he made his initial decision to take action against e-cigarettes, and I would like to applaud him again. I hope he will resume this effort. I hope the First Lady, who rarely gets engaged in issues but seems to feel very strongly about this, will join us in persuading the President to keep true to his promise of September 15.

I will be supporting Dr. Hahn's nomination for FDA Commissioner.

REMEMBERING THE REVEREND DR. CLAY EVANS

Mr. President, last Friday night was an amazing evening. I went to the Fellowship Missionary Baptist Church on the South Side of Chicago, not too far from where the White Sox play baseball.

There was a Friday night memorial service for the longtime pastor of that church, the Reverend Clay Evans. He actually divided the service up and said, Friday night is for the politicians and government people; Saturday morning will be the memorial service for the members of the church. A lot of people showed up on Friday night because a lot of us considered Clay Evans to be a friend.

He was more than a friend. He was a legend. The Reverend Clay Evans died peacefully at his home the day before Thanksgiving at the age of 94. Let me tell you a little bit about him.

If you ever had the good fortune to witness the Reverend Dr. Clay Evans preach, you were lucky. With his rousing sermons, his soulful baritone voice and "the Ship," which is what he called the legendary Fellowship Missionary Baptist Church choir behind him, Reverend Evans was mesmerizing.

His sermons gave hope to the downhearted. His singing could bring you to your feet. His Sunday services were so moving and so uplifting that the legendary Sam Cooke used to come and attend for inspiration.

Even in Chicago, the birthplace of modern Black gospel music, the home of Mahalia Jackson, James Cleveland, Mavis Staples, and so many others, the Reverend Clay Evans stood out for the power of his preaching.

But it wasn't just his beautiful voice that drew people in. Clay Evans was a man of faith, integrity, and moral courage. In the 1960s, he helped persuade Dr. Martin Luther King to come to Chicago and use it as his base as Dr. King sought to expand the civil rights movement. It was not a popular position at the time, believe me.

Chicago power brokers, fearful of the unrest in the streets, warned Black ministers: Don't let Dr. King into your churches. Many of them listened to that warning and turned him away—not Clay Evans.

He invited Dr. King to speak at his church. He opened the doors of the "Ship" to Operation Breadbasket, the Southern Christian Leadership Conference's economic justice project. Then, he persuaded other Chicago ministers and churches to join him.

He paid a price for it. Offers of construction loans he needed to build his

church were withdrawn when he made this controversial decision. Building permits were withheld for several years.

But Chicago, over time, became more just. Thanks to the work of Reverend Evans, Dr. Martin Luther King, and the man whom Evans ordained, the Reverend Jesse Jackson, and many others, Operation Breadbasket helped to open up thousands of jobs for Black Chicagoans in previously all-White grocery chains and companies.

Years ago, Reverend Evans told a Chicago Tribune reporter: "I try to embody the principles of Christianity, and for me that means being dedicated to freedom and equality." For him, faith was not just what you believed; it was the way he lived.

Clay Evans was born in 1925 into a large, church-going family in Brownsville, TN. His family were sharecroppers. He was one of nine kids. At night, he liked to listen to jazz music on the radio.

He moved to Chicago in 1945, part of the Great Migration that has enriched that city in so many ways.

The most successful man he knew in Brownsville, TN, was an undertaker, and that is what Clay Evans thought he would become in Chicago, but he couldn't afford the tuition for mortuary school. He took jobs where he found them. He worked at a pickle factory, as a window washer. He drove a truck delivering pies. He was working at the Brass Rail cocktail lounge in downtown Chicago when they prompted him to join in song and marveled at his voice. He might have been a successful nightclub performer, but he felt called to the ministry.

He attended the Chicago Baptist Institute and was ordained a Baptist minister in 1950. He would later study at both the Northern Baptist Theological Seminary and the University of Chicago Divinity School.

He founded the Fellowship Missionary Baptist Church in 1958 and served as pastor for 42 years. He used radio and later TV to bring his ministry to homes throughout the Midwest and South and to introduce Black gospel music to the Nation.

Fellowship Missionary Baptist Church, or "The Ship," as it is affectionately known, quickly became one of the most influential churches in Chicago.

He helped to launch the careers of nearly 90 up-and-coming young ministers, including Mother Consuella York, the first woman to be ordained a Baptist minister in the city of Chicago.

He ordained the Reverend Jesse Jackson, and, in 1971, the two ministers cofounded Operation PUSH to encourage African-American self-help.

Carved into his wooden pulpit was one of his favorite sayings: It is no secret what God can do. What God did through his servant Clay Evans helped to increase hope and justice in Chicago and far beyond.

I remember when, as a downstate Congressman, I made my early trips to

Chicago to meet the movers and the shakers. Reverend Clay Evans was high on that list, and, as luck would have it, at one of the dinners we were seated next to one another. He leaned over to me—I knew exactly who he was—and he said: Congressman, I am Reverend Clay Evans.

I said: That is not what I heard. I heard you are Reverend Chicago.

He laughed and he looked down. He said: Well, they call me that from time to time.

That is the kind of respect that he commanded, not just because of his ministry but also because he was such an integral part of the faith scene in that big city.

We got to be friends, and I was always looking forward to the times we could get together.

With a choir led by his sister, Lou Della Evans-Reid, Pastor Evans produced and recorded over 40 gospel albums—11 that charted on and 2 that topped the Billboard Gospel Albums Chart.

His first No. 1 gospel hit was called “I’m Going Through,” released in 1993. The title song talks about staying on the righteous road, no matter how steep the climb, how large the obstacles.

Reverend Evans would sing:

I’m going through. I’m going through no matter what they may do. The world behind, heaven in view, I’m going through.

The Reverend Clay Evans walked that righteous road. He overcame obstacles and widened the road so others could follow. He is certainly going to be missed, and the crowd of speakers Friday night is just evidence of the many lives that he touched.

My wife Loretta and I want to offer our condolences to his wife of nearly 74 years, Lutha Mae, their children, their grandchildren, and their great-grandchildren, and all of those in the family of Clay Evans who tried to maintain a warm smile at a time of sadness for many of them.

What he has left behind is something that we will all point to for years to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

#### FEDERAL REGULATIONS

Mr. BLUNT. Mr. President, on Monday I spoke at the annual meeting of the Missouri Farm Bureau, and, in our State, as in, frankly, almost every other State, the No. 1 economic activity in terms of value produced is agriculture.

Where we live in the middle of the country, we do better in an economy that focuses on growing things and making things than we do on an economy that focuses more on giving advice—not that we don’t want to give a lot of advice, but the truth is we don’t want to get a lot of advice, either.

So there is nothing wrong with a service-based economy, and there is nothing wrong with an important service sector in our economy, but Amer-

ica, in so many ways, was built on a productive economy, on an economy that produced something and something tangible. I think we have a chance to see those things happen again.

Where we are located, almost exactly in the middle of the country, the Mississippi River Valley is the biggest piece of contiguous agricultural land in the world. Compared to the near competitors in size, it is the only one of them that has its own built-in, natural transportation center.

In fact, there are more miles of navigable river in the Mississippi River Valley than in the rest of the world put together. I didn’t say more river than the rest of the world put together because that wouldn’t be true, but more miles of river that you can actually navigate—river you can use as an avenue of transportation and commerce than everywhere else in the world put together.

For an economy that is trying to reach out to the world or trying to efficiently compete, that is a big advantage.

So at the Farm Bureau meeting, at least three of the things the people I talked to were most interested in were regulation, transportation, and trade.

When it comes to regulation, Missouri farm families understand that many of the best things that have happened to them in the past 3 years have been the things that didn’t happen. There was a terrible regulation proposed—waters of the U.S.—in which the EPA was trying to decide that their authority over navigable water would be authority over all the water. Suddenly, navigable water had become, under the Obama EPA, any water that could run into any water that could run into any water that eventually would run into navigable water. If that is how we want to define it, the Congress should decide that, not the EPA.

I stood on this floor many times during that terrifying time when the EPA was about to take over anything that related to water, from the new sidewalk in front of your house to whether you pave your driveway to whether you could set a utility pole without EPA approval.

With the Farm Bureau map of Missouri, I think 99.7 percent of our State would have met the new EPA definition of the water the EPA would regulate. The other 0.3 percent, I think, were sinkholes that went directly back into the middle of the Earth. So virtually 100 percent of all Missourians would have been affected by that.

It would have slowed the economy in an incredible way because the EPA could never have exercised effectively the jurisdiction they were asking for. The good news is, it didn’t happen.

The Trump administration moved forward with a Clean Water Act that made more sense. They listened to rural America. They listened to the people who build houses, to the people

who provide power, and to the people who provide jobs, and they said: We are not going to go in that direction.

Then there was the Obama Clean Power Plan, which sounds like a good thing. Clean power—I am not opposed to that, and I don’t know anybody who is. We want power to be as clean as you can reasonably expect it to be. But the Obama Clean Power Plan was so aggressive in its approach that where I live, the average utility bill at home and at work would have doubled in about 10 years.

Well, lots of things work at today’s utility rate—or some gradual increase of today’s utility rate—that just frankly wouldn’t work if the utility bill doubled.

That didn’t happen either. In fact, we reversed course, and there is now an affordable clean energy rule making its way into law and regulation that really understands that.

Again, if you at home write your utility check and then write it out of your checkbook again, a lot of things that you would do at your house you wouldn’t be able to do if you had to pay your utility bill twice. Frankly, the job you may have may not be there if you had to pay your utility bill twice.

Also, when thinking about making something in America today—and I think there is a lot of interest in bringing manufacturing that has gone overseas back to this country for lots of reasons, but when you think about making something in America today, the first question you would ask yourself would be this: Can we do what we want to do and pay the utility bill? The second question would be this: Does the transportation work for what we want to do? If the answer to either of those questions is no, then there is no reason to ask a third question. There is no reason to talk about workforce. There is no reason to talk about tax structure in the place you are thinking about locating. There is no reason to ask any other question if you can’t do what you want to do, pay the utility bill, and still have some profit.

There is no reason to talk about—if you can’t do what you want to do—having a transportation system that allows you to do what you want to do. Those things are critically important, and they were critically important at the Farm Bureau meeting. They certainly understood it takes good highways, good State roads, and it takes a strong understanding of connecting highways, roads, railroads, and water together that will allow you to compete.

The last continuing resolution on this issue that we passed just a few weeks ago actually funded the fifth year of the highway bill that was passed 4 years ago. It provided for 5 years of authority but only 4 years of money.

That \$7.6 billion allows the transportation systems in our States and many things in our communities to happen. It allows county bridges to be built.

Missouri would lose \$350 million in Federal highway funds if we hadn't figured out how to fund that fifth year, which we did figure out just a few days ago. Knowing that is going to happen allows people to begin to look forward to other things.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. President, on trade, I was predicting on Monday that we would get to the USMCA before the end of the year. I was pleased on Tuesday when it was announced that we had an agreement between the House and the administration.

The votes had been there for a long time to pass this, but the House had to pass it first. So it is important to understand that the election has consequences. Speaker PELOSI got to decide and got to do some final negotiation, but trade is important.

Trade policy, tax policy, and regulatory policy are the three Federal policies that make a difference in how competitive we are and how strong our economy is. Certainly, when you have our No. 1 and 2 trading partners—Mexico, our No. 1 trading partner, and Canada, our No. 2 trading partner—involved, clearly, when they are the only two countries that we share a border with in the continental United States, for the neighborhood to do well, it is important.

What has happened in Mexico since NAFTA is incredible. What has happened in the United States in a positive way is also incredible. So, hopefully, we will see the continuation of the commitment to have a vote in the House this year and a vote in the Senate as soon as we meet the deadlines the law requires—the waiting periods—once we get a bill in the Senate. A lot of people are going to be relieved to know that there is more certainty about that.

TRIBUTE TO LEIGHTON GRANT

Mr. President, I also want to take a moment today to recognize Leighton Grant, for whom I asked earlier to have floor privileges for the rest of this Congress.

Leighton Grant has really been critical both to my work in appropriations and in our work on foreign policy in our office. He has handled many of our national defense matters in the 116th Congress.

Leighton's 15 years of service to our country, both in Active Duty and as a civilian in the U.S. Air Force, have allowed him to cultivate a deep understanding of national security issues that affect the State of Missouri and affect our country. His prior experience at the Pentagon, where he worked extensively on generating the Air Force's budget and strategy documents, has been particularly valuable in my work as a defense appropriator.

The air defense of the country is critical. The appropriations decisions we make are critical. The order we keep them in is critical—keeping defense lines active so that we are not stopping

and starting to meet our future needs—so doing that in a reasonable way matters.

Leighton certainly understands that, and he should. He joined the Air Force in 2004 as a command and control battle management operator. He served four deployments in Iraq and Afghanistan as part of the global War on Terror. He also deployed to Qatar and Jordan, as well as to Latin America.

He holds a bachelor's degree in aeronautics, as well as a master's degree in project management. While working as our military fellow, he completed work at the Air War College and obtained a certificate of legislative studies at Georgetown University.

He has contributed greatly. He has helped support us in veteran casework, Defense appropriations, and military construction projects that will impact our State.

On Sunday night, I ran into a mom who said: I just want to thank you for all you did to get my son out of Syria. This was a young man who got caught up while hiking in Syria. She knew Leighton Grant's name because Leighton Grant took that seriously and, after several weeks of working, helped to get him out of Syria. That is the kind of thing he has helped us do. He has worked on matters that relate to Iran, Colombia, Australia, China, and other areas. I am glad to have him.

I want to thank his wife Jennifer, his daughter Marleigh, and his son Cyrus for supporting his career as he serves the Nation. I wish him and his family well as they embark on a new chapter. I hope this year of working with the Senate and Congress, with the vast breadth of issues he has helped us with, turns out to be as valuable to him as his help has been to us.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. DAINES). The clerk will call the roll. The bill clerk proceeded to call the roll.

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

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

TAX CUT AND JOBS ACT

Mr. BRAUN. Mr. President, it has been almost a year since I was sworn in. I thought it was a good time to kind of reminisce a little bit about the first year of being a U.S. Senator from Indiana. I want to cite that, when you come from a place like Indiana, it is where America really works. Think about it. We still believe in balanced budgets. We have rainy day funds. We take on big issues and talk about how we are going to pay for it, not borrow the money, throw it on the backs of our kids and grandkids.

So, in being here now nearly a year, I want to reminisce back to what motivated me to stick my neck out and do it in the first place. I saw in November of 2016 that it looked like we might have a different dynamic here in our U.S. Government. I look back and see,

in December of 2017, a Main Street entrepreneur, someone who has always lived by those rules of stick your neck out, take a risk. You don't really exceed mediocrity unless you do things that push the envelope a little bit now and then, but do it in the context of where it is sustainable.

I noticed, in December of 2017, we finally got some legislation across the finish line that rewards enterprisers, rewards Main Street USA. That was in the Tax Cut and Jobs Act passed then. I did not know how it was going to unfold. Of course, even our CBO said it was going to end up costing the government, not rewarding it through more enterprise, greater revenues. Well, we have now got some evidence from it. We have got the hottest economy that we have had in modern history, and, yes, we are raising record revenues, despite having lower tax rates.

Well, that sounds like the math wouldn't work out. Well, there is a point, especially in small business on Main Street, that you will not keep enterprising, you will not work hard if you end up having to send too much to a place like this that over the years did not, to me, look like it was delivering good value. So we have been vindicated; it is working.

HEALTHCARE

Mr. President, so what else has happened in this first year? That happened before I got here. I ran because I wanted to weigh in on things like the cost of healthcare. I tackled that in my own business back in 2008. I found a way to make it consumer driven to where the people that use healthcare actually have some skin in the game.

I did it in a way I wanted to emphasize wellness, not remediation. I tried as a State legislator back in 2015—served 3 years in the Indiana State House—and realized how hard that was going to be. I had three really good bills that now, ironically, are pertinent here on the main stage. I could not even get a committee hearing. The healthcare industry has dug in to the point where I think, if they don't start embracing the fact that they need to reform themselves, they could be under a drastically new system.

So we had a President that was elected that wasn't going to be happy with business as usual. I was hoping that we might parlay some of that into real results here. Well, we have worked a year on trying to reform the healthcare system, and we are really not any further ahead than what we were a year ago. That is because the system is digging in and fighting it. That doesn't mean I am going to give up. That is kind of bad news, other than the fact that 80 Senators have come forward to say, Hey, you are not doing a good job. We have got suggestions. That ought to be a real wake-up signal that you get with it.

JUDICIAL NOMINATIONS

Mr. President, one thing we have done here that has been immensely valuable is that we, as conservatives, have

been able to impact our court system, which got lopsided over the years, to where many laws that were passed here get into the court system and then either get overturned or get impacted in ways that did not have the original intent. We here in our own conference, I think, have addressed that imbalance, and I think here soon we will have appointed, in the 3 years that President Trump has been at the helm, the 50th circuit judge. That is impressive. We are also filling slots now that we made a change in the rules here to not only get judges appointed but also to fill a lot of the slots in our government that are vacant. So that is good news.

#### ECONOMIC GROWTH

Mr. President, you don't hear much about the fact that household incomes have increased more than \$5,000 a family in the 3 years since President Trump was elected. It went up a total of \$1,000 in the 16 years through the Bush and Obama administrations. That should be the banner, the headline, and sadly, we are mired in other discussions that I will address here in a moment.

I believe in the long run that, if we are going to change the dynamic, we will need more disruption in an institution that, in the year I have been here, I have been surprised how many people come here actually wanting more, not realizing that when you are running trillion-dollar deficits, that is a bad business partner. That is a business partner that I would hedge my bets and maybe find other ways to pay the way in the long run. Sadly, I don't think we are going to fix that component until we probably have a crisis or two, and then we solve it in that fashion.

So the budget which is, in my opinion, in the long run what we need to do here, if we want to be helpful to the American public, it has got to straighten itself out. Whether that will happen, I do not know.

#### UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. President, let's talk about some of the things that have been occupying time here, and let's talk about something that looks like, finally, it is going to get across the finish line: USMCA. We hear about trade issues. It is correct to be concerned about trade. Our focus is normally on the Chinese. I do believe this has been the time to take them on, call them out for their bad behavior when it comes to stealing intellectual property, forced technology transfers, manipulating currencies, creating gluts, dumping it on the market; no one else is doing that. Until President Trump came along, nobody else was talking about it. He was over in Europe recently, reminding our allies that, when you are running trillion-dollar deficits, you can no longer afford to be paying the bills for the rest of the world. That is business as usual, thank goodness, because we simply can't afford it anymore.

USMCA reflects arrangements between our two largest trading partners,

Canada and Mexico—many inequities there, mostly because we were kind in those original agreements, but it needed to be changed because we cannot sustain that in the long run. This is going to help manufacturing. It is going to help farmers. The number of jobs it will create, even in this low unemployment context, are amazing.

When you look at that, it finally gets across the finish line, and we now, over the next couple weeks, couple months—who knows—we are dealing with what is going to happen in one of the biggest political events that has occurred in the history of this country. All I can tell you is we will get through it.

I don't think we are going to find out any more than what we know currently, but hopefully, when we do get it resolved, we are going to give full credit due to getting tasks done like the USMCA, lowering taxes, creating more enterprise across this country, and hopefully relying less on this institution in all parts of our daily lives until it sets the example that it starts to live within its means, live sustainably. And then we start tackling issues like the cost of healthcare, where we start talking about climate, when we start talking about the issues that future generations will have to deal with and that are currently paying all the bills through the money that we are borrowing, hopefully that dynamic will change, and hopefully, we will be back on track in November 2020 with the leadership that has put us in a position to actually change things here to where we do live in a way in the future that is sustainable, setting the example starting right here.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The Senator from Georgia.

#### FAREWELL TO THE SENATE

Mr. ISAKSON. Mr. President, I always come to the well of the Senate with a purpose. I try not to talk too long, and I try to make my point and get out before I make a big mistake. When you are saying thank you to people who have done so much for you, it is almost always the time where you do make a mistake and you leave somebody out here and somebody out there and somebody out here. I am going to do a little something I have never done before. I know one thing, I will leave nobody out.

Mr. President, I ask unanimous consent to have printed in the RECORD a list of names of my staff.

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

#### PERSONAL OFFICE STAFF AND INTERNS

Monica Heil, Jeremy Johnson, Jay Sulzmann, Amanda Maddox, Marie Gordon, Charles Spry, Michael Gay, Toni Brown, Jody Redding, Kathie Miller, Nancy Bobbitt, Nancy Brooks, Tommy Nguyen, Maureen Rhodes, Sheila Robinson, Andrew Blascovich, Michael Black.

Laura Gower, Will Dent, Jack Overstreet, Gus Youmans, Elizabeth McKay, Tripp

Adams, Hanna Yu, Preston Miller, Kristine Nichols, Brad Williams, Ryan Williams, Brooke Doss, Drew Ferguson, Connor Rabb, Taylor McDowell, Logan Purvis.

Caroline Maughon, Kate Hunter, Nyjel Jackson, Jason Maynard, Max Turner, Hannah Kitzmiller, Colleen O'Connell, Ken Ciarlatta, Seth MacKenney, Riya Vashi, Matt Sartor, Sahiti Namburur, Olivia Kelly, Frederick Severtson, Floyd Buford.

#### VA COMMITTEE STAFF

Adam Reece, Thomas Coleman, Reider Grunseith, Asher Allman, DeKisha Williams, Barry Walker, Leslie Campbell, Annabell McWherter, John Ashley, Brian Newbold, Lindsay Dearing, David Shearman, Patrick McGuigan, Jillian Workman, Emily Blair, Pauline Schmitt.

#### ETHICS COMMITTEE STAFF

Deborah Sue Mayer, Karen Gorman, Cami Morrison, Geoff Turley, Madeline Dang, Shane Kelly, Katharine Quaglieri, Kelly Selesnick, Charlotte Underwood, Danny Remington, Katie Jordan, Gabrielle Quintana, Taylore Presta, Taisha Saintil, Mary Yuengert.

Mr. ISAKSON. Mr. President, it contains a list of literally hundreds of people who have helped me get to where I am today in this Chamber. A few of them are in this Chamber with me right now and a lot of them were here Tuesday of last week when the Senate was very kind to give me a sendoff. In fact, I thought they were so happy I was leaving, I had done something really wrong, and I was saving them some trouble, but they were really happy because we were being happy together about the years we have had together.

I have had 15 years together with Members of the U.S. Senate, and it has been the greatest 15 years of my life. I learned as much about myself as I learned about anybody else, but I learned even more about my country, which I love so passionately.

I want to take a few minutes today to talk about a few people I want to thank for what they said about me, what they have done for me, and how they have helped me. I wish to also tell the people who may be listening to this show or watching C-SPAN today to understand there are a lot of people who make us work. We do all the mistakes by ourselves without any help, but the good things we do take a lot of help. They take a lot of strength and a lot of time and a lot of commitment.

The 100 Members of this Senate sitting here have literally hundreds of people behind them who help them to do their job they otherwise couldn't do. I represent 10 million people; Senators from California, almost 30 million people; from New York, almost 15 million people. All of the States have different populations, but all of them have a lot of people who need help.

That is what Members of the Senate are there to do, along with the Members of the House, and that is to give them the help they need from the country they love and the country they were born in or became a naturalized citizen in.

I want to talk today more about the hard work—the hard work of licking stamps and envelopes when I first got



in politics. I don't do that anymore. We punch a computer key, and it says "reply all" or "distribute to all" or "send to all." Technology allows us to communicate at the drop of a hat.

The biggest challenge I have every day communicating is because of what is on television beginning at midnight. President Trump usually makes a tweet about 3 o'clock in the morning, and the news starts. We get phone calls, our staff gets phone calls, and for the rest of the day we are responding to what he said at 3 a.m., knowing the next morning at 3 a.m. there will be a new tweet. There will be a new issue, and he will be setting the pace. During the afternoon, when people respond to it, their response to it will be setting the pace. All of us are reacting in the third person or for the third time. It is a challenging job.

With communications like it is and 24/7 television like it is and the media like they are, it is really a challenge. The men and women who work for me help me to make that communication. I want to, first of all, start off by thanking them.

The lady sitting to my left—on the screen, I guess that would make it your right—Miss Amanda Maddox. Amanda came to work for me a number of years ago when I stole her from one of the House Members because I knew she was the best person on the floor of the House. She was not an easy steal because I knew she was a tough lady, but I knew I needed a tough lady and somebody who could help. She has been a tremendous help for me through a lot of difficulties we never expected, neither she nor I—health challenges that I had, challenges I had in terms of my staff, training for trips I took, going on trips I took, dealing with the media during things we took on that were tough. Every day she did it with skill and aplomb. Every day she did it right, and every day she helped me look much better than I deserved.

I look in the mirror so I know what I start out with, but when I get up and open my mouth, I can do even more damage. Amanda keeps me from doing that. She is a first-class lady.

Another lady who is not here today, unfortunately, is Marie Gordon, who is in Atlanta. Marie works under Amanda. She works for me in Atlanta, GA.

They are really my communication. You heard of left brain-right brain. This is my left brain. Marie is my right brain. They make me work, and I know how many times I owe to say thank you to them, and it is more than I could ever come to. They have been wonderful to me, and I will miss them a lot as I retire, but I know they will be here to help somebody else along the same way who will take my place and do just as good a job or better.

I want to, personally, publicly, thank Amanda and Marie for what they have done and how they made me look good.

A harder job is getting me around with my current difficulties I am having in terms of movement.

Where is Logan?

Logan is on the floor somewhere. He is my pusher. He is not the kind of pusher you are thinking about. He is my wheelchair pusher. He doesn't sell anything else but wheelchairs, but he does a great job with it and gets me in a lot of bad places I am not supposed to be able to get into, but he does it safely. We haven't had any accidents, and he makes me look good. I could not do without Logan and his talent and his willingness to get up early hours to get me in a truck or get me in an airplane or get me in my own car and get me to the places I need to go safely and on time and get me back home to see my wife if we are in Atlanta or back here to see my many supporters in the office when they need me.

He is my instant communication man. That means he is also my right brain. He is in there thinking ahead to make sure we have enough time to get where we need to go and have enough places to stop for the restroom, which when you are in a wheelchair, that is something you have to think about from time to time and all the other little parts of life you take for granted until you can't do them anymore. When somebody helps you do them, they are a lifetime friend, and Logan Purvis is a lifetime friend for me in what he does.

There is a real tall guy somewhere in the room who is good golfer. His name is Trey Kilpatrick. Trey has been with me for 10 years. He started with me in my third reelection or second reelection—one of my reelections—in the first half of this century. Sometimes elections seem like a century, not a day or not an hour but a century.

Trey has done everything. He has made appointments; he has substituted for me; and he does an excellent job of that. He has given me advice on what not to say. When he does this, I know what it means. I know what it means from my wife, too, but when Trey does it, it means to shut up, you dummy. He gets me to shut up in time and not say a bad thing. That is a valuable person.

He is also valuable because I can't play golf anymore, but I let him play in my stead, and he is a scratch golfer. For those of you who are listening or watching this, that means he will beat anybody who tries to beat him, and I hope to get half the money. If I don't get half the money, I just enjoy seeing him and his great talent.

He has his third child coming pretty soon, so he is producing some good voters for us in about 15 or 20 years from now. I appreciate that as well. I appreciate Sally, his wife, and the sacrifice she has made to let him take as much time out of his life and her life as I have taken out of their lives.

I appreciate those who have made me look good. They made me look good all the time, and I appreciate what they have done to help me along the way with my service in the U.S. Senate.

There is another person I want to talk about for 1 minute. I will do it

some more tomorrow. I will break it up, so I am not taking up all of the time of the Chair, but I want to take as much as I can right now to talk about Joan Kirchner Carr. I have a unique situation with the chief of staff. Joan Kirchner is my chief of staff. Her name is now Joan Carr. She changed her name because she married my previous chief of staff. She came with me as a deputy chief of staff and fell in love with my chief of staff, and they fell in love with each other. He is now the attorney general of Georgia. She married my chief of staff.

I actually have pretty good luck for somebody who wants to get married. If you come to my office, you will find a husband or wife or something like that. That is not a bad thing to happen in Washington, DC.

Joan has been fantastic. She wrote for AP. She covered me when I was almost a little guy. I first got elected in 1976, and she was working for AP at that time in the Georgia Legislature and wrote speeches about all the people who were in the legislature, and I was one of them. I was the minority leader. I was the minority leader of a group of 19 Republicans who had 161 Democrats opposing them. Custer had better odds than we did. We didn't have good odds at all. She was a great writer, a great reporter, and I fell in love with her—not in the physical sense but in the platonic sense—because I knew how good she was at what she did.

Over the years, she impressed me so much, I brought her along on whatever campaign I had. I brought her along to help me in the office I had. She ultimately became my press secretary, my deputy chief of staff, my chief of staff, and my best friend. When you can cover all those bases at one time, you are doing pretty good, and Joan does exactly that.

I am so grateful for all those who have helped me along the way, all those who gave a lot, all those who gave a little but mostly those who gave of themselves. Politicians are always asking for money; they are always talking about money; and they are always promising money. Money is fine, but that doesn't get you much of anything—but relationships are impossible to replace. You take a good relationship with somebody who has worked hard to help you get where you want to go, there is nothing better or more valuable in life. No contribution of money is worth anything more than just that act of love or that act of kindness or act of support that gets you where you are going.

From this one guy who is leaving the U.S. Senate under his own power, but not as much as I used to have, I enjoyed my 15 years more than you would ever know, and I want to thank all those people who helped me get here and made it possible for me, particularly those I pointed out now and will point out later in my speeches this week. May God bless them, may God bless all of you, and may God bless the United States of America.

I yield back.

The PRESIDING OFFICER (Mr. COTTON). The Senator from West Virginia.

TRIBUTE TO JOHNNY ISAKSON

Mrs. CAPITO. Mr. President, I am pleased to be on the floor with my colleagues to honor our friend and our colleague, JOHNNY ISAKSON from Georgia. I could almost tell you he is probably hating this about now, but I want to get my two cents in. I don't need to read off his impressive resume or thank him for his service in the Georgia National Guard, his successful real estate business, his extensive public service, and all that he has done and accomplished in Congress.

I want to talk about JOHNNY ISAKSON, my friend. You hear everybody in this body get up and we say: My colleague and my friend. Sometimes I am not sure we are really talking about friends, but I want to tell you, JOHNNY, I am not making this up. I am talking about you as my friend. I am not just being polite. You know me better than that.

I will tell a little story, and he has heard me tell it, but when I was first elected to the House of Representatives in the year 2000, I was walking down the aisle, probably our first vote, had no idea really what I was doing, didn't know anybody in the 435-Member body, and I must have had it written all over my face because I was wandering, and this hand reaches out, and he says: Why don't you sit down here next to me, and we can talk about what is going on.

That was my introduction to JOHNNY ISAKSON. We talked about what was going on on the floor. We talked about who his friends were. We talked about the fact that my mother's family was from Perry, GA, and I had some Georgia blood running through these veins.

JOHNNY, as we have heard, doesn't care if you have been here 20 years or if you have been here 20 minutes, he wants to be a friend. I heard him say that the other day; that he has friends and then he has future friends. I have actually thought about that a lot over the holiday weekend. He doesn't care if you are a Republican or Democrat, from the North or the South—South will probably help a little bit—East or West, he has an innate ability to put everybody at ease. He doesn't count anybody as an enemy. We have been to the Prayer Breakfast. We have shared our highs and lows together in our respective lives. He never cares who gets the credit. He just cares about getting things done. I think you have seen that through everybody's wonderful tributes to JOHNNY. He brings people together. That is hard to do, but he leads by example. He has been a great example to me. You have been a great example to me. My colleague from North Dakota, Senator JOHN HOEVEN, has called you "Mr. Congeniality of the Senate." I can't think of a better analogy. You are Mr. Congeniality, but you are also a very forceful, strong person with a steel spine to know what is right and what is wrong.

The Bible asks, "What does the Lord require of you?" JOHNNY is living that answer: to act justly, to love mercy, and to walk humbly with God. We could use a few more humble walkers around here, I think. We could sure use more JOHNNY ISAKSONS.

You will be there cheering us on, I know, because your heart is with your many friends who are here. I will miss seeing you coming around the corner because our offices are very close. I will miss our car rides together and our golf games together. I will miss that extended hand in friendship, but I know that you will still be extending it from your home with your family and your many, many friends.

I am really happy to be here. This is happy for me because I think it is happy for you. I think that as much as you probably regret leaving and feel there is more work to be done, you can go in peace and love and know that you have happy days ahead of you and a lot of well-wishers on the way.

JOHNNY, thanks a lot. Thanks for extending that hand of friendship. It meant so much to me then, as it does today. Good luck and Godspeed.

The PRESIDING OFFICER. The Senator from New Hampshire.

Ms. HASSAN. Mr. President, I rise today to join my colleagues, like the Senator from West Virginia, and pay tribute to our friend Senator JOHNNY ISAKSON.

It has been an incredible privilege to work with Senator ISAKSON. Senator ISAKSON and I got to know each other first through the bipartisan Senate Prayer Breakfast and then serving together on the Health, Education, Labor, and Pensions and Finance Committees. I have always appreciated his commitment to bipartisanship, problem-solving, and getting results for the people in his home State of Georgia and for people all across our country. Because of that commitment, Senator ISAKSON and I have worked together to cosponsor a number of pieces of legislation, including efforts to improve care for veterans and to make hearing aids available over-the-counter. We also partnered together to pass a resolution designating March 25 "Cerebral Palsy Awareness Day."

In addition to being kind, thoughtful, and bipartisan, one thing stands out to me about Senator ISAKSON the most: his bravery in speaking out on issues regarding human dignity. He demonstrated that bravery early on in his career as a State senator who spoke out against a local anti-gay resolution. At a time when standing up for the rights of people of all sexual orientations wasn't easy or convenient, he did. That took real courage.

In addition, I am in awe of Senator ISAKSON's bravery in sharing publicly his family's experience losing his grandson Charlie to an overdose. By opening up and sharing this tragedy, Senator ISAKSON helped reinforce that this crisis affects families from all walks of life. His public discussion has

and continues to make a real difference as we work to break down the stigma that comes with addiction. I know he has continued working here in the Senate to prevent more families from experiencing a loss like his own.

I am also grateful for Senator ISAKSON's leadership on behalf of our country's veterans. In June, Senator ISAKSON led a bipartisan Senate delegation to Normandy to mark the 75th anniversary of the D-Day landings. During that visit, I saw firsthand JOHNNY's incredible kindness and commitment to our country's veterans. I also saw how quickly he dismissed compliments and thanks directed his way to ensure that others got credit for their part in his success. I know that carries over to his tireless efforts and hard work on behalf of veterans as chairman of the Veterans' Affairs Committee.

Above all, I appreciate Senator ISAKSON's friendship. He has represented the people of Georgia in the Senate with dignity, determination, and grit, as well as a really good sense of humor. He has made a real difference.

As Senator ISAKSON confronts a health challenge of his own right now, I am confident that he will face it with the bravery, humility, and humor he has exemplified throughout his life and here in the Senate.

Senator ISAKSON, we will all miss you terribly, but we are looking forward to traveling to Georgia to see you and to continue the many conversations that have made us all better people and better Senators and makes this country a better place.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

Mr. JONES. Mr. President, I know I am not in the right order, but since we have a gap here, I thought I would just jump in.

I am honored to be here today for the JOHNNY ISAKSON memorial tribute part two. Being the lower person in the Senate on the totem pole here, I didn't get a chance to talk last week, but I did sit through the Senators' remarks, which I found very compelling.

I have found JOHNNY ISAKSON to be very compelling. You know, there are times when you watch a movie or a TV show, and there are these special moments when two people meet, and there is one person who has that spark, who has that magic, and when they touch, when they embrace with a hug or a shake of the hands, all of a sudden, the other person realizes they are talking to somebody very special. That is JOHNNY ISAKSON. That moment is built around JOHNNY ISAKSON.

From the first time I had the chance to meet him on January 3, 2018, I knew all of those things that are being said about his bipartisanship, about his friendliness, and about how he wants to work with people and how he cares about people were absolutely true. I could tell by the first handshake and the "Welcome to the Senate, DOUG."

I will say that I think meeting me and having that spark was a real test

of Senator ISAKSON more than anybody in this body because you have to understand that when we first met, it was about 5 days before his beloved Georgia Bulldogs were going to face the University of Alabama in the national championship game.

For those who don't know this, I am telling you, you can think of "partisanship" and "tribalism" as political terms here in Washington, DC, but if you ain't experienced football partisanship and football tribalism as far as SEC rivals, you ain't experienced nothing. So the fact that JOHNNY ISAKSON embraced me, a Democrat from his neighboring State of Alabama, was very, very special and something I will always cherish.

I truly mean that, JOHNNY. I have watched you as a member of the HELP Committee with me. I have watched you in so many hearings and listened to you and your wisdom. That wisdom often came from personal experiences. Whether it was business or education or whether it was the tragedy with your grandson, everything about what you have done in the U.S. Senate has been personal.

I think that is something we should all strive to do. Everything we do in this body needs to be personal because for all of our constituents, it is personal to us. It is personal to our States and personal to everyone, but we don't always seem to act that way. A lot of times, we act in a way that it seems to be more political than personal. I have never seen that in Senator ISAKSON. I have seen that time and again, where everything he has spoken about—whether or not I agreed with him was not the issue. I could tell that what he was speaking of was personal, that it meant something to him, and that he knew how it was going to affect those in the State of Georgia and across the United States.

I can remember last year when we were moving toward trying to find a way to help farmers in south Georgia and south Alabama who had been so devastated by Hurricane Michael. This was crossing party lines. He and Senator PERDUE and I talked a lot about how this was affecting people and people's lives and how frustrating it was for all of us to see the politics kind of take over for a period of—I don't know—4 or 5 months while these farmers suffered. That is the JOHNNY ISAKSON who reaches across the aisle. That is the JOHNNY ISAKSON who cares about people. That is the JOHNNY ISAKSON who goes to funerals and sits in the back of the room and then works to make sure he does the right thing for all those who could be affected.

JOHNNY, I am going to miss you a lot. I enjoy our talks about football. I enjoy kidding you. I enjoy your ribbing me. But more importantly, I just enjoy the camaraderie. I enjoy the warmth, the feeling that I belong here. I, a Democrat from Alabama, belong in this body—maybe not after 2020. I ain't going to push you that far, JOHNNY,

OK? I get that. But for me, there has always been a sense that you belong in this body and you have a voice, and it is an important voice. We need more of that.

We need to make sure everything JOHNNY ISAKSON said is remembered in this body. We are about to go through some rough seas. The ship of state, as I have said before, is about to chart some rough seas. We need to remember the words of Senator ISAKSON as he leaves this body to make sure we continue to do the work.

I think what we have done these last couple of weeks is reflective of the legacy of JOHNNY ISAKSON. Whereas what was going on in the House and what was dominating in the media—we still got an NDAA done, we still got the FUTURE Act done, and we are still, over in the House, negotiating USMCA. Things in this body can work if we work together and we make sure that whatever happens after the first of the year does not interfere with our ability to relate to each other and to our constituents and for the people of America.

JOHNNY, I have been honored and privileged to serve with you. It will always be one of the greatest honors in my life to have been able to have served in this body with you. I wish you and your family nothing but the best in the future. I hope that you will continue to contact me during the football games and throughout so that we can commiserate the good, the bad, and the ugly about Georgia and Alabama football. I love you, and I appreciate you. Thank God you have been here.

I yield the floor.

The PRESIDING OFFICER. The Senator from Colorado.

Mr. GARDNER. Mr. President, I agree with my colleague from Alabama, Senator JONES. Senator JONES and I haven't been here as long as some of our other colleagues have been, but I think it is probably fair to say that when Senator JONES and I have a colleague who is departing or if the Presiding Officer has a colleague who is departing, there will be one day of farewell. Maybe there will be an hour's window in which we can come to the floor to say thank you or there will be a reception in the Mansfield Room. I think it is fair to say, as has my colleague Senator JONES, that I have been in line for a long time to get to this day to say thank you to JOHNNY ISAKSON.

These tributes started when Senator ISAKSON first announced he would be retiring from the Senate. It is very fitting that they continue through this day because of the work he has pursued and because of his accomplishments but also because of the humanity that rests in his heart. All of us are better off because of his work.

In my knowing him, I hope that a little bit of JOHNNY ISAKSON rubs off on all of us and that we can be here today, knowing that we are a better institu-

tion, better leaders, and better public servants because of his model.

Senator ISAKSON has done a lot of things that have been discussed on the Senate floor. I don't know how much I can add, but I am going to add a few things to the kind words that have been said. So many people have said such great things.

The first time Senator ISAKSON and I had an opportunity to really work together was on something that will benefit generations of Coloradans. It was the VA hospital in Colorado—something that may have shaved off some of the patience Senator ISAKSON has, which seems to be unending at times. This one, though, I am sure, took a little bit of a toll—the frustration with a very crazy collapse of a VA facility that had taken over a decade and—gosh—hundreds of millions of dollars to complete. It was a project that started out in the nineties but that didn't get done until about a year ago or so. It was a project that had started out at \$300 million but that had ended up being over \$2 billion.

Through it all, Senator ISAKSON was mindful of a very simple purpose, which was that this facility was to benefit the veterans who had given so much to this country. The first thing Senator ISAKSON said to me was: Don't worry. We are going to get this done, and we are going to make reforms so that this never happens again.

Under Senator ISAKSON's leadership, we have seen changes at the VA, and we have also seen changes about how new facilities are going to be completed and built so that we can avoid the kinds of mistakes that led to the delays in Colorado.

Ultimately, Senator ISAKSON knew that this would be the crown jewel in the Rocky Mountain region for veterans' service and veterans' care, and that is exactly what it continues to be. We have Senator ISAKSON to thank for the completion of that and the time on task it took to get the job done.

Senator ISAKSON held a field hearing in Aurora, CO, with, I think at the time, Deputy Secretary Sloan Gibson to find out what had happened, why the delays occurred, and then to fix it and to hold the people accountable who were responsible for the delays. That is the kind of leadership Senator ISAKSON provided.

Throughout that process, I think I threatened to rename the colonoscopy unit after a couple of people, but for Senator ISAKSON, we should name the town after him for the work he did to complete that facility.

I remember the first time I gave him a little bit of a treat from Colorado in order to thank him for his work. It was a box of Enstrom Toffee from a family company in western Colorado. It was a pretty incredible treat. I gave it to him and thought he had never had this before.

He looked at it, and he said: Oh, Enstrom Toffee. I love this stuff. I used to give this out to my clients when I was in real estate.

So I couldn't even surprise him with what I thought was a very special Colorado treat.

JOHNNY is the kind of person who has the ability to cut through problems, to cut through the smoke, to cut through the haze and the fog of a challenge and go right to the merits of it, to very concisely riff on any issue at a moment's notice, cut to the heart of a problem, and provide a solution to that problem and to that challenge.

As the old saying goes, you are known by the company you keep. When one looks around this Chamber, one sees the people who came to pay their thanks to Senator ISAKSON. It is pretty good company. He has done such great things for Georgia and for this country. I can't thank Senator ISAKSON enough for his leadership, for helping us all out in Colorado, and for making this country a better place.

Senator ISAKSON, thank you for all that you have done.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I come to the floor this afternoon to pay tribute to our good friend Senator JOHNNY ISAKSON of the great State of Georgia. I say "ours" because I know he is a friend to everyone in this Chamber. It was a real blow to me and, I know, to all of the Senators to hear that Senator ISAKSON wouldn't be seeking another term and that he would be leaving early.

Over the years, JOHNNY and I have had a chance to partner on a number of bipartisan initiatives. He has established a reputation in this body as an honorable and hard-working Senator who cares deeply about his constituents. Beyond that, he is just a kind person. As we think about the accolades we could say about somebody, somebody who is kind to everyone they meet, that is about as nice a thing, I think, as you can say.

What JOHNNY does has been demonstrated time and again in Congress. He develops trust and good working relationships, and he gets things done.

As chairman of the Veterans' Affairs Committee and a veteran himself, JOHNNY has taken on the difficult but critical task of making reforms to the VA to better deliver care to those who have fought for our country. Having been through some of those challenges with veterans in New Hampshire and seeing what they are facing with getting the care they need, to be able to go back to them and say that because of the work of Senator ISAKSON and Senator TESTER, we now have the MISSION Act—which is bipartisan legislation to expand care and services to veterans—has been very reassuring.

We also know that Senator ISAKSON is a fierce advocate for local priorities in his home State. I have a sister in Georgia, in Atlanta, and when I ask her about Senator ISAKSON, she speaks very positively about what she has seen that he does in Georgia.

Of course, many of us here have been reminded time and again of the importance of the Port of Savannah and its dredging needs. I can especially identify with those since we have small ports—much smaller than Savannah's—in New Hampshire, but they consistently have dredging needs, so I know how important it is to have an advocate who is there all the time, making sure that the needs of those ports are being seen to.

One of the many areas where Senator ISAKSON and I have found common ground is reforming our budget process. I think it is not a secret to anybody in this body that the Federal budget process is broken. Since 2011, I have worked with Senator ISAKSON, who had been working on trying to get a biennial budgeting process for the Federal Government. That is something that I think makes sense. Nineteen States, including New Hampshire, operate on a biennial budget. We believe that taxpayers would be better served by a process whereby Congress budgets for 2 years rather than 1 and is able to use the second year for oversight.

As we know, it is not easy to change things in Washington. I couldn't have asked for a better partner in this effort.

One of the things I have especially appreciated about JOHNNY is that he has very little time for partisan sniping, which has too often characterized much of what we do here.

One of the gestures that mattered to me and that has stood out about what his character is and how he has operated in the Senate has been the fact that he came to New Hampshire to advocate for our biennial budgeting efforts in 2013, a year when I was in cycle for reelection. It didn't matter to him. What mattered was that we were working on this issue, and it was important to the American people.

I had the opportunity to go the following year to Atlanta, and we did the same presentation in Atlanta to again show that we could work in a bipartisan way to try and address what wasn't working in New Hampshire.

I have especially appreciated that he has taken that approach on everything we have worked on together.

I know Senator ISAKSON also cares deeply about the institution of the Senate. He served as chairman of the Senate's Ethics Committee, a committee I have also been a member of, though not nearly as long as he has. I have seen closeup how he has faithfully and honorably conducted the committee's business and, again, how partisanship has not been any part of how he has approached his duties on the Ethics Committee. What has been important has been preserving the integrity of the Senate and the responsibility that each of us has as a Senator.

There have been so many ways in which JOHNNY ISAKSON has bridged the partisan divide. One of those is through food, and I think all of my colleagues

would agree with me that one of the highlights of our year is when Senator ISAKSON has his bipartisan barbecue lunch, which features not just the dishes his home State is known for but, as he points out, the best barbecue in America.

In New Hampshire, we don't have a lot of barbecue, so I don't have much basis on which to judge, but I certainly would agree it is very good barbecue.

I think, as somebody who has served in the Army, he understands that the way to our hearts is through our stomachs, and we know if we keep our troops eating well that they do better, and I think the same is probably true of Senators. If we can keep eating well and collaborate when we are doing that, it is great for our morale, and it is a great way to help work better together.

In closing, I just want to say that throughout his time in Congress, JOHNNY ISAKSON has been a statesman, and he has been a gentleman of the highest order. They say that we remember people not by what they say as much as by how we feel we are treated, and I know it is fair to say, whether it is the person operating the elevator, the person who is serving us lunch, each of us as Senators, or his constituents, JOHNNY ISAKSON has made all of us feel very important, and he recognizes the value that each individual in the Senate contributes to this body. For that, I am very appreciative, and I will miss you, Senator ISAKSON.

Thank you for everything you have done for all of us.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Mr. President, let me join my dear friend and colleague from New Hampshire in paying tribute to so many things about JOHNNY ISAKSON.

I know we are supposed to abide by the rules, address remarks to the Chair, and not speak to each other, and if I occasionally look over at the senior Senator from Georgia and call him JOHNNY, I will apologize in advance to the Chair and to the keeper of the rules.

I think one of the points that Senator SHAHEEN was making about the bipartisan barbecue lunch every year is that we ought to do this more often. We choose sides so many times, and for those of us on this side of the aisle, it is three times at lunch every week—Tuesday, Wednesday, and Thursday. The senior Senator from New Hampshire and I never have a chance to have lunch together because we are there with our leadership talking about what our folks are going to do.

JOHNNY ISAKSON decided at least one time a year, when he was in charge of making that decision, that he would invite Republicans and Democrats. Sometimes we got pushback from the leadership of both parties because they didn't have us captive that particular hour, and some of us who tried it didn't do it year after year after year. JOHNNY ISAKSON has done that and has been an example of bipartisanship.

I hope, JOHNNY, we are not making you weary of speechmaking, but I did want to make an extra point that perhaps others haven't made and give a quotation that Senator JOHNNY ISAKSON has made about others that he would never have made about himself because he is too modest.

I first became aware of JOHNNY ISAKSON in 1990, and he and I had not met at that point, but I was in Atlanta, GA, for some party function. JOHNNY ISAKSON was a successful businessman and a member of the Georgia senate. He was the Republican nominee for Governor that year, and it was pretty well known that he was not going to win that race. But he came before us and gave a rip-roaring talk, very impressive, and I said to myself: You know, he may not win this year, but this JOHNNY ISAKSON fellow has a future, and he is going to go places.

It turned out that the impression I had that day was correct. He would go on to serve for some time in a bipartisan way in Georgia, and then, when the Speaker of the House of Representatives resigned from office, JOHNNY ISAKSON was there to win the special election and became my colleague in the House of Representatives.

During that time when we served in the House together, we were on the deputy whip team together. And, JOHNNY, it was usually you and I sitting next to each other at each of those weekly meetings of the whip team.

I began to realize on a personal, day-to-day basis what an outstanding leader he was, what an articulate leader he was, how persuasive he was, and how able he was to actually come up with some accomplishments in the Congress.

Boy, it is hard to get a bill passed, and JOHNNY ISAKSON has gotten bill after bill after bill passed for our Nation's veterans, of which I am proud to be one—a list as long as my arms. I am proud to be a veteran. I am proud to be the father of an Air Force major and the son of an Army-Air Force veteran from World War II. We all appreciate in our family, down through the generations, the efforts that JOHNNY has made.

He has been so effective because he understands people, because he understands the business about building consensus and using strong relationships and treating each and every one of us on both sides of this center aisle with dignity and respect—the kind of respect that we would hope to be treated with always.

Senator ISAKSON enjoys poetry, as do I, and I have been known to quote a line or two from a poem, but today I want to quote from a poem entitled "Sermons We See" by Edgar Guest.

The reason I want to do this is that from time to time, when we have honored people JOHNNY ISAKSON admired, he would cite this poem or a verse or two from it as a way of honoring and pointing out the virtues of the person being honored. He would never be so bold as to quote the poem about himself.

I submit today for the RECORD the entire poem, and ask unanimous consent that it be admitted.

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

SERMONS WE SEE

(By Edgar Guest)

I'd rather see a sermon than hear one any day;  
I'd rather one should walk with me than merely tell the way.  
The eye's a better pupil and more willing than the ear,  
Fine counsel is confusing, but example's always clear;  
And the best of all the preachers are the men who live their creeds,  
For to see good put in action is what everybody needs.  
I soon can learn to do it if you'll let me see it done;  
I can watch your hands in action, but your tongue too fast may run.  
And the lecture you deliver may be very wise and true,  
But I'd rather get my lessons by observing what you do;  
For I might misunderstand you and the high advise you give,  
But there's no misunderstanding how you act and how you live.  
When I see a deed of kindness, I am eager to be kind.  
When a weaker brother stumbles and a strong man stays behind  
Just to see if he can help him, then the wish grows strong in me  
To become as big and thoughtful as I know that friend to be.  
And all travelers can witness that the best of guides today  
Is not the one who tells them, but the one who shows the way.  
One good man teaches many, men believe what they behold;  
One deed of kindness noticed is worth forty that are told.  
Who stands with men of honor learns to hold his honor dear,  
For right living speaks a language which to every one is clear.  
Though an able speaker charms me with his eloquence, I say,  
I'd rather see a sermon than to hear one, any day.

Mr. WICKER. Mr. President, I will read the first two verses of "Sermons We See" by Edgar Guest.

I'd rather see a sermon than hear one any day;

I'd rather one should walk with me than merely tell the way.

The eye's a better pupil and more willing than the ear.

Fine counsel is confusing, but example's always clear;

And the best of all the preachers are the men who live their creeds,

For to see good put in action is what everybody needs.

I soon can learn to do it if you'll let me see it done;

I can watch your hands in action, but your tongue too fast may run.

And the lecture you deliver may be very wise and true,

But I'd rather get my lessons by observing what you do;

For I might misunderstand you and the high advise you give,

But there's no misunderstanding how you act and how you live.

Those are first two verses of "Sermons We See."

I am so grateful for the sermons I have been able to see as a Member of the House of Representatives, as a fellow colleague of JOHNNY ISAKSON's here in the U.S. Senate.

He has demonstrated, in the way he has acted, the way we should always act. He has shown us how to be a gentleman and how to be an accomplished gentleman in the way he has lived and the way he has worked across the aisle. How he ends this chapter gives us an opportunity to say thank you for the way he has made the Nation better and the way he has made life better for millions and millions of his fellow Americans. Thank you, JOHNNY.

I yield the floor.

The PRESIDING OFFICER (Mr. CRAPO). The Senator from Oregon.

Mr. MERKLEY. Mr. President, it is now my pleasure to also say some words of tribute to my colleague from Georgia.

When I first came here and found out about his real estate background and his interest in homeownership, I felt it was a powerful connection, in that while I was never in the real estate business, when I went back to Oregon in 1991, I found a connection with Habitat for Humanity and eventually became their director, and it was all about homeownership. So I spent a tremendous amount of time working to advance homeownership for families in Oregon. Certainly, that is what the residential rules say business is all about, and he spent decades in that world before he came to Congress.

In fact, I also felt a connection because of his service in the House of Representatives in Georgia. I only had 10 years in the Oregon House, and he had far more than that in the Georgia House of Representatives. I don't know if the Georgia House is like the Oregon House, but the Oregon House was a very functional place, where people came to the floor and listened to each other and shared ideas. They were only allowed to speak for 5 minutes so everybody could hear each other. You could borrow time from others, but if you borrowed time, then, people started to say: The longer that you speak, the less support you will have.

So it was great to have the entire group present, talking to each other, working, and talking on the floor.

That is how I envision the Georgia House, as well, which I think is a tremendous foundation for networking ideas, working with others, realizing that relationships make such a difference as we strive for policies we believe in. But the pathway involves relationships.

John F. Kennedy once said: "Let the public service be a proud and lively career." When I think about my colleague's career spanning the Georgia House and Georgia Senate and the U.S. House and now the U.S. Senate, and all that he has worked on, I think of it as exactly that—a proud and lively career not only that he can be proud of but that all of us can be proud of, as evidenced by the many folks who have

come to the floor to say thank you for your service.

There was one particular event that I will never forget, and that is after the passage of Dodd-Frank. I heard that a problem had occurred related to the interest on lawyer trust accounts, known by the term IOLTA. This interest, which was not allowed to accrue directly to the company of lawyers, was dedicated by law to funding legal defense funds for noncriminal assistance to American citizens facing court proceedings so they could get a fair day in court.

So I was trying to get unanimous consent for us to fix this, and I needed a partner on the Republican side of the aisle. I was walking from one Senator to another to another. I probably went through about 15 Senators, and I would say: Have you ever heard of IOLTA?

And, universally, the answer was no. I would explain what it was and say why it might make a difference, and each time I spoke they would say: Well, it is probably not something near the top of my list to spend time on.

Then, I asked Senator ISAKSON: Have you ever heard of IOLTA?

He said: Of course, I have.

I explained to him exactly what it was and why it mattered, and I said: Would you be a partner and try to fix this so that the funds will go to the public legal defense fund? And he said yes.

We had to persuade, collectively, a number of folks who had holds on the amendment, which we did. We finally had one Senator who was still putting a hold on it, and we met with him—I don't know if my colleague from Georgia will remember this, but we met with him—and explained our case.

He said that, well, he would think about it, and we decided to inform him that we were going to ask for a unanimous consent motion on the floor at a certain time on a certain day, and that he was welcome to come back and object if he wanted. He did come back, and he met with us at that moment and withdrew his objection, and we passed that fix.

Now, interest rates have not been as high. So the amount of funds that went into the fund were not equivalent to what they were in a previous era, but it is an example of bipartisan work. It is not blue or red work. It is work to help make something go a little better for people in the United States of America.

So to my colleague from Georgia, thank you for doing many things to make life better for the citizens of the United States of America, working with that goal in mind, not partisanship.

Bless you and your family. Thank you for your service.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### NOMINATION OF LAWRENCE VANDYKE

Mr. DURBIN. Mr. President, I oppose the nomination of Lawrence VanDyke to fill a Nevada seat on the Ninth Circuit. When my Republican colleagues decided to abandon blue slips for circuit court seats, many on our side warned that we would start to see nominees with little connection to the States in which they were nominated to sit. Those warnings are coming true. We saw it earlier this year, when the Senate approved the nomination of Daniel Bress to fill a California seat on the Ninth Circuit, even though he had barely lived or practiced in California as an adult.

Now, we are seeing it again with Mr. VanDyke, whose ties to Nevada are minimal. He did not grow up in Nevada or attend any schools there. He did not move to Nevada until 2015, after he had lost a race for the State supreme court of Montana. He did not become an active member of the Nevada Bar until October 2017. He does not have family ties to Nevada. He does not currently live in Nevada. Since he moved to Virginia 8 months ago, he has not been to Nevada even once. Mr. VanDyke's only real tie to Nevada is that he was given a job there for a few years as solicitor general, apparently as a landing spot after he lost his race in Montana.

There are many longtime members of the Nevada legal community who are well qualified to serve as a Federal circuit court judge. But none of them will get the chance to fill this seat. Instead, Senate Republicans are going to rubber-stamp someone with minimal Nevada ties for this Nevada judgeship. How would my colleagues like it if that happened to their States? Mr. VanDyke also has a deeply troubling record.

When he was Montana's solicitor general, we saw from his emails that he allowed political considerations to guide litigation decisions. For example, in a 2013 email, he urged that Montana join an amicus brief supporting the NRA in a cert petition involving a challenge to a gun law on the books. VanDyke wrote, "I'm not sure I agree with the strategy of bringing this case to SCOTUS, but I think we want to be on the record as on the side of gun rights and the NRA."

I am troubled that, for his judicial election campaign, he filled out an NRA endorsement questionnaire in which he said he agreed that "gun control laws are misdirected." He also has a lengthy history of criticizing and undermining LGBTQ rights. This includes his 2004 column where he wrote that there is, "ample reason for concern that same-sex marriage will hurt families, and consequently children and society."

Mr. VanDyke is the ninth Trump judicial nominee who has been rated

"Not Qualified" by the ABA, out of over 260 Trump nominees the ABA has reviewed. The ABA conducts a peer review process. In VanDyke's case, the ABA interviewed 60 attorneys and judges who knew him and his work.

Mr. VanDyke's peers said that Mr. VanDyke "is arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice including procedural rules," "does not always have a commitment to being candid and truthful," and "in some oral arguments, he missed issues fundamental to the analysis of the case." These were scathing comments from dozens of judges and lawyers who know Mr. VanDyke and his work well.

In short, it is no surprise that both of Nevada's Senators oppose this nomination. I agree with them. I will oppose the VanDyke nomination, and I urge my colleagues to do the same.

Mrs. FEINSTEIN. Mr. President, I rise today in strong opposition to the nomination of Lawrence VanDyke to a Nevada seat on the Ninth Circuit Court of Appeals.

I ask unanimous consent to have printed in the RECORD a number of letters and other documents relevant to Mr. VanDyke's nomination following my remarks.

Mr. VanDyke's temperament and integrity have been called into question by his colleagues and the American Bar Association, which rated him "Not Qualified" for the Federal bench. Mr. VanDyke's record, including his opposition to rights of LGBT individuals and commonsense gun control, is far outside the mainstream.

First, I want to discuss concerns raised by Mr. VanDyke's colleagues regarding his temperament, competence, and work ethic. The American Bar Association interviewed 60 of Mr. VanDyke's colleagues, including 43 lawyers, 16 judges, and one other individual who have worked with Mr. VanDyke in the four States where he has worked and who are "in a position to assess his professional qualifications."

In its letter to the committee, the ABA reported that Mr. VanDyke's colleagues described him as "arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice including procedural rules" and stated that he "has an 'entitlement' temperament, does not have an open mind, and does not always have a commitment to being candid and truthful."

As Montana's solicitor general, Mr. VanDyke's coworkers raised similar concerns. They noted that he "avoids work" and that he "does not have the skills to perform, nor desire to learn how to perform, the work of a lawyer." These concerns were echoed by six retired justices of the Montana Supreme Court who wrote that Mr. VanDyke "has neither the qualifications nor the temperament to serve as a federal court of appeals judge." Based in part on these assessments, the ABA deemed Mr. VanDyke "Not Qualified" to be a Federal district court judge. The ABA



has rated 97 percent of President Trump's judicial nominees since 1989. It has a process and standards. It has rated 97 percent of President Trump's judicial nominees "Qualified" or "Well Qualified." Mr. VanDyke, then, is a clear exception.

Mr. VanDyke's record on LGBT rights is also deeply troubling.

In a 2004 op-ed, he wrote that there is "ample reason for concern that same-sex marriage will hurt families, and consequentially children and society." Lambda Legal rightly characterized this claim as a "stigmatizing and disproven myth." During his hearing, and in written questions, Mr. VanDyke was given many opportunities to disavow this statement, which is not supported by the research. He declined to do so.

I asked Mr. VanDyke whether the Supreme Court's decision legalizing same-sex marriage in Obergefell v. Hodges has harmed families and children, and I presented him with research showing that the children of gay and lesbian parents do as well as children raised in opposite-sex households. Still, Mr. VanDyke refused to disavow his anti-LGBT statements.

In its letter to the committee, the ABA reported that some interviewees were unconvinced that Mr. VanDyke would be fair to members of the LGBT community. The ABA further noted that Mr. VanDyke "would not say affirmatively that he would be fair to any litigant before him, notably members of the LGBT community." I am concerned based on Mr. VanDyke's record and the ABA's assessment that LGBT litigants cannot expect to be treated fairly in his courtroom.

Finally, I would like to highlight Mr. VanDyke's long history of advocating against commonsense gun control.

As Nevada solicitor general, he undermined implementation of a 2016 ballot initiative, passed by Nevada voter that would have closed a loophole by expanding background checks for private gun sales. As Montana solicitor general, he called assault weapons bans "ineffective" and questioned the Federal Government's authority to regulate guns in any capacity.

While running for a seat on the Montana Supreme Court in 2014, he filled out an NRA Questionnaire that highlights how far outside the mainstream his views on gun control are.

On this questionnaire, Mr. VanDyke indicated that he believes all gun control laws are "misdirected." He opposed banning the possession, purchase, or sale of any firearm. He also opposed assault weapons bans and requiring background checks for guns sold at gun shows.

Mr. VanDyke even appeared to pledge loyalty to the NRA itself. He wrote on the questionnaire that he had stopped being a member of the organization because he "didn't want to risk recusal if a lawsuit came before [him] where the NRA was involved." Mr. VanDyke willingly offered these views when he was

seeking judicial office, and so I asked him to answer the same questions from the NRA's questionnaire as part of this nomination process. He declined to do so.

It is distressing that a nominee would offer his views on gun control to the NRA, but not to a Member of the U.S. Senate who must vote on his lifetime appointment to the Federal bench.

It is no wonder that gun safety groups, including the Giffords Law Center and the Coalition to Stop Gun Violence, fear that Mr. VanDyke has demonstrated a "clear lack of impartiality" and is "incapable of serving as an impartial justice."

The Nevada Senators strongly oppose Mr. VanDyke, in part because he lacks ties to the State. Their opposition is justified. It is hard to believe that this nominee, whose views are so far outside the mainstream and who is unqualified for the position, is the best the Nevada legal community has to offer.

Federal appeals court judges must be knowledgeable, and litigants must have confidence that these judges will treat them fairly and honestly. Unfortunately, Mr. VanDyke does not meet these basic standards. I urge my colleagues to join me in opposing his nomination.

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

NRA—PVF  
National Rifle Association of America  
Political Victory Fund

2014 MONTANA CANDIDATE QUESTIONNAIRE

Name: Lawrence VanDyke  
Website: www.VanDykeforJustice.com  
Campaign Name: VanDyke for Supreme Court  
Campaign ID #: 46-5103703  
Public Office(s) Held: Montana Solicitor General  
Occupation: Attorney  
Office Sought: Montana Supreme Court Justice  
District: Seat 2  
Party: Non-Partisan

For further information on Montana firearm laws, Please visit [www.nraila.org](http://www.nraila.org) and click on the "Gun Laws" feature located in the menu.

1. Do you agree that the Second Amendment to the United States Constitution guarantees a fundamental, individual right to keep and bear arms that applies to all Americans, regardless of where they live in the United States?

a.  Yes.

b.  No.

2. Which of the following statements best represents your opinion on the prevention of violent crime?

a.  Gun control laws will solve the crime problem.

b.  Gun control laws will not solve the crime problem, but they must be a part of the overall solution.

c.  Gun control laws are misdirected; the solution is the enforcement of existing laws which punish criminals who misuse firearms and other weapons in the commission of crimes.

d.  Other:

3. Considering current Montana firearm laws, would you support any additional re-

strictive state legislation regulating firearms and/or ammunition?

a.  Yes, I support additional restrictive state legislation regulating firearms and/or ammunition.

b.  Yes, I support additional restrictive state legislation regulating firearms. Please explain:

c.  Yes, I support additional restrictive state legislation regulating ammunition. Please explain:

d.  No, current state firearm laws are sufficient.

e.  No, current state firearm laws should be improved to benefit law-abiding gun owners and sportsmen in Montana.

4. Would you support state legislation banning the manufacture, possession, ownership, purchase, sale and/or transfer of any firearms?

a.  Yes, for all firearms. Please specify type of restrictions:

b.  Yes, for all handguns. Please specify type of restrictions:

c.  Yes, for some firearms. Please specify types of firearms/restrictions:

d.  No, I oppose banning the manufacture, possession, ownership, purchase, sale and/or transfer of any firearm.

5. Many .50 caliber firearms are used in big game hunting and target competition and the .50 caliber BMG cartridge has been used for nearly a century. Would you support legislation prohibiting the ownership and/or sale of any .50 caliber firearms or ammunition in Montana?

a.  Yes, I would support such legislation. Please explain:

b.  No, I would oppose such legislation.

I personally have hunted with a 50 AE Desert Eagle Pistol (.50 caliber)

6. In 1994, Congress imposed a 10-year ban on the manufacture, for sale to private individuals, of various semi-automatic\* firearms it termed "assault weapons," and of ammunition magazines capable of holding more than 10 rounds of ammunition, which primarily affected handguns designed for self-defense. Congress' subsequent study of the ban, as well as state and local law enforcement agency reports, showed that contrary to the ban's supporters' claims, the guns and magazines had never been used in more than about 1%-2% of violent crime. Since the ban expired in 2004, the numbers of these firearms and magazines owned have risen to all-time highs and violent crime has fallen to a 42-year low. Would you support state legislation restricting the possession, ownership, purchase, sale, and/or transfer of semi-automatic firearms and/or limits on the capacity of magazines designed for self-defense?

\* Semi-automatic firearms have been commonly used for hunting, target shooting, and self-defense since their introduction in the late 1800s. All semi-automatics fire only one shot when the trigger is pulled. They are not fully-automatic machine guns, which have been strictly regulated under federal law since 1934.

a.  Yes, I would support such legislation for semi-automatic firearms only.

b.  Yes, I would support such legislation for magazines only.

c.  Yes, I would support such legislation for semi-automatic firearms and magazines.

d.  No, I would oppose such legislation.

7. Federal law requires federally-licensed firearms dealers to keep records of the make, model, caliber, and serial number of all firearms sold. Would you support state legislation requiring all firearm owners to register all their firearm(s) for entry into a centralized state file or database?

a.  Yes, for all firearms.

b.  Yes, for all handguns.

c.  Yes, for some firearms. Please specify which firearms:

d. X No, I oppose state registration of firearms.

8. Would you support the state licensing\* of law-abiding citizens who own, possess and use firearms?

\*Licensing, as used here, refers to state legislation requiring firearm owners to obtain a license from a government official or agency to own and possess a firearm. As a rule, firearm owner licensing laws generally require fingerprinting, photographing, and/or a background investigation of the applicant. Note: this is different from acquiring a "permit to carry" a concealed weapon from the state.

a. \_\_\_ Yes, for owners of all firearms.

b. \_\_\_ Yes, for owners of all handguns.

c. \_\_\_ Yes, for owners of some firearms.

Please specify which firearms:

d. X No, I oppose state registration of firearm owners.

9. Federal law requires all federally-licensed firearms dealers to conduct a criminal records check prior to the sale of any firearm, whether the sale occurs at their retail store or at a gun show. Access to the FBI-run telephone-based "instant check" system is limited to licensed dealers only. Under federal law, individuals who only occasionally sell firearms from their personal collections are not "engaged in the business" of selling firearms, and are therefore (1) not required to be licensed; (2) not required to conduct records checks prior to transferring firearms; and (3) not permitted to access the records check system used by licensed dealers. Although less than 1% of guns used in crimes are purchased at gun shows (Department of Justice, Bureau of Statistics), gun control advocates are trying to ban firearms sales at gun shows by occasional sellers and private collectors, or require that any transactions involving their legal property be conducted through a licensed dealer. Would you support legislation restricting firearms sales by occasional sellers and private collectors at gun shows?

a. \_\_\_ Yes, I would support such legislation. Please explain:

b. X No, I would oppose such legislation.

10. In the United States, the number of privately owned guns has risen by more than 10 million annually to an all-time high. Meanwhile, according to the National Center for Health Statistics, firearm accident deaths have decreased by 90 percent over the last century. This trend is due in part to an increasing use of NRA firearm safety training programs by tens of thousands of RA Certified Instructors, schools, civic groups and law enforcement agencies. Nevertheless, several states have recently considered legislation that would mandate the placement of locking devices on firearms kept in the home. These devices greatly restrict access to firearms for self-defense purposes and potentially increase the risk of accidental discharge of a firearm. Would you support legislation that would mandate the use of locking devices or other locking procedures for firearms stored in the home?

a. \_\_\_ Yes, I would support such legislation. Please explain:

b. X No, I would oppose such legislation.

11. Recently, some employers have extended their "gun-free" workplace rules to employees' locked private vehicles in parking lots. Such policies effectively disarm law-abiding citizens, including concealed weapon license holders, from the time they leave their house in the morning to their return home in the evening. Would you support "Employee Protection" legislation that would allow law-abiding citizens to keep lawfully transported firearms locked in their personal vehicles while parked on publicly accessible, privately owned parking lots (see 2013 Montana House Bill 571)?

a. \_\_\_ Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. \_\_\_ No, I would oppose this legislation.

Please explain:

12. Current Montana law (MCA §45-8-328) lists certain "prohibited places," including banks, government office buildings and establishments where alcoholic beverages are served, where concealed weapon permit holders (and law enforcement officers) may not carry a concealed firearm. This puts law-abiding citizens at a disadvantage because, although they could carry "openly" in these locations, criminals will obviously ignore the law and carry concealed. Would you support legislation to repeal the restrictions on where law-abiding citizens may carry a concealed weapon (see 2013 Montana House Bill 358)?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. \_\_\_ No, I would oppose this legislation.

Please explain:

13. Current Montana law allows law-abiding citizens to carry a concealed weapon for defense of themselves and others, free from government interference, anywhere outside the official boundaries of any city or town. In order to cross into a city or town and still be in compliance with Montana law, however, a law-abiding citizen must have a valid concealed weapon permit. Would you support state legislation to remove the requirement that law-abiding citizens obtain governmental permission in order to provide a means of self-protection when they cross into the boundaries of cities and towns in Montana (see 2013 Montana House Bill 304)?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. \_\_\_ No, I would oppose this legislation.

Please explain:

14. Under the National Firearms Act (NFA), an individual wanting to acquire an NFA-regulated item, such as a firearm sound suppressor or fully automatic firearm, must submit the proper paperwork and fingerprints to the Bureau of Alcohol, Tobacco, Firearms and Explosives (BATF), pay a \$200 tax and have a chief local law enforcement officer (CLEO) sign-off on the proper forms. Some CLEOs simply refuse to sign such forms, even for otherwise qualified applicants, because they oppose civilian possession of these items, are fearful of liability or the perceptions of anti-gun constituents, or for other subjective reasons. Legally owned NFA items are very rarely used in crime, with the total number of cases documented numbering in the single digits. This legislation would also include an immunity provision for CLEOs. Would you support state legislation that would make this process more objective by requiring CLEOs to sign such forms if the applicant is not otherwise prohibited from obtaining an NFA item?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. \_\_\_ No, I would oppose this legislation.

Please explain:

15. Many public colleges and universities allow visitors with concealed handgun permits to carry concealed firearms on their campuses, yet nearly all state-funded higher learning institutions ban faculty, staff and students from carrying concealed handguns on campus—even if they have permits to carry concealed firearms. The NRA believes a person with a permit to carry a concealed firearm should be able to carry that firearm concealed anywhere he or she has a legal right to be, except in certain "sterile" high-security locations. Assuming each classification of individuals listed below possessed a

concealed handgun permit recognized by the state, who do you believe should legally be allowed to carry a concealed handgun on state college and university campuses?

a. X All law-abiding persons, including visitors, faculty, staff and students.

b. \_\_\_ Visitors, faculty, staff and some students. Please explain:

c. \_\_\_ Faculty, staff and students.

d. \_\_\_ Visitors, faculty and staff.

e. \_\_\_ Faculty and staff.

f. \_\_\_ Each college or university should determine the policy for its campus.

g. \_\_\_ No one should be allowed to carry a concealed handgun on state college and university campuses.

16. The residents of 39 states can legally own firearm suppressors. Contrary to Hollywood portrayals, suppressors are virtually never used in crime or poaching and criminal misuse carries severe penalties. Suppressors can improve shooting accuracy, protect against hearing loss, reduce noise complaints from the public and make shooting and hunting more enjoyable. The current prohibition on hunting suppressor use, in effect, requires firearms to be as loud as they can possibly be, contrary to the manner in which virtually all other noise-emitting objects are treated. Suppressors are strictly regulated under federal law. Individual purchasers must pay a \$200 federal tax; submit to an extensive background check that includes fingerprints and photographs; and obtain the approval of the chief law enforcement officer in their jurisdiction. Would you support legislation that allows the use of suppressors while hunting and allow law-abiding Montana sportsmen the freedom to protect against hearing loss, improve accuracy and reduce noise complaints?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. \_\_\_ No, I would oppose this legislation.

Please explain:

17. Many states provide civil liability protection to private property owners who allow the public to hunt on their property. Shielding property owners from frivolous lawsuits eliminates a significant concern for property owners and encourages them to open their land to hunting. This enhances public hunting opportunities and assists the state in effectively managing its wildlife populations. Would you support passing or strengthening liability protections for private landowners who allow hunting on their property?

a. X Yes, I would sponsor/cosponsor this legislation.

b. X Yes, I would support this legislation.

c. \_\_\_ No, I would oppose this legislation.

Please explain:

18. Youth/mentored hunting programs have been implemented in 29 states to help promote our hunting heritage by removing barriers to participation. This enormous case study has proven safe beyond anyone's expectations. Mentored hunting allows novice hunters—young and old—to hunt prior to completing hunter education requirements if they hunt under the close supervision of a licensed, adult hunter who meets hunter education requirements. This is the "try it before you buy it" concept. These programs also dramatically reduce or eliminate minimum hunter ages. Would you support a youth/mentored hunting law to help promote Montana's hunting heritage?

a. X Yes, I would sponsor/cosponsor a youth/mentored hunting law.

b. X Yes, I would support implementing a youth/mentored hunting law.

c. \_\_\_ No, I oppose implementing a mentored hunting law. Montanans will prove to be the exception to the rule of extraordinary safety established by the citizens of the 29 states that have implemented this program.

d. \_\_\_ Other. Please explain:

19. For which of the following reasons do you support firearm ownership for law-abiding Montana citizens (please mark any and all that apply)?

- a. X Constitutional Right.
- b. X Hunting.
- c. X Competitive shooting.
- d. X Informal sport shooting (e.g., plinking).
- e. X Defense of self, family, and home (basic human right).
- f. X Collecting.
- g. X Defense of state and nation.
- h. X All of the above.
- i. \_\_\_ None of the above.

20. Have you ever run for or held state or local elective office?

- a. \_\_\_ Yes. Please specify:
- b. X No.

21. Are you a member of the National Rifle Association, the Montana Shooting Sports Association, the Montana Rifle & Pistol Association or any other shooting/sportsmen's/gun rights organization?

- a. \_\_\_ Yes. Please specify:
- b. X No.

I have previously been a member of the NRA, but am not currently a member. I don't want to risk recusal if a lawsuit came before me where the NRA was involved.

—Please see the information from the email sent to Brian Judy on Sept. 16, 2014.

—Please also see the attached article from the Great Falls Tribune dated 9/18/14. The emails referenced in the article, which are available at the website, are very illuminating regarding my defense of the 2nd Amendment while serving as Montana's Solicitor General. See especially page 93.

Candidate Signature: Lawrence VanDyke  
Date: 9/18/14

AMERICAN BAR ASSOCIATION,  
October 29, 2019.

Re Nomination of Lawrence J.C. VanDyke to the United States Court of Appeals for the Ninth Circuit.

Hon. LINDSEY GRAHAM,  
Chairman, Committee on the Judiciary,  
U.S. Senate, Washington, DC.

Hon. DIANNE FEINSTEIN,  
Ranking Member, Committee on the Judiciary,  
U.S. Senate, Washington, DC.

DEAR CHAIRMAN GRAHAM AND RANKING MEMBER FEINSTEIN: The American Bar Association's Standing Committee on the Federal Judiciary has received a full report on Lawrence J.C. VanDyke and a supplemental review by a former chair of the Committee. The Committee's work is based solely on a review of integrity, professional competence, and judicial temperament. Based on these criteria, a substantial majority of the Committee has determined that Mr. VanDyke is "Not Qualified," and a minority determined that he is "Qualified" to serve on the United States Court of Appeals for the Ninth Circuit. The majority rating represents the Standing Committee's official rating. I write to offer a brief explanation of this rating.

The evaluator's Formal Report is based on 60 interviews with a representative cross section of lawyers (43), judges (16), and one other person who have worked with the nominee in the four states where he has worked and who are in a position to assess his professional qualifications. They include but are not limited to attorneys who worked with him and who opposed him in cases and judges before whom he has appeared at oral argument. The evaluator obtained detailed background materials such as more than 600 pages of publicly produced emails involving and/or written by Mr. VanDyke, news reports where Mr. VanDyke had been interviewed, and articles and opinions written about him.

Mr. VanDyke is a highly educated lawyer with nearly 14 years of experience in appellate law, including one year as a law clerk, an associate in a law firm, and as a Solicitor General for over five-plus years, first in Montana and then Nevada, two states in the Ninth Circuit where he would serve if confirmed. The Committee was tasked with balancing Mr. VanDyke's accomplishments with strong evidence that supports a "Not Qualified" rating.

Mr. VanDyke's accomplishments are offset by the assessments of interviewees that Mr. VanDyke is arrogant, lazy, an ideologue, and lacking in knowledge of the day-to-day practice including procedural rules. There was a theme that the nominee lacks humility, has an "entitlement" temperament, does not have an open mind, and does not always have a commitment to being candid and truthful.

Some interviewees raised concerns about whether Mr. VanDyke would be fair to persons who are gay, lesbian, or otherwise part of the LGBTQ community. Mr. VanDyke would not say affirmatively that he would be fair to any litigant before him, notably members of the LGBTQ community.

Even though Mr. VanDyke is clearly smart, comments were made that in some oral arguments he missed issues fundamental to the analysis of the case. There were reports that his preparation and performance were lacking in some cases in which he did not have a particular personal or political interest.

While the evaluator was careful in her interview with Mr. VanDyke not to name interviewees, the nature of the issues that gave rise to some of the negative comments had been publicly discussed and other adverse comments could be raised without identifying interviewees. The negative issues discussed in this letter were thoroughly discussed with interviewees and vetted with the nominee. Significantly, the interviewees' views, negative or positive, appeared strongly held on this nominee.

The Committee's work is guided by the Backgrounder which reflects that judgment is a component of professional competence, and that open-mindedness, courtesy, patience, freedom from bias, and commitment to equal justice under law are components of judicial temperament. Based on these principles, a substantial majority of the Committee determined that the nominee is "Not Qualified" to be a Ninth Circuit judge.

Very truly yours,

WILLIAM C. HUBBARD.

Mr. VAN HOLLEN. Mr. President, yesterday, I went to the Senate floor to ask unanimous consent on the DETER Act, bipartisan legislation that I authored alongside Senator RUBIO that is languishing in the Senate legislative graveyard.

The DETER Act is absolutely critical to protect our democracy from foreign interference. It serves a clear, simple, and essential purpose. It says to Russia and any other foreign power that, if they interfere in our elections and undermine the integrity of our democracy, they will face severe consequences in the form of tough sanctions. Foreign interference in our elections remains as critical a threat as ever. That is why, on November 5, seven U.S. Federal agencies jointly stated, "Russia, China, Iran, and other foreign malicious actors all will seek to interfere in the voting process or influence voter perceptions. Adversaries may try to accomplish their goals

through a variety of means, including social media campaigns, directing disinformation operations, or conducting disruptive or destructive cyberattacks on state and local infrastructure."

The Senate endorsed the inclusion of this bill in this year's National Defense Authorization Act, unanimously passing a resolution in the fall instructing NDAA conferees to include such a provision in the conference report. However, the Republican leadership has stonewalled the inclusion of this bill in the NDAA. Instead, we are voting this week on two Ninth Circuit judicial nominees of dubious qualifications, including one who was rated "Unqualified" by the American Bar Association, ABA.

Circuit courts play an important role in our country. Circuit court judges review the decisions of district court judges. Instead of nominating experienced jurists, Republicans have chosen to advance two nominees, Messrs. Bumatay and VanDyke, neither of whom have absolutely any experience as judges, at the State or Federal level. Mr. VanDyke was harshly described by his peers and colleagues as someone who is "arrogant and disrespectful to others, both in and outside of this office. He avoids work. He does not have the skills to perform, nor desire to learn how to perform, the work of a lawyer." This harsh criticism of a judicial nominee from their peers is extremely rare and factored in heavily into the ABA's "Unqualified" rating.

Instead of trying to confirm unqualified radical ideologues to the bench, Republicans should be working across the aisle to pass bipartisan legislation to secure our elections and address other national priorities. Failing to do so is a dereliction of our duty.

UNANIMOUS CONSENT AGREEMENT—EXECUTIVE CALENDAR

Mr. BARRASSO. Mr. President, I ask unanimous consent that the rollcall vote scheduled to begin at 4:15 begin at 4:05 p.m., immediately.

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

VOTE ON VANDYKE NOMINATION

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

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kentucky (Mr. PAUL).

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

The ACTING PRESIDENT pro tempore. Are there any other Senators in the Chamber desiring to vote?

The result was announced—yeas 51, nays 44, as follows:

[Rollcall Vote No. 391 Ex.]

YEAS—51

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

NAYS—44

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

NOT VOTING—5

|        |         |        |
|--------|---------|--------|
| Bennet | Paul    | Warren |
| Booker | Sanders |        |

The nomination was confirmed.

The ACTING PRESIDENT pro tempore. 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 ACTING PRESIDENT pro tempore. 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 John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation.

Mitch McConnell, Thom Tillis, Richard Burr, Pat Roberts, John Cornyn, John Hoeven, Cindy Hyde-Smith, Roger F. Wicker, Marco Rubio, John Boozman, James E. Risch, John Barrasso, John Thune, Roy Blunt, Lamar Alexander, Mike Braun, Shelley Moore Capito.

The ACTING PRESIDENT pro tempore. 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 John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

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

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

The yeas and nays resulted — yeas 69, nays 25, as follows:

[Rollcall Vote No. 392 Ex.]

YEAS—69

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

NAYS—25

|            |           |            |
|------------|-----------|------------|
| Baldwin    | Heinrich  | Schumer    |
| Blumenthal | Hirono    | Smith      |
| Brown      | Klobuchar | Stabenow   |
| Cantwell   | Markey    | Udall      |
| Casey      | Menendez  | Warner     |
| Duckworth  | Murray    | Whitehouse |
| Durbin     | Peters    | Wyden      |
| Gillibrand | Reed      |            |
| Harris     | Schatz    |            |

NOT VOTING—6

|        |      |         |
|--------|------|---------|
| Bennet | Burr | Sanders |
| Booker | Paul | Warren  |

The PRESIDING OFFICER. On this vote, the yeas are 69, the nays are 25.

The motion is agreed to.

The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, I ask unanimous consent that there be 2 minutes of debate equally divided between the Senator from Washington and myself and that there be 2 minutes of debate equally divided between the two leaders prior to the following vote. I further ask that the remaining votes in this series be 10 minutes each.

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

The Senator from Washington.

NOMINATION OF STEPHEN HAHN

Mrs. MURRAY. Mr. President, the Food and Drug Administration plays an important part in our families' everyday lives. When people across the country do anything from using a medical device, to getting a prescription filled, to sitting down together to eat,

they rely on the FDA to keep them safe and healthy.

There is a lot at stake for our families, and it is critical that we know the FDA's leadership will uphold its gold standard of safety and effectiveness and put people's health and well-being first. I am not convinced that is the case under Hahn's leadership.

I have reviewed his records and carefully considered his answers on key issues. I want the Senate to know I was particularly concerned by his evasive response when it came to how to address skyrocketing youth e-cigarette use. Just a few months ago, the Trump administration promised it would take action and pull non-tobacco-flavored e-cigarette products from the market until after the FDA had reviewed them, only to reverse its course.

We need a leader at the FDA who will fight for our families and stand up to this administration on this important policy. When Members from both sides of the aisle asked him about this, he refused to commit to follow through on the promising step President Trump decided to abandon. So given his answers—or lack thereof, really—on this concerning issue, I am voting no on this confirmation.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. We have a vacancy at the Food and Drug Administration. So what if someone said: Wouldn't it be a good idea to go see if we can recruit the chief medical officer at the MD Anderson Cancer Center in Houston, one of the most distinguished institutions in the world, an organization that is even larger than the FDA? Wouldn't it be a good idea to go get a practicing oncologist? Wouldn't it be a good idea to get somebody who has worked at the National Institutes of Health and who has letters of recommendation from more than 80 organizations? Wouldn't it be a good idea to get someone who has been recommended and endorsed by the last five FDA Commissioners, under Presidents Trump, Obama, and Bush?

Well, we have such a person. That person came out of our committee 18 to 5—Dr. Stephen Hahn, the Chief Medical Officer of the MD Anderson Cancer Center. We should be grateful he is willing to take this job at this period of time.

I urge a "yes" vote, Mr. President.

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 Stephen Hahn, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services.

Mitch McConnell, Thom Tillis, Richard Burr, Pat Roberts, John Cornyn, John Hoeven, Cindy Hyde-Smith, Roger F. Wicker, James Lankford, John Boozman, James E. Risch, John Barrasso, John Thune, Roy Blunt, Lamar Alexander, Mike Braun, Shelley Moore Capito.

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 Stephen Hahn, of Texas, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. ISAKSON), and the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), 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 74, nays 19, as follows:

[Rollcall Vote No. 393 Ex.]

YEAS—74

|              |            |            |
|--------------|------------|------------|
| Alexander    | Feinstein  | Portman    |
| Baldwin      | Fischer    | Risch      |
| Barrasso     | Gardner    | Roberts    |
| Blackburn    | Graham     | Romney     |
| Blunt        | Grassley   | Rosen      |
| Boozman      | Hawley     | Rounds     |
| Braun        | Hoeven     | Rubio      |
| Brown        | Hyde-Smith | Sasse      |
| Capito       | Inhofe     | Scott (FL) |
| Cardin       | Johnson    | Scott (SC) |
| Carper       | Jones      | Shaheen    |
| Casey        | Kaine      | Shelby     |
| Cassidy      | Kennedy    | Sinema     |
| Collins      | King       | Sullivan   |
| Coons        | Lankford   | Tester     |
| Cornyn       | Lee        | Thune      |
| Cortez Masto | Manchin    | Tillis     |
| Cotton       | McConnell  | Toomey     |
| Cramer       | McSally    | Van Hollen |
| Crapo        | Menendez   | Warner     |
| Cruz         | Moran      | Whitehouse |
| Daines       | Murkowski  | Wicker     |
| Durbin       | Murphy     | Wyden      |
| Enzi         | Perdue     | Young      |
| Ernst        | Peters     |            |

NAYS—19

|            |           |          |
|------------|-----------|----------|
| Blumenthal | Hirono    | Schatz   |
| Cantwell   | Klobuchar | Schumer  |
| Duckworth  | Leahy     | Smith    |
| Gillibrand | Markey    | Stabenow |
| Harris     | Merkley   | Udall    |
| Hassan     | Murray    |          |
| Heinrich   | Reed      |          |

NOT VOTING—7

|        |         |        |
|--------|---------|--------|
| Bennet | Isakson | Warren |
| Booker | Paul    |        |
| Burr   | Sanders |        |

The PRESIDING OFFICER. On this vote, the yeas are 74, the nays are 19.

The motion is agreed to.

There is 2 minutes of debate on both sides before the next vote.

The Senator from Delaware.

NOMINATION OF AURELIA SKIPWITH

Mr. CARPER. Mr. President, I take no joy today in rising to urge my col-

leagues to join me in voting no on the cloture of the nomination of Aurelia Skipwith to serve as Director of the U.S. Fish and Wildlife Service.

To my disappointment and dismay, Ms. Skipwith has not provided information pertaining to her activities at the Interior Department that was requested by Senate Democrats during her nomination process. Despite my repeated requests for this information since August—requests made twice in writing and twice in person during her nomination process—Ms. Skipwith has refused to produce information that is routinely provided by other nominees. She even suggested—get this—that I file a Freedom of Information Act request for the basic information I seek. I worry, once confirmed, Ms. Skipwith's forthrightness will only worsen, which will severely impair our ability to conduct meaningful oversight over the U.S. Fish and Wildlife Service.

Ms. Skipwith's lack of candor has elevated questions that already existed about her qualifications, her commitment to environmental conservation, and whether she can ethically lead the U.S. Fish and Wildlife Service. I believe it is irresponsible to confirm a nominee given these serious outstanding issues. I urge my colleagues to join me in voting no on cloture.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, the Senate is considering the nomination of Aurelia Skipwith to be Director of the U.S. Fish and Wildlife Service.

The agency needs Senate-confirmed leadership in place, and Ms. Skipwith is well qualified to serve as the Director. She has a degree in biology from Howard University, a degree in molecular genetics from Purdue University, and a law degree from the University of Kentucky. For almost 3 years, Ms. Skipwith has served as the Department of the Interior's Deputy Assistant Secretary for Fish, Wildlife and Parks.

At her nomination hearing, Ms. Skipwith was introduced by Democratic Congressman WILLIAM LACY CLAY, of Missouri. He said Ms. Skipwith was "one of the most talented, hardest working and driven persons that I have ever known."

I encourage every Senator to support her nomination.

I yield the floor.

CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service.

Mitch McConnell, Thom Tillis, Richard Burr, Pat Roberts, John Cornyn, John Hoeven, Cindy Hyde-Smith, Roger F. Wicker, Marco Rubio, John Boozman, James E. Risch, John Barrasso, John Thune, Roy Blunt, Lamar Alexander, Mike Braun, Shelley Moore Capito.

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 Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Georgia (Mr. ISAKSON), and the Senator from Kentucky (Mr. PAUL).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. Booker), 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 53, nays 41, as follows:

[Rollcall Vote No. 394 Ex.]

YEAS—53

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

NAYS—41

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

NOT VOTING—6

|        |         |         |
|--------|---------|---------|
| Booker | Isakson | Sanders |
| Burr   | Paul    | Warren  |

The PRESIDING OFFICER. On this vote, the yeas are 53 and the nays are 41.

The motion is agreed to.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service.

The PRESIDING OFFICER. The majority leader.

#### ORDER OF BUSINESS

Mr. MCCONNELL. For the information of all Senators, the Senate will vote on the confirmation of the Skipwith and Sullivan nominations at 11:45 a.m. tomorrow, as well as the confirmation of the Hahn nomination at 1:45 p.m.

The PRESIDING OFFICER. Duly noted.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that if any of the nominations listed are confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

### LEGISLATIVE SESSION

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

#### TRIBUTE TO JOHNNY ISAKSON

Mrs. FISCHER. Mr. President, I rise today with my colleagues to honor my friend, the senior Senator from Georgia. At the end of this year, Senator ISAKSON will retire after 20 years of service to the people of Georgia in Washington.

After protecting our Nation in the Georgia Air National Guard, graduating from the University of Georgia, and serving as a representative in his State legislature, the door opened for a son from Atlanta to run for Congress. Georgia saw in him then what we see in him now: a principled leader, a skillful communicator, and a man worth trusting. It is no surprise that the people of Georgia have renewed their trust in him time and time again. And I know I speak for my colleagues when I say that we are grateful they did.

After six years representing Georgia's Sixth Congressional District, the Senate gained a true statesman when he entered in 2005. When I was preparing for these remarks, I came across one of his Senate reelection speeches. I thought it was particularly revealing to his character and how he carries himself in the Senate. He told the crowd that was cheering him on:

I promise you I am ready . . . I am ready to tackle whatever problem life brings to us as Americans.

With my feet rooted in conservative principles, my belief in God the Father Al-

mighty, and my belief in the people of Georgia.

Mr. President, that is who Senator ISAKSON is.

No matter the obstacles that came his way, he has always been a steady hand—strengthened by his enduring faith and deep respect for his constituents. One of those mountains to climb was working on behalf of our veterans to improve conditions at the VA and end the backlog that was building for years. Under his leadership on the Veterans' Affairs Committee, I was proud to work with him to pass the CHIP-In for Vets Act into law in 2016. The bill allows local communities to take the lead on new projects by permitting the VA to accept private contributions to ensure VA projects are finished both on time and on budget. His support of this bill meant that Nebraskans have the opportunity to save millions of dollars when constructing the new Omaha VA Ambulatory Clinic. A GAO report indicates that our new facility is now \$34 million under budget and 4½ months ahead of schedule. I know generations of Nebraskans will be grateful for his help in getting this bill across the finish line.

On a more personal note, one of my fondest memories of JOHNNY was our trip to Normandy, France, this year to commemorate the 75th anniversary of D-Day. As a veteran himself, everyone in this body understood the abounding respect and gratitude he carried for our Nation's servicemembers as he led the delegation—the same respect and gratitude he shows to our veterans everyday as he leads the Senate in providing resources to meet our veterans' needs.

Mr. President, I think if there is any moment that foreshadowed JOHNNY's service to Georgia and our Nation, it was his speech immediately after being sworn in to the House of Representatives. He turned to his new colleagues and said, "I hope, in years to come, I'll be a respected friend, and one who joined with you to make a difference in the United States of America." What a respected friend he has become. What a difference he has made. It has been an honorable journey, and it ends with us confirming that the legacy he has worked hard to achieve from the very beginning has now come true in the end.

JOHNNY, you are a great leader, a careful listener, and a gifted legislator. It has been a privilege to work with you and call you friend. You have served the State of Georgia and our country well. I wish you and Diane all the best on this next chapter in your lives. Godspeed.

#### TRIBUTE TO SERGEANT MAJOR DEREK GONDEK

Ms. ERNST. Mr. President, today I rise to pay tribute to SGM Derek Gondek for his exemplary dedication to duty and service as an Army congressional fellow and congressional budget liaison for the Assistant Secretary of

the Army, Financial Management and Comptroller. Sergeant Major Gondek is retiring after 27 years of dedicated service to his country and the U.S. Army.

A native of Lewiston, ME, Sergeant Major Gondek enlisted as an infantry soldier in July 1992, attending infantry one station unit training at Fort Benning, GA.

Sergeant Major Gondek has served in a broad range of assignments during his Army career at all levels of command. Starting as a rifleman with the 509th Parachute Infantry Regiment at Fort Polk, LA, Sergeant Major Gondek led soldiers as a team leader, platoon sergeant, first sergeant, and operations sergeant major across the Army. His highest level of leadership was as a battalion command sergeant major of the 2nd Battalion, 27th Infantry Regiment, 25th Infantry Division at Schofield Barracks, HI. He has also instructed at the Army's Jumpmaster School and provided coaching to rotational units at the Army's Joint Multinational Readiness Center in Hohenfels, Germany. Sergeant Major Gondek has served forward deployed to both Iraq and Afghanistan.

In 2017, Sergeant Major Gondek began his tenure with the U.S. Senate, first as a Defense fellow and next in his subsequent assignment as a congressional budget liaison for the U.S. Army. Sergeant Major Gondek worked tirelessly with Members of Congress and their staffs to accurately articulate the Army's budget positions to the Appropriations Committees. His professionalism, diligence, and commitment to the mission are unmatched, and his work both as a fellow and as a liaison very effectively represented the U.S. Army and the Department of Defense to the U.S. Congress.

The foundation of Derek's military success is his family. He is a devoted husband to his wife Maura and committed father to his daughters, Winnie, Ellie, and Zoey. Maura, Winne, Ellie and Zoey provide the foundation for Derek's service. Their attitude of service, sacrifice, and care for others permeates every organization and activity they participate in. The Gondek family is truly an example of servant leadership in the Army and the communities they engage.

Throughout his career, Sergeant Major Gondek has positively impacted soldiers, peers, and superiors. Our country has benefited tremendously from his extraordinary leadership, judgment, and passion. I join my colleagues today in honoring his dedication to our Nation and invaluable service to the U.S. Congress as an Army congressional liaison.

It has been a genuine pleasure to have worked with SGM Derek Gondek over the last 3 years. On behalf of a grateful nation, I join my colleagues today in recognizing and commending Derek for his service to our country, and we wish him all the best as he continues his service in his future endeavors.



## ADDITIONAL STATEMENTS

## TRIBUTE TO BOBI GARRETT

• Mr. GARDNER. Mr. President, today I rise to recognize a great Coloradan, Bobi Garrett who, after 21 years, is retiring from the National Renewable Energy Laboratory—NREL—in Golden, Colorado.

NREL is a crown jewel of research and development in the energy field, where its employees show up to work each day dedicated to finding solutions to the problems that we currently face not just in Colorado, but the United States and the world as well. Bobi has been with NREL since 1998, starting as the associate director for strategic development and analysis and is currently the deputy laboratory director of strategic programs and partnership, as well as chief operations officer—COO—of the facility. Bobi's work is vital to the performance and effectiveness of NREL, and her extensive expertise in the energy field has been instrumental in the laboratory's success.

Bobi started her career in energy and engineering when she graduated from Montana State University in 1976 with a degree in chemical engineering. She was just one of seven women in her engineering class. In addition to her NREL service, Bobi serves as an ambassador for Clean Energy Education and Empowerment, a program that helps women with careers in energy, and currently as a board member of CO-LABS, an organization dedicated to increasing Colorado's global standing in research and technology.

Bobi has worked tirelessly in her career to ensure that the future is brighter for generations to come. Her dedication to this effort earned her a spot in Denver Business Journal's "Top Women in Energy" in 2015, a well-deserved honor. We are proud to have Bobi in the great State of Colorado, and we look forward to her future efforts to make the world a better place.●

## MESSAGE FROM THE HOUSE

At 10:53 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bill, in which it requests the concurrence of the Senate.

H.R. 5035. An act to amend the Communications Act of 1934 to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes.

## MEASURES REFERRED

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

H.R. 5035. An act to amend the Communications Act of 1934 to extend expiring provisions relating to the retransmission of signals of television broadcast stations, and for other purposes; to the Committee on Commerce, Science, and Transportation.

## MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3009. A bill to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to enact appropriations.

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3477. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2018-0258)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3478. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0400)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3479. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Pratt & Whitney Canada Corp. Turboshift Engines" ((RIN2120-AA64) (Docket No. FAA-2018-0739)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3480. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives: Textron Aviation Inc. (Type Certificate Previously Held by Beechcraft Corporation)" ((RIN2120-AA64) (Docket No. FAA-2019-0959)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3481. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Fokker Services B.V. Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0666)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3482. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0483)) received during adjournment of the Senate

in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3483. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0667)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3484. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus SAS Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0611)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3485. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; Airbus Defense and Space S.A. (Formerly Known as Construcciones Aeronauticas, S.A.) Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0869)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3486. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; General Electric Company Turbofan Engines" ((RIN2120-AA64) (Docket No. FAA-2019-0894)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3487. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Airworthiness Directives; The Boeing Company Airplanes" ((RIN2120-AA64) (Docket No. FAA-2019-0323)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3488. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment, Revocation, and Establishment of Air Traffic Service (ATS) Routes; Western United States" ((RIN2120-AA66) (Docket No. FAA-2018-0221)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3489. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Establishment and Amendment of Area Navigation (RNAV) Routes; Southeastern United States" ((RIN2120-AA66) (Docket No. FAA-2019-0124)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3490. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments; Amendment No. 3878" ((RIN2120-AA65) (Docket No. 31281)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3491. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Standard Instrument Approach Procedures; Miscellaneous Amendments; Amendment No. 3877" ((RIN2120-AA65) (Docket No. 31280)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3492. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Amendment of Class E Airspace; Tomahawk, WI" ((RIN2120-AA66) (Docket No. FAA-2019-0651)) received during adjournment of the Senate in the Office of the President of the Senate on November 27, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3493. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; Coast Guard PSU-312 Training Exercise South Bay, San Francisco Bay, San Francisco, CA" ((RIN1625-AA00) (Docket No. USCG-2019-0859)) received in the Office of the President of the Senate on December 4, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3494. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Safety Zone; San Juan Harbor, San Juan, PR" ((RIN1625-AA00) (Docket No. USCG-2019-0686)) received in the Office of the President of the Senate on December 4, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3495. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Waiver of Citizenship Requirements for Crewmembers on Commercial Fishing Vessels" ((RIN1625-AB50) (Docket No. USCG-2019-0625)) received in the Office of the President of the Senate on December 4, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3496. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Beauty and the Beast Triathlon; Christiansted Harbor, St. Croix, Virgin Island" ((RIN1625-AA08) (Docket No. USCG-2019-0893)) received in the Office of the President of the Senate on December 4, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3497. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Drawbridge Operation Regulation; Kissimmee River, Fort Basinger, FL" ((RIN1625-AA09) (Docket No. USCG-2019-0821)) received in the Office of the President of the Senate on December 4, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3498. A communication from the Attorney-Advisor, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Special Local Regulation; Atlantic Ocean, Key West, FL" ((RIN1625-AA08) (Docket No. USCG-2019-0631)) received in the Office of the President of the Senate on December 4, 2019; to the Committee on Commerce, Science, and Transportation.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-160. A concurrent resolution adopted by the Legislature of the State of Texas urging the United States Congress to enact H.R. 613 and S. 164, the TRICARE Reserve and Select Improvement Act; to the Committee on Armed Services.

#### HOUSE CONCURRENT RESOLUTION NO. 74

Whereas, Men and women with full-time careers who are also reservists in the Texas National Guard or another reserve component of the United States armed forces provide a valuable service to Texas and the nation; and

Whereas, Also providing a valuable service to Texas and the nation are men and women who have made the reserves of the armed forces of the United States their full-time career; these military technicians provide day-to-day readiness and training in reserve component units and are considered to be federal employees; and

Whereas, Unfortunately, federal employees who are also reservists or who work full time in a reserve component unit are ineligible for TRICARE Reserve Select, the low-cost health benefits plan offered to all other reserve component service members; instead, these federal employees who are eligible for a federal health benefits plan must use a more expensive health benefits plan; and

Whereas, The cost difference between enrolling in TRICARE and a federal health benefits plan can be significant in a family budget; in a recent example, a full-time base services manager at an Air National Guard base estimated that she paid \$4,700 more of her \$57,000 annual salary for a federal health benefits plan than she would for TRICARE; and

Whereas, To address the different treatment of reserve component service members who are federal employees, Congress is considering H.R. 613/S. 164, the TRICARE Reserve Select Improvement Act, to remove the prohibition on eligibility for TRICARE of members of the reserve components of the armed forces who are eligible to enroll in a federal health benefits plan; and

Whereas, Enacting the TRICARE Reserve Select Improvement Act would reduce the financial burden on valued members of the Texas National Guard and other reserve components of the United States armed forces; now, therefore, be it

*Resolved*, That the 86th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to enact H.R. 613/S. 164, the TRICARE Reserve Select Improvement Act; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-161. A concurrent resolution adopted by the Legislature of the State of Texas urging the President of the United States to designate a state funeral for the last surviving Medal of Honor recipient from World War II; to the Committee on Homeland Security and Governmental Affairs.

#### SENATE CONCURRENT RESOLUTION NO. 59

Whereas, World War II lasted from 1939 until 1945, and the United States entered the war in 1941 following the attack on Pearl Harbor; and

Whereas, Over 16 million Americans served their country and its allies over the course of the war; and

Whereas, The generation of men and women who served our country in World War II has been called "the greatest generation" for their selfless sacrifice; and

Whereas, The Medal of Honor is the highest military decoration that is awarded by the United States government; and

Whereas, The Medal of Honor is presented by the president of the United States, in the name of Congress; and

Whereas, The Medal of Honor is only conferred upon members of the United States armed forces who distinguish themselves through conspicuous gallantry and intrepidity at the risk of life above and beyond the call of duty while engaged in action against an enemy of the United States, while engaged in military operations involving conflict with an opposing foreign force, or while serving with friendly forces engaged in an armed conflict against an opposing armed force in which the United States is not a belligerent party; and

Whereas, More than 3,400 Medals of Honor have been awarded to our nation's bravest soldiers, sailors, airmen, marines, and coast guardsmen since the creation of the award in 1861; and

Whereas, The Medal of Honor was awarded to 473 Americans during World War II, and only four of those 473 Americans are alive today; and

Whereas, Charles H. Coolidge of Tennessee, Francis S. Currey of New York, Robert D. Maxwell of Oregon, and Hershel W. Williams of West Virginia all served their country with conspicuous gallantry and intrepidity at the risk of life and therefore deserve the gratitude of the American people; and

Whereas, The president of the United States has the sole authority to designate a state funeral; and

Whereas, Historically, the president of the United States has designated state funerals for former presidents, generals, and other extraordinary Americans; and

Whereas, Designating a state funeral when the last surviving World War II Medal of Honor recipient dies would be a wonderful way for the American people to unite and honor all 16 million soldiers, sailors, and airmen who served in our armed forces from 1941 to 1945; Now, therefore, be it

*Resolved*, That the 86th Legislature of the State of Texas, hereby respectfully urge the president of the United States to designate a state funeral for the last surviving Medal of Honor recipient from World War II; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-162. A concurrent resolution adopted by the Legislature of the State of Texas urging the United States Congress to repeal the

Government Pension Offset and the Windfall Elimination Provision of the Social Security Act; to the Committee on Finance.

HOUSE CONCURRENT RESOLUTION NO. 19

Whereas, Social Security is the foundation for retirement income for tens of millions of American workers and their families; nearly two-thirds of the older Americans who receive program benefits rely on Social Security for 50 percent or more of their total income, and one-third rely on it for 90 percent or more; among beneficiaries aged 80 and older, 42 percent rely on Social Security for nearly all of their income; and

Whereas, Two Social Security provisions, however, the Government Pension Offset (GPO), enacted in 1977, and the Windfall Elimination Provision (WEP), enacted in 1983, severely and unfairly penalize recipients of public pensions; and

Whereas, The GPO effectively prohibits some government retirees from collecting both their own pension and full Social Security benefits as a surviving spouse; an estimated 9 out of 10 public employees affected by the GPO lose their entire spousal benefit, even though their spouses paid Social Security taxes for many years; and

Whereas, The WEP reduces the Social Security benefit for public employees who did not participate in Social Security while working for the government, but who at some time in their careers were in jobs where they paid Social Security taxes for the period required to qualify for retirement benefits; the WEP can deprive a retiree of nearly \$450 a month in Social Security benefits duly earned by that individual;

Whereas, Although these provisions were intended to curtail the payment of windfall benefits to highly paid government employees, in practice they have had and continue to have devastating consequences for low-income employees who worked for many years as public servants; more than two million government employees and retirees are affected by either the GPO or the WEP or both, and the repercussions are felt most acutely in Texas and 14 other states where a high proportion of public employees participate in state or municipal retirement systems that do not include Social Security; and

Whereas, These punitive and discriminatory provisions target hundreds of thousands of teachers, police officers, firefighters, and other public servants; although the vast majority of Texas school employees participate in the state's teacher retirement system and therefore are not required to and do not participate in the Social Security system, many Texas teachers and other public school employees nonetheless have earned Social Security benefits on their own behalf through other employment, the WEP notwithstanding, or would be entitled to spousal Social Security benefits based on their spouses' lifetime earnings were it not for the GPO penalty; these provisions cause veteran teachers to retire prematurely and discourage qualified individuals from entering the teaching profession at precisely the time that Texas and the nation face a severe shortage of highly qualified educators; and

Whereas, The GPO and WEP as applied to public employees are unreasonable and unjust and will cause tens of thousands of government retirees to experience a diminished quality of life or be forced to return to work to make up for the effects of these provisions; Now, therefore, be it

*Resolved*, That the 86th Legislature of the State of Texas hereby respectfully urge the Congress of the United States to repeal the Government Pension Offset and the Windfall Elimination Provision of the Social Security Act; and, be it further

*Resolved*, That the Texas secretary of state forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be officially entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-163. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Congress and the President of the United States to enact H.R. 500 which prevents the IRS from collecting taxes on any amount of student loan forgiven for deceased veterans; to the Committee on Finance.

ASSEMBLY RESOLUTION NO. 97

Whereas, Each member of the United States Armed Forces serves our country to protect the citizens of the United States and, in 2015, there were over one million active duty members of the Armed Forces; and

Whereas, If a service member sustains an injury or illness while on active duty they may be discharged and return home to pursue higher educational opportunities; and

Whereas, Many service members embrace the opportunity to pursue higher education through the various tuition assistance programs and college funds offered to service members, which may be used in combination with federal and private student loans to pay for the cost of college; and

Whereas, If a service member loses his or her life as a result of an injury or illness sustained while on active duty, the federal education loans are forgiven under the Higher Education Act and private loan companies can choose to forgive the education loans; and

Whereas, When an educational loan is forgiven the Internal Revenue Code categorizes the amount of the loan as taxable gross income for a cosigner on the loan, which can include both family and friends of the deceased service member; and

Whereas, Taxing loan forgiveness as income can be burdensome to family members and friends especially during a time when they are grieving the loss of their loved one; and

Whereas, Families of veterans who lost their lives as a result of an illness or injury sustained while serving on active duty have already sacrificed so much for the United States; and

Whereas, The federal bill [H.R. 2874] *H.R. 500*, named the "Andrew P. Carpenter Tax Act," would amend the Internal Revenue Code to prevent the Internal Revenue Service from collecting taxes on any amount of student loan forgiven; and

Whereas, The federal bill will help to ease the financial burden for individuals who are already grieving for the loss of their loved one; Now, therefore, be it

*Resolved by the General Assembly of the State of New Jersey*:

1. This House respectfully urges the President and Congress of the United States to enact [H.R. 2874] *H.R. 500* which amends the Internal Revenue Code to prevent the Internal Revenue Service from collecting taxes on any amount of student loan forgiven for deceased veterans.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President and Vice President of the United States, the United States Secretary of Defense, the Majority and Minority Leader of the United States Senate, the Speaker and the Minority Leader of the United States

House of Representatives, and every member of Congress from New Jersey.

POM-164. A resolution adopted by the Council of the Village of Yellow Springs, Ohio urging the United States Congress to enact the Energy Innovation and Carbon Dividend Act of 2019; to the Committee on Finance.

POM-165. A resolution passed by the Council of the City and County of Honolulu, Hawaii urging the United States Congress to embrace the Treaty on the Prohibition of Nuclear Weapons and make nuclear disarmament the centerpiece of the United States' national security policy; to the Committee on Foreign Relations.

POM-166. A petition from a citizen of the State of Louisiana memorializing a resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to support the initiative calling for accurate, third-party application (app) ratings and intuitive parental controls to better protect children from harmful online and mobile device content; to the Committee on Commerce, Science, and Transportation.

POM-167. A resolution adopted by the Eastern Regional Conference of the Council of State Governments urging the United States Congress to approve H.R. 3631 Territories Health Care Improvement Act; to the Committee on Finance.

POM-168. A petition from a citizen of the State of Illinois relative to the solvency of the Central States Pension Fund; to the Committee on Health, Education, Labor, and Pensions.

POM-169. A petition from a citizen of the State of Texas relative to amendments to the United States Constitution; to the Committee on the Judiciary.

POM-170. A petition from a citizen of the State of Texas relative to current laws regarding persons from outside of the United States and their physical presence within the United States; to the Committee on the Judiciary.

REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, without amendment:

S. 881. A bill to improve understanding and forecasting of space weather events, and for other purposes (Rept. No. 116-171).

S. 919. A bill to reduce regulatory burdens and streamline processes related to commercial space activities, and for other purposes (Rept. No. 116-172).

S. 2909. A bill to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. RISCH for the Committee on Foreign Relations.

Sung Y. Kim, of California, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Indonesia.

Nominee: Sung Y. Kim.

Post: Republic of Indonesia.

(The following is a list of all members of my immediate family and their spouses. I

have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee.

1. Self: None.
2. Spouse: None.
3. Children and Spouses: None.
4. Parents: None.
5. Grandparents: None.
6. Brothers and Spouses: None.
7. Sisters and Spouses: None.

Stephen E. Biegun, of Michigan, to be Deputy Secretary of State.

By Mr. LEE for Mr. INHOFE for the Committee on Armed Services.

Army nomination of Maj. Gen. Douglas M. Gabram, to be Lieutenant General.

Mr. LEE for Mr. INHOFE. Mr. President, for the Committee on Armed Services I report favorably the following nomination lists which were printed in the RECORDS on the dates indicated, and ask unanimous consent, to save the expense of reprinting on the Executive Calendar that these nominations lie at the Secretary's desk for the information of Senators.

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

Air Force nominations beginning with Anna M. Adkins and ending with Mary E. Zander, which nominations were received by the Senate and appeared in the Congressional Record on September 19, 2019.

Army nomination of Zachary B. Ciccolo, to be Major.

Army nomination of Andrew J. Oliver, to be Major.

Army nomination of Marjorie A. Kuipers, to be Major.

Army nomination of Yuandre G. Dieujuste, to be Major.

Army nomination of Thomas E. Axtell, to be Lieutenant Colonel.

Army nomination of D014331, to be Major.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

The following bills and joint resolutions were introduced, read the first and second times by unanimous consent, and referred as indicated:

By Mr. CASEY:

S. 3015. A bill to amend title 5, United States Code, to limit the number of local wage areas allowable within a General Schedule pay locality; to the Committee on Homeland Security and Governmental Affairs.

By Mrs. FISCHER:

S. 3016. A bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that consumers can make informed decisions in choosing between meat products such as beef and imitation meat products, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3017. A bill to increase transparency and accountability with respect to World Bank lending for the People's Republic of China, and for other purposes; to the Committee on Foreign Relations.

By Mr. GRASSLEY (for himself, Mr. RUBIO, and Mr. COTTON):

S. 3018. A bill to require the United States Executive Director of the International

Bank for Reconstruction and Development to oppose assistance by the Bank for any country that exceeds the graduation threshold of the Bank and is of concern with respect to religious freedom; to the Committee on Foreign Relations.

By Mr. DAINES (for himself and Mr. TESTER):

S. 3019. A bill to protect access to water for all Montanans, and for other purposes; to the Committee on Indian Affairs.

By Ms. BALDWIN (for herself, Mr. SULLIVAN, Mr. TESTER, and Mr. DAINES):

S. 3020. A bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts with States or to award grants to States to promote health and wellness, prevent suicide, and improve outreach to veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL:

S. 3021. A bill to amend the Federal Food, Drug, and Cosmetic Act to require the label of a drug that is intended for human use and contains an ingredient that is derived directly or indirectly from a gluten-containing grain to identify each such ingredient, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Ms. MCSALLY (for herself and Ms. SINEMA):

S. 3022. A bill to establish a pilot program waiving the Form I-94 document issuance requirement for certain Mexican nationals; to the Committee on the Judiciary.

By Ms. ERNST (for herself, Mr. COONS, Mrs. HYDE-SMITH, Mr. CASEY, Mr. WICKER, Mr. BENNET, and Mr. BROWN):

S. 3023. A bill to amend the Public Health Service Act to authorize the Director of the National Institutes of Health to make awards to outstanding scientists, including physician-scientists, to support researchers focusing on pediatric research, including basic, clinical, translational, or pediatric pharmacological research, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KENNEDY:

S. 3024. A bill to require the Administrator of the Pipeline and Hazardous Materials Safety Administration to respond to petitions for regulatory action within 18 months; to the Committee on Commerce, Science, and Transportation.

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

S. 3025. A bill to establish innovation grants under the John H. Chafee Foster Care Program for Successful Transition to Adulthood to improve adulthood outcomes for youth aging out of foster care, and for other purposes; to the Committee on Finance.

By Mr. CARDIN (for himself and Mr. WICKER):

S. 3026. A bill to promote international efforts in combating corruption, kleptocracy, and illicit finance by foreign officials and other foreign persons, including through a new anti-corruption action fund, and for other purposes; to the Committee on Foreign Relations.

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

S. 3027. A bill to amend part B of title IV of the Social Security Act to require States to review child fatalities from maltreatment, and for other purposes; to the Committee on Finance.

By Mr. REED (for himself and Ms. COLLINS):

S. 3028. A bill to amend the Higher Education Act of 1965 to strengthen Federal-State partnerships in postsecondary education; to the Committee on Health, Education, Labor, and Pensions.

#### ADDITIONAL COSPONSORS

S. 133

At the request of Ms. MURKOWSKI, the names of the Senator from Florida (Mr. SCOTT) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 177

At the request of Mr. ROBERTS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 177, a bill to amend the Internal Revenue Code of 1986 and the Small Business Act to expand the availability of employee stock ownership plans in S corporations, and for other purposes.

S. 178

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 178, a bill to condemn gross human rights violations of ethnic Turkic Muslims in Xinjiang, and calling for an end to arbitrary detention, torture, and harassment of these communities inside and outside China.

S. 215

At the request of Mr. THUNE, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 215, a bill to amend the Internal Revenue Code of 1986 to repeal the estate and generation-skipping transfer taxes, and for other purposes.

S. 430

At the request of Mr. CRAPO, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 430, a bill to extend the Secure Rural Schools and Community Self-Determination Act of 2000.

S. 634

At the request of Mr. CRUZ, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 634, a bill to amend the Internal Revenue Code of 1986 to establish tax credits to encourage individual and corporate taxpayers to contribute to scholarships for students through eligible scholarship-granting organizations and eligible workforce training organizations, and for other purposes.

S. 696

At the request of Mr. MERKLEY, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Montana (Mr. TESTER) were added as cosponsors of S. 696, a bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health.

S. 815

At the request of Mr. BOOZMAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 815, a bill to amend the Internal Revenue Code of 1986 to allow a refundable tax credit against income tax for the

purchase of qualified access technology for the blind.

S. 1081

At the request of Mr. MANCHIN, the name of the Senator from Georgia (Mr. ISAKSON) was added as a cosponsor of S. 1081, a bill to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

S. 1130

At the request of Mr. CASEY, the name of the Senator from Washington (Mrs. MURRAY) was added as a cosponsor of S. 1130, a bill to amend the Public Health Service Act to improve the health of children and help better understand and enhance awareness about unexpected sudden death in early life.

S. 1657

At the request of Ms. COLLINS, the name of the Senator from Louisiana (Mr. CASSIDY) was added as a cosponsor of S. 1657, a bill to provide assistance to combat the escalating burden of Lyme disease and other tick and vector-borne diseases and disorders.

S. 1660

At the request of Mr. CASEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 1660, a bill to provide greater support for grandfamilies and older caretaker relatives.

S. 1703

At the request of Ms. CANTWELL, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Hawaii (Ms. HIRONO) were added as cosponsors of S. 1703, a bill to amend the Internal Revenue Code of 1986 to reform the low-income housing credit, and for other purposes.

S. 1710

At the request of Mr. CORNYN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 1710, a bill to prohibit funds made available under the airport improvement program from being provided to entities that have violated the intellectual property rights of United States entities and therefore pose a threat to national security, and for other purposes.

S. 1757

At the request of Ms. ERNST, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1841

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

S. 2054

At the request of Mr. MARKEY, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 2054, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 2085

At the request of Ms. ROSEN, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 2085, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes.

S. 2108

At the request of Mr. DAINES, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2108, a bill to amend section 6903 of title 31, United States Code, to provide for additional population tiers, and for other purposes.

S. 2179

At the request of Mr. CARDIN, the names of the Senator from Alabama (Mr. JONES) and the Senator from Virginia (Mr. WARNER) were added as cosponsors of S. 2179, a bill to amend the Older Americans Act of 1965 to provide social service agencies with the resources to provide services to meet the urgent needs of Holocaust survivors to age in place with dignity, comfort, security, and quality of life.

S. 2203

At the request of Ms. KLOBUCHAR, the names of the Senator from Delaware (Mr. COONS), the Senator from Maryland (Mr. VAN HOLLEN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from West Virginia (Mr. MANCHIN) and the Senator from Delaware (Mr. CARPER) were added as cosponsors of S. 2203, a bill to extend the transfer of Electronic Travel Authorization System fees from the Travel Promotion Fund to the Corporation for Travel Promotion (Brand USA) through fiscal year 2027, and for other purposes.

S. 2322

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

S. 2570

At the request of Ms. SINEMA, the names of the Senator from West Virginia (Mr. MANCHIN), the Senator from Alaska (Mr. SULLIVAN) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 2570, a bill to award a Congressional Gold Medal to Greg LeMond in recognition of his service to the United States as an athlete, activist, role model, and community leader.

S. 2638

At the request of Ms. DUCKWORTH, the name of the Senator from Michigan

(Mr. PETERS) was added as a cosponsor of S. 2638, a bill to amend title 49, United States Code, to require small hub airports to construct areas for nursing mothers, and for other purposes.

S. 2680

At the request of Mr. BLUMENTHAL, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 2680, a bill to impose sanctions with respect to foreign support for Palestinian terrorism, and for other purposes.

S. 2683

At the request of Mr. BURR, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 2683, a bill to establish a task force to assist States in implementing hiring requirements for child care staff members to improve child safety.

S. 2715

At the request of Mr. BLUNT, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 2715, a bill to develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

S. 2741

At the request of Mr. SCHATZ, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 2741, a bill to amend title XVIII of the Social Security Act to expand access to telehealth services, and for other purposes.

S. 2786

At the request of Ms. MURKOWSKI, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 2786, a bill to establish a Federal advisory committee to provide policy recommendations to the Secretary of Transportation on positioning the United States to take advantage of emerging opportunities for Arctic maritime transportation.

S. 2788

At the request of Mr. MANCHIN, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 2788, a bill to amend the Surface Mining Control and Reclamation Act of 1977 to transfer certain funds to the 1974 United Mine Workers of America Pension Plan, and for other purposes.

S. 2797

At the request of Ms. DUCKWORTH, the name of the Senator from Hawaii (Ms. HIRONO) was added as a cosponsor of S. 2797, a bill to amend the Immigration and Nationality Act to require the Secretary of Homeland Security to parole into the United States certain relatives of current and former members of the Armed Forces, and for other purposes.

S. 2815

At the request of Mr. SCHUMER, the name of the Senator from Connecticut



(Mr. BLUMENTHAL) was added as a cosponsor of S. 2815, a bill to require the Secretary of the Treasury to mint coins in commemoration of the National Purple Heart Honor Mission.

S. 2833

At the request of Mr. MERKLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 2833, a bill to amend the Truth in Lending Act to extend the consumer credit protections provided to members of the Armed Forces and their dependents under title 10, United States Code, to all consumers.

S. 2881

At the request of Mr. WICKER, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 2881, a bill to require the Federal Communications Commission to make not less than 280 megahertz of spectrum available for terrestrial use, and for other purposes.

S. 2898

At the request of Mr. INHOFE, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 2898, a bill to amend title 5, United States Code, to provide for a full annuity supplement for certain air traffic controllers.

S. 2909

At the request of Mr. WICKER, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 2909, a bill to extend the authority of the National Aeronautics and Space Administration to enter into leases of non-excess property of the Administration.

S. 2974

At the request of Mr. PETERS, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 2974, a bill to require the Postmaster General to establish a comprehensive organizational strategy to combat the use of the mail in the distribution of illicit drugs.

S. 2994

At the request of Mr. SCOTT of South Carolina, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Arizona (Ms. SINEMA) were added as cosponsors of S. 2994, a bill to amend the Internal Revenue Code of 1986 to require information reporting with respect to the qualified opportunity zone tax incentives enacted by the 2017 tax reform legislation, to require public reports related to such tax incentives, and for other purposes.

S. 3002

At the request of Ms. CANTWELL, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 3002, a bill to amend the Trade Facilitation and Trade Enforcement Act of 2015 to increase amounts transferred to the Trade Enforcement Trust Fund and to require the use of certain amounts in the fund to implement labor obligations in a free trade agreement with Mexico, and for other purposes.

S. 3004

At the request of Mr. MARKEY, the name of the Senator from Vermont (Mr. SANDERS) was added as a cosponsor of S. 3004, a bill to protect human rights and enhance opportunities for LGBTI people around the world, and for other purposes.

S. CON. RES. 9

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

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. REED (for himself and Ms. COLLINS):

S. 3028. A bill to amend the Higher Education Act of 1965 to strengthen Federal-State partnerships in postsecondary education; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, today, most jobs require some kind of postsecondary credential, whether a certificate, an associate's or bachelor's degree, an advanced or professional degree, or an apprenticeship. Moreover, the workplace is changing with automation, artificial intelligence, and the so-called gig economy transforming the nature of work. Yet, postsecondary education seems increasingly risky or out of reach for too many Americans. That is why I am proud to be introducing the bipartisan Partnerships for Affordability and Student Success (PASS) Act with my colleague, Senator COLLINS.

At a time when we need to equip people with the foundational skills and knowledge they need to succeed in this changing environment, we see college costs and student loan debt soaring. We see too many students who start postsecondary education unable to finish, leaving them in debt but without a degree or postsecondary credential. As a result, we see public confidence in our system of higher education declining. According to a recent Pew Research Center survey, 61 percent of Americans say that our system of higher education is headed in the wrong direction.

The federal government cannot solve this crisis on its own. States are critical partners in making college accessible, affordable, and accountable. However, state funding for higher education is lower today than it was before the onset of the Great Recession. According to the latest State Higher Education Finance report published by the State Higher Education Executive Officers, public colleges and universities have become more reliant on tuition dollars for their operations. In 2008, 35.8 percent of general operating

costs were supported by tuition payments. In 2018, that percentage increased to 46.6 percent. Today, in 27 states, tuition accounts for more than half of all higher education revenue. Moreover, the only federal-state partnership program for need-based financial aid—the Leveraging Educational Assistance Partnership (LEAP) program—has not received appropriations since Fiscal Year 2010.

It is time to renew the federal-state partnership for higher education, first enacted in 1972 on a bipartisan basis. The PASS Act will revitalize the federal-state partnership through a formula grant to states with a focus on need-based aid, grants to institutions to improve student outcomes and reduce college costs, and public accountability.

In exchange for this new federal investment, states must make a commitment to maintain their investment in higher education and have a comprehensive plan for higher education with measurable goals for access, affordability, and student outcomes. At least half of the funding must be dedicated to need-based student financial aid. States also have the option of awarding grants to colleges and universities or partnerships between institutions of higher education and non-profit organizations to improve student outcomes, including enrollment, completion, and employment, and to develop innovative methods for reducing college costs. I am pleased to have the support of the National Association of State Student Grant and Aid Programs, the Center for Law and Social Policy, the Institute for Higher Education Policy, the Association of Community College Trustees, and the National Skills Coalition.

This generation is facing a crisis in college affordability and student loan debt. With the PASS Act, we are providing the resources and incentives for states to take more responsibility to address college affordability and student loan debt and improve student outcomes. I urge my colleagues to cosponsor this legislation and look forward to working with them to include these and other key reforms in the upcoming reauthorization of the Higher Education Act.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have 7 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Wednesday, December 11, 2019, at 10 a.m., to conduct a hearing.



COMMITTEE ON COMMERCE, SCIENCE, AND  
TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, December 11, 2019, at 10 a.m., to conduct a hearing.

## COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, December 11, 2019, at 10 a.m., to conduct a hearing.

## COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, December 11, 2019, at 2:30 a.m., to conduct a hearing on the nomination of Michael D. Weahkee, of New Mexico, to be Director of the Indian Health Service, Department of Health and Human Services.

## COMMITTEE ON INDIAN AFFAIRS

The Committee on Indian Affairs is authorized to meet during the session of the Senate on Wednesday, December 11, 2019, at 2:30 p.m., to conduct a hearing.

## COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Wednesday, December 11, 2019, at 10 a.m., to conduct a hearing.

COMMITTEE ON SMALL BUSINESS AND  
ENTREPRENEURSHIP

The Committee on Small Business and Entrepreneurship is authorized to meet during the session of the Senate on Wednesday, December 11, 2019, at 2 p.m., to conduct a hearing on the nomination of Jovita Carranza, of Illinois, to be Administrator of the Small Business Administration.

## PRIVILEGES OF THE FLOOR

Mr. SULLIVAN. Mr. President, I ask unanimous consent that Geoffrey Clift, a Navy fellow in Senator CRUZ's office, be granted floor privileges for the remainder of the Congress.

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

Mr. MORAN. Mr. President, I ask unanimous consent that Kelly McManus, a military fellow in my office, be granted floor privileges through the end of Congress.

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

Mr. BLUNT. Mr. President, I ask unanimous consent that Leighton Grant, who is the military fellow in our office and has been this last year, be granted floor privileges for the remainder of the Congress.

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

## APPOINTMENT

PRESIDING OFFICER. The Chair, on behalf of the President pro tempore and upon the recommendation of the majority leader, pursuant to Public

Law 98-183, as amended by Public Law 103-419, appoints the following individual to the United States Commission on Civil Rights: Gail Heriot of California.

MEASURE PLACED ON THE  
CALENDAR—S. 3009

Mr. MCCONNELL. Mr. President, I understand there is a bill at the desk due for a second reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the second time.

The legislative clerk read as follows:

A bill (S. 3009) to provide for a period of continuing appropriations in the event of a lapse in appropriations under the normal appropriations process, and establish procedures and consequences in the event of a failure to enact appropriations.

Mr. MCCONNELL. Mr. President, in order to place the bill on the calendar under the provisions of rule XIV, I would object to further proceedings.

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

ORDERS FOR THURSDAY,  
DECEMBER 12, 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Thursday, December 12; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Skipwith nomination under the previous order.

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

## ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senators CARPER and WHITEHOUSE.

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

The Senator from Delaware.

DELAWARE DAY AND  
HEALTHCARE ENROLLMENT

Mr. CARPER. Mr. President, I rise this evening with a very important reminder for many Delawareans and for all Americans, but before I do that, I want to say that today is December 11, and 4 days ago was December 7. A lot of people think of December 7 as Pearl Harbor Day, and for many years of my life, I did as well. It is also Delaware Day. Senator CHRIS COONS, LISA BLUNT ROCHESTER, and I are hosting a reception on Capitol Hill today, and we call

it "A Taste of Delaware." We are inviting folks to come and join us if they would like.

The reason I mention Delaware Day is because that was actually the day Delaware became the first State to ratify the Constitution. For 1 whole week, we were the entire United States of America. We kind of opened things up and let the rest of the other 49 States in, and I think it has worked out pretty well most days since then.

If you look at the preamble of the Constitution, it starts off with these words: "We the people of these United States, in order to form a more perfect Union." That is what it says. It doesn't say "to form a perfect Union; it says "to form a more perfect Union." It goes on to talk about the public welfare and how we should be looking out for the good of all our citizens.

The Constitution was ratified in a place called the Golden Fleece Tavern in Dover, DE, on December 7, 1787, after 3 days of deliberation by about 25 or so Delawareans.

There is a fellow who used to be President of Delaware—now we call him Governor of Delaware—a fellow named Caesar Rodney, who apparently literally rode his horse from Dover, DE, a few years earlier, past very near to where the Golden Fleece Tavern stood for many years. He rode his horse past the Golden Fleece Tavern on his way to Philadelphia to cast the tie-breaking vote in favor of the Declaration of Independence.

The words in the Declaration of Independence were largely written by Thomas Jefferson and include these words: "life, liberty, and the pursuit of happiness." It is hard to have life, liberty, and much happiness without access to good healthcare or without good health.

I mention these words because that goes back to the founding of our country, the Declaration of Independence and the Constitution itself particularly, the preamble of the Constitution, which makes clear that we ought to be looking out for the welfare of our people.

I stand before us today reminding us that if we don't have good health and if we don't have access to healthcare, it is pretty hard to be happy, at least for a lifetime.

I say that as sort of a preface to what I want to say now, which is that not everybody who is eligible for healthcare who needs healthcare is covered. We have a lot of people who get their healthcare from employer-provided plans. We have 300 million people in all who get healthcare coverage in this country—half of them from employer-provided plans, about 25 percent from Medicaid, about 15 percent from Medicare—and there is about another 10 percent who in some cases don't have any coverage. About 20 million people have no coverage.

A lot of people now get their coverage from exchanges. Every State has

its own healthcare exchange or marketplace. A lot of people are getting their healthcare there.

A bunch of people use qualified community health centers in States on the east coast, in the Midwest, and across America. Whether you have 10 cents or \$10,000, you can get healthcare at these places, and that is good.

But a lot of people who could sign up and get their healthcare in marketplaces in each State don't know about it. There is an opportunity to enroll in the marketplaces and get healthcare coverage by midnight on this coming Sunday, on December 15. I just want to spend a couple of minutes reminding people who don't have coverage to do that and tell them why it is a good deal for them and their families.

There is some good news here. The good news is that all across our country, folks have 4 more days to sign up. There is also some more good news, and that is that after going up, up, up for years, the cost of premiums in the exchanges and marketplaces actually dropped this year. In most marketplaces, I think the average reduction is about 4 percent. And for the next year, in more than half a dozen States, premiums will be coming down by double digits. In Delaware, the cost of healthcare in our marketplace, starting with coverage beginning January 1, will be down by 19 percent.

What has happened here is that after a number of years where healthcare insurers were dropping out of the business of offering coverage in the marketplaces, they are starting to offer coverage again. Twenty-three insurers offered coverage in States this year that hadn't been offering coverage. Beginning January 1, I think about 45 more will start providing coverage. That means we are going to have some competition for customers, for folks who need insurance, and that competition will help create what I call a virtuous cycle, helping to bring down costs even more. More choices means more competition. That is a good thing for our consumers and States across America.

But wait, there is more. This year, three out of four customers can find a plan for less than—are you ready for this?—75 bucks a month. Think about that. Customers can find a plan in the marketplace on the exchange for less than 75 bucks a month.

Some people might be wondering whether the Affordable Care Act marketplace is the right choice for them or their loved ones. That is a good question to ask. The marketplace provides quality, affordable healthcare coverage for Americans who don't receive affordable health insurance through their employer.

For instance, last Friday, a couple of people I have been talking to in my State just in the last week or so about healthcare coverage—I was down at a place called Lewes, DE, which was first colonized by the Dutch 400 years ago. It was the first town and the first city,

Lewes, DE—I met there a fellow who is a self-employed artist. His name is G.W. Thompson, and his life was forever changed by the Affordable Care Act when he was able to find affordable and comprehensive health insurance.

For folks that are waiting to start a business and need healthcare insurance, I would encourage you to do this: Visit [HealthCare.gov](http://HealthCare.gov)—I will say that again, [HealthCare.gov](http://HealthCare.gov)—today. Find a plan that works for you. You have got plenty of choices.

Earlier this year, I met a widower in Delaware named Marie. She lives with a preexisting condition. As it turns out, there are tens of millions of people in this country who live with a preexisting condition. For many, many years, they didn't have access to healthcare because they had a preexisting condition. That is not the case anymore. Folks who do have a preexisting condition, they can get access to healthcare thanks to the excellent staff at a place called Westside Family Healthcare. That is one of the federally qualified community health centers, and they have a great place in Delaware. Marie was able to go there and enroll in an ACA plan that covers her preexisting condition and helps to keep her happy.

Let me just say to the folks across the country, if you are 1 of 133 million Americans living with a preexisting condition, I urge you to visit, again, [HealthCare.gov](http://HealthCare.gov), [HealthCare.gov](http://HealthCare.gov). Find a plan that works for you. If you are a young person who has just turned 26 and can no longer stay on your parents' health plan, visit [HealthCare.gov](http://HealthCare.gov) today and find a plan that works for you. If you or your family have tried to enroll in Medicaid but did not qualify, visit [HealthCare.gov](http://HealthCare.gov) today and find a plan that works for you.

Don't forget, nearly 9 out of 10 customers are eligible for financial help, which could mean a big savings for you and your family, but to that line, I said this before—I am going to say it again—make the call. The deadline to enroll in affordable healthcare in one of the marketplaces in your State is this Sunday. It is Sunday at midnight. So you have got 4 days and, depending on which time zone you are living in, maybe close to 6 hours in order to sign up.

Don't wait another day, though. Sign up today. Go to [HealthCare.gov](http://HealthCare.gov) now through this Sunday, December 15, to shop for a plan that will give you and your family coverage through 2020. If you sign up, sign up before midnight this Sunday. You will have coverage beginning January 1 through December 31 of next year.

I know there are a lot of things that always have to get done before the end of the year. This is one that I think is too important to miss. It is too important to miss. So one more time, visit [HealthCare.gov](http://HealthCare.gov) to find healthcare coverage that works for you and your family's needs and your budget, regardless of what State you live in, if you have no coverage.

Mr. President, I want to end this by saying, since the Affordable Care Act was enacted, we have seen some—not all—but some of our Republican friends here in this body and across the country do their dead-level best to undermine the Affordable Care Act. Those efforts have ramped up considerably under the current administration. The President and 18 Republican attorneys general have gone so far as to file a lawsuit that attempts to scrap the healthcare law in its entirety.

That lawsuit is working its way through the courts now, but it is important for everyone to know, despite these efforts to sabotage our Nation's healthcare law, the Affordable Care Act is still the law of the land. If you want to sign up for coverage for the next year, you can still do that until midnight on Sunday. I don't think there is a reason not to sign up, and I would urge anybody who's out there listening, watching, if you don't have coverage, let's do it. Do it today, and you will be glad you did.

The idea of life, liberty, and the pursuit to happiness will be a little bit closer to being realized for you.

Mr. President, I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

#### CLIMATE CHANGE

Mr. WHITEHOUSE. Mr. President, I rise again to call this Chamber to wake up to the threat of climate change, and in this particular case, to say about the Paris agreement and to say in chorus with literally millions of Americans, we are still in.

In truth, America is still in the Paris agreement. When you look at the States that are still in and will honor their commitments, when you look at the cities that are still in and will honor their commitments, when you look at the companies and the universities that are still in, it is the vast majority of the entire American economy. Despite President Trump's fossil fuel nonsense, we really are still in.

Last week, I traveled to Madrid with Speaker PELOSI and the delegation of House committee chairs and climate leaders for the U.N. Conference of the Parties—what is called the COP—to support the Paris agreement climate goals. The mood in Spain was optimistic. There was a somber confidence. The Trump administration, of course, has begun the process of withdrawing the United States from the Paris climate accord.

That is an abandonment from our American tradition of international leadership and adherence to higher ideals. It is abandonment of our own national security imperatives and economy well-being. This abandonment demeans the Nation that has from John Winthrop to Ronald Reagan called itself a "city on a hill."

Our military well understands the national security imperative. Back in 2013, Admiral Samuel Locklear, the commander of the U.S. forces in the Pacific, warned that upheaval related

to climate change “is probably the most likely thing that is going to happen . . . that will cripple the security environment”—“the most likely thing.”

He added, “You have the real potential here in the not-too-distant future of nations displaced by rising sea level . . . If it goes bad, you could have hundreds of thousands or millions of people displaced and then security will start to crumble pretty quickly.”

That command is still concerned about it. Preparing for these risks was a centerpiece of a recent Indo-Pacific Command briefing I attended at their headquarters in Hawaii.

To understand the threat to our economy, we need only ask our government-backed mortgage institution, Freddie Mac. Freddie Mac predicts that rising sea levels will prompt a crash in coastal property values, greater than the housing crash that caused the 2008 financial crisis. That warning by Freddie Mac is echoed by the biggest, most important financial institutions in the world, both in the United States in the Federal Reserve system and abroad.

The Bank of England, the Bank of France, the Bank of Canada, and European Central Bank, are all warning of “systemic” economic risks from climate change. “Systemic,” that is central banker speak for something that poses a risk to the entire economy, perhaps from stranded fossil fuel assets when the market for fossil fuel dries up, perhaps from a coastal property value crash when flood risk becomes uninsurable and properties unmortgageable.

Against this national security imperative and this economic threat, the Trump administration leaving the Paris climate accord is a historically

dumb and destructive move, particularly from a guy—Trump—who one decade ago called climate change “scientifically irrefutable,” that is a quote. “Scientifically irrefutable and its consequences catastrophic and irreversible,” that is a quote as well.

The Pelosi delegation—here we are at the COP25—included powerful House chairmen, like Chairman PALLONE and Chairman GRIJALVA, Chairman JOHNSON and Chairman CASTOR and, of course, the most senior and influential Democrat in America, House Speaker NANCY PELOSI.

Speaker PELOSI’s presence at the COP resounded not only because of her clout and standing, but because it signaled the broad, true consensus of the United States of America in favor of climate action. At the State level, at the city level, across the public, and in much of corporate America, we are indeed still in.

Indeed, at the Madrid conference right now, as I give this speech, are representatives for thousands of American businesses, investors managing trillions of dollars, hundreds of American municipalities and counties, top American colleges and universities, dozens of American faith groups, America’s largest healthcare organizations, and 20 American States and Tribes. Again, all told, it is the vast bulk of the American economy, and it still is.

America, unfortunately, at least in Congress, has to fight our way through a persistent blockade paid for by the fossil fuel industry. Don’t believe their happy talk about acting on climate. There is a slogan that one of their trade groups has come up with. You see it at National Airport. You see it on billboards. It is popping up everywhere. The slogan is: “We are on it.”

No, they are not. They are not even close to on it. In fact, they are the opposite. They are on the wrong side. They are funding false science denial and ridiculous amounts of simple political obstruction. They are paying for that. The statements from their lips do not match the expenditure of their funds. The expenditure of their funds is still dedicated to their political apparatus of denial and obstruction.

Ultimately, however, we will prevail. The America that the international community knows and counts on—the America of leadership, the America of progress, the America of confidence, the America of clean and green energy and innovation—that America will be back and will prevail. “Our commitment to take action on the climate crisis is ironclad,” said Speaker PELOSI in Madrid. It is. Soon enough, that commitment will topple the castle of fossil-fuel-funded climate denial and obstruction that surrounds us today here in Congress.

I yield the floor.

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ADJOURNMENT UNTIL 10 A.M.  
TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:28 p.m., adjourned until Thursday, December 12, 2019, at 10 a.m.

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CONFIRMATION

Executive nomination confirmed by the Senate December 11, 2019:

THE JUDICIARY

LAWRENCE VANDYKE, OF NEVADA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.