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Senate

The Senate met at 10 a.m. and was called to order by the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi.

PRAYER

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

Let us pray.

God of grace and glory, on Your people, shower Your blessings. Be for us a shield and sure defense. Lord, as we live in this tangled world, give us the wisdom to keep our eyes on You.

Bless our Senators. Crown their deliberations with Your wisdom so that Your purposes will prevail. Lord, quicken in our lawmakers noble impulses as You sanctify their efforts with Your mercy and might.

Be merciful to us. Forgive our faults, and remember that we are but dust, like a wind that blows by and is gone. Lord, keep us from stumbling or slipping.

We pray in Your gracious 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 senior assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, DC, December 12, 2019.

To the Senate:

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

appoint the Honorable CINDY HYDE-SMITH, a Senator from the State of Mississippi, to perform the duties of the Chair.

CHUCK GRASSLEY,
President pro tempore.

Mrs. HYDE-SMITH 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 and resume consideration of the following nomination, which the clerk will report.

The senior assistant legislative clerk read the nomination of Aurelia Skipwith, of Indiana, to be Director of the United States Fish and Wildlife Service.

RECOGNITION OF THE MAJORITY LEADER

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

SENATE LEGISLATIVE AGENDA

Mr. McCONNELL. Madam President, I have spoken at length about the serious impact the Democrats' impeachment obsession has had on months' worth of important legislative priorities. For months, the Republicans have been calling for bipartisan solutions to the NDAA, to the appropriations process, and more, but only in the last couple of days, here in mid-De-

cember, have our Democratic colleagues gotten sufficiently serious about these must-pass bills.

In the meantime, while we have waited on the House Democrats to act, the Senate has made good use of our floor time to complete the American people's business with respect to nominations. Last week alone, the Senate confirmed two executive branch nominations and put eight impressive jurists in seats on Federal district courts.

This week, we have considered yet another slate of the President's well-qualified nominees. The Senate will consider today John Sullivan, of Maryland, to serve as Ambassador to the Russian Federation, Stephen Hahn, of Texas, to serve as Commissioner at the Food and Drug Administration, and Aurelia Skipwith, of Indiana, to be Director of the U.S. Fish and Wildlife Service.

Already this week, we have confirmed two more outstanding jurists to the Court of Appeals for the Ninth Circuit—Patrick Bumatay, of California, and Lawrence VanDyke, of Nevada. Mr. Bumatay is a graduate of Yale and Harvard Law School. He clerked for the Eastern District of New York and the Tenth Circuit, practiced in the private sector, and served in a variety of roles with the Department of Justice. Mr. VanDyke graduated from Montana State University and Harvard Law School. His career has included a clerkship with the DC Circuit, time as a State solicitor general, and service as Deputy Assistant Attorney General at the Department of Justice. Both of these jurists are well qualified, and both have widespread respect from legal peers. Now they are the 49th and 50th circuit judges to have been nominated by President Trump and confirmed by the Senate in the last 3 years.

As I have said before, these kinds of milestones are emphatically not partisan achievements. It is not one party or the other that benefits when our

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



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Federal courts consist of men and women who understand that a judge's job is to follow the law, not to make the law. The entire country benefits from that. Our constitutional system benefits from that as well. If a judge's applying our laws and our Constitution as they are written strikes anybody as a threat to one's particular agenda, it is the agenda that needs to change, not the judiciary the Framers intended.

On another matter, as I said, the Democrats' fixation with impeachment has pushed critical governing priorities right into the eleventh hour. Just yesterday, after months of delays and hostage-taking, the House Democrats finally approved an NDAA conference report. Next week, the Senate will pass it and send this overdue legislation to President Trump. Yet, of course, we need to follow up Defense authorization with Defense appropriations so that we actually supply the funding our servicemembers need to carry out their missions and our commanders need to plan for the future.

It is not just defense funding that has been hampered by the Democrats' impeachment obsession and reluctance to do anything bipartisan. All Federal funding has been jeopardized by the House's procrastination. That includes critical domestic programs with implications for every one of our colleagues and all of our constituents. Even today, at this late date, the Democratic leadership is continuing to delay a bipartisan agreement on appropriations. Even now, at the eleventh hour, the Democratic leadership is still threatening to potentially tank the whole process and force another continuing resolution.

Look, the story is the same as it has been for months—partisan policy demands, poison pills. It is exactly the playbook the Speaker of the House and the Democratic leader had explicitly promised months ago, in writing, they would not use in order to sabotage appropriations.

Let me say that again. Last summer, the Speaker of the House and the Senate Democratic leader explicitly promised in writing that they would not use poison pills or changes to Presidential transfer authorities to sabotage the appropriations process. Yet, even in mid-December, they are still using those tactics to jeopardize all of our progress.

It doesn't have to end this way. I know earnest discussions are still underway as our colleagues in both Chambers work to fix this. I urge the Democratic leadership to let the committees do their work, to let the Congress do its work, and to let us pass legislation on a bipartisan basis next week.

On a related matter, while we hold out hope for a breakthrough in appropriations, we also know there has been one major casualty of Speaker PELOSI's impeachment obsession—Congress's ability to pass the President's USMCA this year.

It was more than a year ago that President Trump first signed the draft agreement with the leaders of Canada and Mexico—more than 12 months ago. That is how long the House Democrats have dragged their heels on the USMCA and have kept 176,000 new American jobs on ice. Now, at the eleventh hour, Speaker PELOSI has finally realized it would be too cynical and too nakedly partisan to allow her conference's impeachment obsession to kill the USMCA entirely.

So after a year of obstruction, she finally gave in to Republican pressure and struck a notional deal with the White House. But actions have consequences. That entire calendar year that House Democrats wasted has consequences. The Speaker's action was so belated that the administration is still—still—in the process of writing the actual bill. We don't have a bill yet. Once a bill is produced, the House has to take it up first, and then, under trade promotion authority that exists to protect the deals Presidents negotiate, after House passage, the bill spends up to 15 session days in the Senate Finance Committee. After that, there are up to 15 session days for the Senate to vote on the floor.

So, unfortunately, the Speaker's 12 months of delay have made it literally impossible for the Senate to take up the agreement this year. And if House Democrats send us impeachment articles, those have to come first in January, so the USMCA will get pushed back yet again.

Like I said, actions have consequences. There is just no way the Senate can make up for 12 months of House Democratic delays in just a couple of days. Governing is a question of priorities. Speaker PELOSI failed to make this trade deal a priority for the entire year, and we are now bound by the time requirements of TPA to protect the agreement here in the Senate.

On one final matter, speaking of priorities, listen to what the House Democrats are prioritizing. Listen to what they are doing today while all of this crucial legislation goes unfinished: more Judiciary Committee hearings on impeaching the President and on the floor, a vote on yet another far-left messaging bill with literally no chance of becoming law.

They are spending floor time on their socialist scheme to micromanage Americans' prescription drugs and put the Federal Government in charge of the medicines so many people rely on. The Speaker wants to take us down the road of nationalizing an entire industry and imposing Washington's stifling influence on the life sciences sector that produces lifesaving cures—never mind the fact that this far-left messaging bill has zero chance of passing the Senate and that President Trump has already threatened to veto it.

We know by now that political performance art takes precedence over bipartisan legislation where this Democratic House has been concerned. I

hope these stunts—stunts—come to an end soon. I hope the House finds time to finish negotiating the things we actually have to pass—the funding of the government. I hope we can do that in good faith. I hope our Democratic colleagues join Republicans at the table, and let's get the American people's business that must be done accomplished.

I suggest the absence of a quorum. The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CHINA

Mrs. BLACKBURN. Madam President, this past Sunday, hundreds of thousands of protesters filled the streets of Hong Kong to remind Beijing that totalitarianism will no longer go unchallenged.

I was reading a New York Times article about this protest when I came across a particularly striking quote. When asked why she had taken to the streets, a 24-year-old biology researcher named Alice said:

We want Hong Kong to continue being Hong Kong. We don't want to become like China.

Madam President, I ask unanimous consent to have printed in the RECORD this article on the Hong Kong human rights protest, that appeared in the December 9 edition of the New York Times and that depicts a beautiful picture of what people will do for the cause of freedom.

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

[From the New York Times, Dec. 7, 2019]

HONG KONG PROTEST, LARGEST IN WEEKS, STRETCHES SEVERAL MILES

(By Javier C. Hernández and Elaine Yu)

HONG KONG.—Hundreds of thousands of protesters, basking in a recent election victory by Hong Kong's pro-democracy camp, poured onto the city's streets on Sunday in one of the largest marches in weeks to pressure the government to meet demands for greater civil liberties.

The huge turnout was a reminder to China's leader, Xi Jinping, that the monthslong campaign against his authoritarian policies still had broad support in Hong Kong despite a weakening economy and increasingly violent clashes between protesters and the police.

Tensions in Hong Kong, a semiautonomous territory, had eased somewhat in recent days, after pro-democracy advocates won a stunning victory in local elections two weeks ago, giving new hope to the movement.

On Sunday, demonstrators returned in force, packing city streets to denounce Mr. Xi's government, rail against police brutality and reiterate demands for greater civil liberties, including universal suffrage. They beat drums, sang protest anthems and chanted, "Fight for freedom." Though the march was largely peaceful, some demonstrators vandalized shops and restaurants and lit a fire outside the high court.

"We want Hong Kong to continue being Hong Kong," said Alice Wong, 24, a biology researcher who stood among protesters gathered at Victoria Park. "We don't want to become like China."

As many as 800,000 people attended the march, according to Civil Human Rights Front, an advocacy group that organized the gathering.

The mood at the march was relaxed, with people taking selfies against a backdrop of the vast crowds. Children, some dressed in black, marched with their parents, holding hands as they shouted, "Stand with Hong Kong!"

A sea of protesters, spread across several miles, filled major thoroughfares as they moved between towering skyscrapers. In some areas, there were so many people that the crowds moved at a snail's pace and spilled into adjacent alleys. Some small businesses encouraged the turnout by promising giveaways if more than one million people joined the march.

The protesters said they intended to remain peaceful on Sunday, but some vowed to use more aggressive tactics if the police cracked down. In the evening, the police readied canisters of tear gas as they stood opposite crowds of protesters who had barricaded a street downtown in a briefly tense moment.

The large turnout could further embolden the movement's confrontational front-line protesters, who said they planned to disrupt the city's roads and public transportation system on Monday. The call for further action seemed to resonate among some protesters on Sunday.

"If the government still refuses to acknowledge our demands after today, we should and will escalate our protests," said Tamara Wong, 33, an office worker who wore a black mask as she stood among the crowd gathered at Victoria Park.

The protesters have demanded amnesty for activists who were arrested and accused of rioting, as well as an independent investigation of police conduct during the demonstrations.

Despite the show of strength on Sunday, it is unlikely that the protesters will win further concessions from Beijing, which has worked to portray demonstrators as rioters colluding with foreign governments to topple the governing Communist Party.

Jean-Pierre Cabestan, a professor of political science at Hong Kong Baptist University, said that even though Sunday's march showed the protest movement remained strong and unified, Beijing was unlikely to listen to its demands.

"Hong Kong is condemned to live in a permanent political crisis as long as China is ruled by the Communist Party," Professor Cabestan said.

Mr. Xi, who has cultivated an image as a hard-line leader, has demanded "unswerving efforts to stop and punish violent activities" in Hong Kong. He has publicly endorsed the city's beleaguered leader, Carrie Lam, and her efforts to bring an end to the unrest.

Chinese officials have suggested that the United States is responsible for helping fuel unrest in Hong Kong, pointing to statements by American officials in support of the protests. Last month, President Trump signed tough legislation that authorizes sanctions on Chinese and Hong Kong officials responsible for rights abuses in Hong Kong. The move was welcomed by many protesters but also seen as exacerbating tensions between the two countries.

In a possible sign of increased scrutiny of American citizens working in Hong Kong, two leaders of the American Chamber of Commerce in Hong Kong said on Saturday that they had been denied entry to Macau, a

semiautonomous Chinese city. Mr. Xi is expected to visit Macau this month to mark the 20th anniversary of the former Portuguese colony's return to China.

Tara Joseph and Robert Gries, the president and the chairman of the American business group, said they had planned to attend an annual ball put on by the chamber's Macau branch.

"We hope that this is just an overreaction to current events and that international business can constructively forge ahead," Ms. Joseph said.

The protests, which began in June in opposition to a bill that would have allowed extraditions to mainland China, have hurt the tourism and retail sectors, pushing the city's economy into recession.

In recent weeks, the violence has escalated, with protesters intensifying their efforts to vandalize businesses they associate with hostility to the movement. The police shot an antigovernment protester last month, inflaming tensions. Then, in some of the worst violence, universities became battlefields, with black-clad students hurling gasoline bombs, throwing bricks and aiming arrows at the riot police, who shot rubber bullets and fired tear gas in return.

Many demonstrators acknowledged that a compromise with the government is unlikely, despite recent victories. Mrs. Lam, the city's leader, who is under pressure from Beijing to restore order without weakening the government's position, has brushed aside their demands and has warned that the mayhem could "take Hong Kong to the road of ruin."

Government officials have cast the demonstrations as primarily centered on economic issues, arguing that vast inequality in Hong Kong has exacerbated anger among the city's youth. They rolled out emergency measures recently to counter the effects of the turmoil on the economy, including providing electricity subsidies to businesses and expanding job training for young people.

The authorities have justified their efforts to crack down on the movement by saying that protesters are endangering public safety. On Sunday, the police said they had found a 9-millimeter semiautomatic pistol, five magazines, 105 bullets and two ballistic vests, as well as fireworks, among other items, during a series of early morning raids.

Senior Superintendent Steve Li of the Hong Kong Police said early in the day that officers had received information that the firearm and fireworks would have been used on Sunday to create chaos.

The police have in recent months banned many protests and rallies in Hong Kong, citing safety concerns. But the government granted a rare approval for the march on Sunday, which was held to mark the United Nations' Human Rights Day.

Demonstrators said they believed that the turnout sent a strong message: The protest movement would not back down.

"If the government thinks that we will give up," said Adam Wong, 23, a university student who was waving a black flag, "today's turnout will prove them delusional."

Mrs. BLACKBURN. Madam President, Alice's statement is loaded with historical context and correctly implies that what we are seeing now is the culmination of a slow but sure violation of the laws and norms that once defined Hong Kong's semiautonomous relationship with mainland China. These protests erupted after what Beijing argued was a simple proposed change to existing extradition laws, but the people saw it for what it was—a thinly veiled threat to Hong Kong's

relative autonomy. It wasn't a take-over. It was just that foot in the door, and China is nearly unparalleled in its ability to turn a foot in the door into a permanent existing condition.

Sometimes their power plays are very obvious, and sometimes they are not. On my recent trip to Djibouti, I saw firsthand the influence of China's debt-trap diplomacy.

Here is what debt-trap diplomacy is. It is a fancy way of saying that China has increased its influence around the world by offering to struggling nations that they are going to hold their debt in exchange for preferential treatment on trade or maybe a physical presence such as a port or other sweetheart deals.

In Djibouti City, I saw this tactic run wild. Now China would say that what they have done is to help the Djiboutians create a "smart city" in the Horn of Africa, but in reality they have negotiated their way into creating a full-blown surveillance state.

Cameras are everywhere—on every corner and every street, with 24/7 footage—and guess where that footage lands. Beijing. They have even tried to point one of those cameras at our military base, right at the entrance to Camp Lemonnier.

Debt-trap diplomacy is bold. It is obvious. If that is all you see of China, it is easy to assume that all of their tactics are that bold and obvious. As I said, they will go after you in obvious areas and also in areas that are not as obvious.

Even domestically, China's surveillance state is notoriously the opposite of covert. Their domestic "smart city" program has outpaced that of every other country on the face of the Earth and the majority of their \$70-plus billion budget for that project has been spent not on intelligent power grids or traffic management systems or on clean air or clean water, but it is being spent on surveilling their own citizens.

The greatest danger China has created by engaging in brash and at times absurd surveillance and suppression is that it has created a false sense of security here in the West when we don't see the evidence of what they are doing. In the United States we are not particularly vulnerable to their debt trap, but we are vulnerable to less obvious attempts to get that foot in the door.

In some form or another, most Americans have allowed Big Tech to take hold of a portion of their lives. Smartphones and cloud storage once were very novel, but now we assume that even simple transactions come predicated by an additional condition. Everything is free as long as the app or the service has access to—guess what—your data. They want to own your virtual you.

Popular apps like TikTok, whose parent company is based in China, have left me with more questions than answers about the platform's business practices, privacy protections, and ideological loyalty to the Communist

Party. Consider that the U.S. Army has barred soldiers from using TikTok. Everybody needs to understand this. The U.S. Army has said: You cannot use TikTok. This very body has expressed our concerns on a bipartisan basis with the platform's censorship and data handling practices.

It is no wonder that TikTok's chief executive officer canceled this week's scheduled meetings here in DC with Members of this body. The fact that millions of Americans, especially our American children, continue to offer their personal data to TikTok is beyond disturbing, but we will not be able to roll back the creeping surveillance state without setting our own standards for what is acceptable from both foreign and domestic companies.

When I introduced the BROWSER Act earlier this year, I did so not only to give Big Tech solid guidelines regarding data privacy and content but to set a new standard for what consumers expect from Big Tech. Our problem here in this country is pretty much one of awareness and of understanding that the exact same philosophy drives China's surveillance programs and their less obvious but much more personal individual monitoring schemes—their surveillance state scheme.

China's Communist Party is after more than just ad revenue and more complete data sets. Their goal, as those Hong Kong protesters put it, is to trick other countries in becoming more like China, which is not tilting toward freedom but tilting away from freedom.

My goal with the BROWSER Act and with my focus on what has become the surveillance state is to do the exact opposite—to enable freedom, to encourage freedom, not only here but around the globe—and to make certain that consumers here decide how much of their data they want to be able to share. We must make certain that we continue to support the cause of freedom wherever human beings show up to protect the freedoms they have.

I yield the floor.

RECOGNITION OF MINORITY LEADER

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

JERSEY CITY SHOOTING

Mr. SCHUMER. Madam President, I learned yesterday that two of the innocent victims in the shooting in Jersey City earlier this week are from my hometown, my home borough, the great borough of Brooklyn—Moshe Deutsch and Mindy Ferencz—and that the kosher deli where they were all killed in all likelihood was targeted as part of a hate crime.

This morning, I stand in solidarity with the Jewish communities of New Jersey and New York as they confront the anti-Semitic poison that motivated that horrible attack, and I stand in sorrow at the loss of innocent lives from my community. May their memory be a blessing.

I also salute the great police officer, as well, who fell in the line of duty trying to apprehend these brutal thugs.

IMPEACHMENT

Mr. SCHUMER. Madam President, on impeachment, the House Judiciary Committee will continue today its markup of Articles of Impeachment against Donald Trump.

The articles charge that President Trump abused the Office of the Presidency by soliciting the interference of a foreign power in our elections to benefit himself personally. The articles also charge him with obstruction of justice in the investigation into those matters.

Those articles were drafted after a months-long investigation into the President's dealings with Ukraine, which included scores of fact witnesses and expert testimony. Throughout that time, and still today, the White House refuses to participate in the House process. It has blocked key witnesses. It has withheld relevant documents. It has instructed members of the administration to defy congressional subpoenas and not to testify. Those that did testify did so bravely against the wishes of the White House.

What is the President hiding? What do these witnesses know? What do these documents show?

Those are fair questions that every American could ask and, because neither the President nor Republican Congress Members have presented any refutation of the facts in the impeachment charges or any exculpatory evidence other than grand conspiracy theories, the American people have a right to say the President must be hiding something.

If there are documents or witnesses the President believes could provide exculpatory evidence, nothing is stopping the witnesses from testifying and the documents from being sent over, except the President of the United States, who in all likelihood is afraid of what they show because they confirm and corroborate the lengthy factual basis that the House compiled to come up with the Articles of Impeachment. The fact that President Trump is blocking witnesses from testifying and blocking documents from release means that, more likely than not, those witnesses and documents do not and cannot refute the charges against the President.

When someone who might be guilty of a crime says he doesn't want witnesses of the crime to come forward, what do you think that means?

Why haven't the President and his allies presented exculpatory evidence—evidence that says this is not true? Why, instead, have they created these bobbles, these objects far away, saying: There is a conspiracy here. There is a conspiracy there.

It is the old lawyer saying: When you have the facts, argue the facts. When you have the law, argue the law. When you have neither, pound the table.

In this case, pounding the table means coming up with diversionary conspiratorial theories.

House Republicans, rather than mount a vigorous defense of the President on the merits, have attacked the process. If House Republicans could focus on the merits, could find evidence that said: No, this is not true; that is not true; he did not try to influence Ukraine to help his campaign, they would have presented it.

Why has no evidence been presented directly refuting the core of the charge against the President? Because there probably isn't any.

In the Senate we have several Members who are swimming in the murky waters of conspiracy to divert attention from the fact that they don't have the facts and the law on their side. The only way they can defend the President's comments is to come up with crazy, out-of-line conspiracy theories that are not based on any evidence.

Some Senate Republicans find it so difficult to argue the President's defense on the facts that they resort to fiction. For instance, in the past few weeks, certain Republicans have actually helped spread disinformation invented by Putin's intelligence services. He said that Ukraine, not Russia, interfered in the election. No one believes it. There is no factual basis of it. Of course, Putin would say he wants to divert attention from Russia, but it is amazing that Senators would traffic in those theories, totally made up, not one bit of fact. It is a low moment for the Senate when their blind obeisance to President Trump overshadows any need to find truth and to defend rule of law. That is not what a democracy is about. That is the edges of dictatorship.

Chairman GRAHAM conducted an entire hearing yesterday to give public viewing to the now completely debunked conspiracy theory that the FBI investigation into the Trump campaign began with political motives. Inspector General Horowitz, to his credit, stuck to the findings in the report. He found no evidence of bias. So Senator GRAHAM, as he tends to do these days, put on a big show, a lot of ranting, a lot of raving—no refutation of the fact of what the IG found.

So it is just like Ukraine where certain Members are so unable to defend what the President did with Ukraine, they latch on to Russian propaganda, or they come up with these histrionics, again, to try to divert attention, a shiny object to take the American people's attention away from the wrongdoing that the House is accusing him of. In fact, the deputy counsel of the FBI actually said that the department "would be derelict in its responsibility" if it did not open an investigation into Trump. She is not a political person. She is a law enforcement officer.

If you think President Trump is above the law, go right ahead, but that is not what George Washington or Benjamin Franklin or Thompson Jefferson

or Alexander Hamilton thought this Nation was about; that is not what generations of Americans who fought and died for our country thought it was about. We have reached a low moment in American history and a very low moment for the Republican Party now that it has been taken over by Donald Trump. This is not the Republican Party of the last 150 years.

All of this is a backdrop to the impending trial of President Trump, where two lines of argument may be presented in a court of impeachment. One line of argument—accusations against the President—has relied on facts, public record, and the sworn testimony of dozens of officials with knowledge of the events. The other line of argument—the defense of the President—has so far relied on conspiracy, innuendo, hyperventilation about the process, with no refutation of the specific facts that the House has found.

The American people will be savvy enough over the next several months to tell the difference.

TAX REFORM

Madam President, now, on taxes, this month marks 2 years since President Trump and the congressional Republicans passed a trillion-dollar tax cut for large corporations and the richest Americans. Republicans make many promises to sell this legislation as a boom for jobs and middle class. They were outlandish at the time, and now, recent history has proven them even crazier. Two years later, these phony promises have not come close to living up to their billing.

President Trump promised the tax bill would benefit middle-class America, creating a \$4,000 raise for every American family. No way. Ask the average American family. The rich Americans will say yes. The top 1 percent will say yes, but, of course, they received a tax cut 64 times the size of the one given to the middle class. President Trump and Republicans promised the bill would prompt businesses to increase investments into their companies, leading to job growth and higher wages. This, too, has proved a fantasy. Less than 5 percent of all workers in America were ultimately promised pay increases or bonuses as a result of the tax cut.

Out of 5.9 million employers, only 413 announced bonuses to workers or wage hikes. Do you want to know where the lion's share of that Republican tax cut went? Shareholders, not workers. In the 2 years since the tax bill, the annual total of corporate stock buybacks have shattered records over \$1 trillion in 2018.

It is impossible to look at the last 2 years with a straight face and say that the Republican tax cut was designed or is helping middle-class families. If anything, the Republican tax bill exacerbated the already staggering inequalities of work and wealth in our country. We need to start moving the needle in a completely opposite direction. Next year, voters will have a chance to

make that happen by voting for a change in the Senate leadership.

I yield the floor.

I suggest the absence of a quorum.

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

The senior assistant legislative clerk proceeded to call the roll.

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

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

NOMINATION OF LAWRENCE VANDYKE

Mr. DURBIN. Madam President, the Republican majority leader was on the floor a little earlier, and he talked about the business of the Senate and how busy we are in the Senate. I would like to state for the record, so far in the calendar year 2019, on the floor of this U.S. Senate, where the greatest deliberative body meets and considers the lofty issues of our time, in the year 2019—currently this year—we have considered 22 amendments in the entire year—22 amendments.

Madam President, six of them were offered by the junior Senator from Kentucky. One Senator had six amendments: Senator RAND PAUL. They were all defeated. Then some 16 other amendments were offered.

To put that into perspective, on a good day in the Senate, when the Senate was the Senate, there would be 10 amendments; bills would come to the floor; we would debate; amendments would be adopted. Some would lose. People would give speeches. We would pass legislation, send it over to the House, go to a conference. We don't do that anymore.

Under Senator MCCONNELL, the Republican leader of the Senate, we do not do that anymore. There were 22 amendments in the course of the entire year. If we were paid for the actual piecemeal that we do, we would not get a paycheck this year because we haven't done anything.

I will take that back. What we have done is to fill as many Federal court vacancies as possible with some of the most unqualified people ever offered by a President of the United States. This week, a man named VanDyke is being named to the court in Nevada. He has such a limited connection with Nevada that both Nevada Senators refuse to approve him for this court appointment. He has no connection to their State, but he was chosen by the White House.

He went through a background check by the American Bar Association, and they concluded unanimously that he was unqualified to be a Federal judge—unqualified. He is not the first. Under this President, we have had nine different court nominees found unqualified by the American Bar Association. You say, Well, that is going to happen, lawyers disagree.

Do you know how many were found unqualified under the Obama administration in 8 years? None, not one.

There are nine unqualified men and women now with lifetime appointments on the Federal bench because, for Senator MCCONNELL, that is his priority: Fill the bench with people of his political stripe at any cost.

Take up legislation? No. The Democratically-controlled House of Representatives has sent us over 200 different measures to consider on the floor of the Senate. Senator MCCONNELL has refused. He will not take up any legislation. He is very proud of it. To his credit, he is not ashamed or embarrassed. He says to call himself the Grim Reaper when it comes to measures coming over from the House. He is here to kill them, and he has done a pretty good job of that, if that is his goal in what he wants to achieve. When I hear him come to the floor and say we are not doing enough in the Senate—22 amendments in 1 year. I say to Senator MCCONNELL, you have been in the Senate for a long time. You know that that number tells the whole story.

FOR-PROFIT COLLEGES AND UNIVERSITIES

Madam President, it is the holiday season, and many families are gathering at special meals, giving gifts, with a lot of fond memories, but instead of celebrating, hundreds of thousands of people across America who have been defrauded by for-profit colleges and universities are just trying to get by. There will not be many presents that they will be able to give or probably receive. They have been waiting day in and day out for one person to make a decision. Her name is Betsy DeVos. She is the Secretary of Education. She can provide them relief from their federal student loans that they desperately need, but she refuses to do it.

After being lured with false promises, these people I am talking about ended up in programs at for-profit colleges and universities. Who were the for-profits? See if these names ring a bell: Corinthian, ITT Tech, Westwood, DeVry, University of Phoenix, Dream Center. These are for-profit colleges and universities, and these student borrowers were left with mountains of debt, worthless credits, and diplomas that employers laugh at when it was all said and done. Now, Secretary DeVos refuses to provide these students with relief from their student loan debt to which they are entitled under the borrower defense provision of the Higher Education Act.

Take Rachel from Missouri who attended Corinthian's Everest College. She says, "I am not able to buy my children clothes or shoes."

Pamela from South Carolina owes \$140,000 after attending the corrupt ITT Tech for-profit school. Here is what she says: "I have an autistic daughter that depends on me, and I can't afford to get a decent place to live or buy the things she needs." Is that any surprise with \$140,000 in debt from one of these corrupt for-profit colleges?

Jennifer, who attended the Illinois Institute of Art—not to be mixed up

with the Illinois Art Institute, a reputable institution—but the Illinois Institute of Art where she attended, she owes \$67,800 in Federal student loans, and she says, “The stress and anxiety of working 3 jobs to make a living to pay off these loans, feed my kids, and keep a roof over my head, is exhausting.”

For borrowers like Rachel, Pamela, and Jennifer, Secretary DeVos might as well be Secretary Scrooge this holiday season. She continues to deny them a fresh start. She continues to refuse to apply the borrowed defense provision which would allow the discharge of their federal student debt. More than 200,000 borrowers find themselves in similar positions, while Secretary DeVos lets claims back up at the Department. She has failed to approve a single claim in more than a year, not one for all these hundreds of thousands of students facing this fraudulent debt.

Why we should give them a break? Why should they have any forgiveness for student debt? Let me tell you why. It is because it starts with the U.S. Federal Government Department of Education recognizing the accreditation of these institutions—these worthless institutions. That accreditation says to students applying there: This is a real college.

Well, it turns out that they weren't real colleges and universities. But they were real when it came to costs. Some of the most expensive places to attend higher education in America are these for-profit colleges and universities.

What kind of record do they have? Well, consider this: just nine percent of all postsecondary students in America go to these for-profit colleges and universities—nine percent. This will be on the final, for the students who are listening. Nine percent go to for-profit colleges and universities. Thirty-three percent of all the federal student loan defaults are from students at for-profit colleges and universities. What does that tell you? Well, if I go to one of these schools, I am going to rack up a lot of debt. Maybe I will not be able to find a job; maybe I will not even be able to finish school; and then I learn my credits aren't even transferable from a for-profit school to a real college or university.

It all started with the U.S. Federal Government recognizing the accreditation of these schools, saying “These are real schools,” with the students depending on that accreditation. Then they backed it up, saying: Oh, incidentally, you can borrow money from the Federal Government to go to these real schools. Then, when these schools went bankrupt, when they defrauded everyone in sight, when they were sued by the State attorneys general and other federal agencies, when it turned out they were big frauds and the students saw the schools crumble in front of them, the students ended up with the debt.

We say, under the law, that the Federal Government has some responsibility.

We should have done a better job of overseeing these schools.

That isn't the way Secretary DeVos sees it. As far as she is concerned, these kids are on their own. They are not kids anymore. They have been hanging on to their student debt for so long, they don't know which way to turn.

Despite Secretary DeVos's excuses, the reality is that nothing is legally preventing her from providing borrower defense discharges to these students for the loans they took out at these for-profit colleges and universities. She could do it tomorrow. She could clear the backlog quickly, if she wanted to.

We know using her legal authority to provide relief to defrauded borrowers gives her “extreme displeasure”. We know that because she wrote that in an order she issued for the Department. She was extremely displeased to discharge the student loans of these students who had been defrauded by for-profit schools.

Well, I am not surprised. She surrounded herself at the Department of Education with people from that industry who believe that the industry has done no wrong. We know better.

We also know from her previous statements that Secretary DeVos thinks many borrowers got some value from their experience, even though they were defrauded into massive debt. She thinks these borrowers are just after “free money,” and they don't deserve a full discharge.

Yesterday, National Public Radio released a series of internal Department memos showing that the facts don't back up Secretary DeVos's claims.

Back in 2017, the Department staff concluded that “the value of an ITT [Tech] education—like Corinthian—is likely either negligible or nonexistent.”

This was a school whose accreditation was recognized by our Federal Government, Secretary DeVos, and it has turned out to be worthless. The memo went on to conclude, “Accordingly, it is appropriate, for the Department to award eligible borrowers full relief.” I agree. It is reasonable for the Department of Education to try to make amends for this miserable failure of oversight of these schools and to give these student borrowers a chance.

Nonetheless, this week, Secretary DeVos announced a new scheme to use something called gainful employment earnings data to deny defrauded student borrowers full discharges. Remember, that the gainful employment rule was meant to ensure that programs were actually preparing students for jobs after graduation. But Secretary DeVos delayed and then eliminated the rule. Now, instead of using gainful employment data to hold poor-performing programs accountable, she wants to use it to punish defrauded student borrowers. She has already tried it once, only to be told by a Federal judge that what she did was illegal.

While it is unclear if this slightly tweaked version of the scheme will pass legal muster, the result for the borrowers would be the same: ultimate denial in terms of full relief from their student loans from miserable for-profit schools.

Not only is Secretary DeVos delaying and denying relief for previously defrauded borrowers, she is rewriting the rules to make it almost impossible for future defrauded borrowers to get relief. She continues to recognize the accreditation of these unworthy institutions. She continues to say to the United States and the world: These are perfectly good schools. Then, when it turns out they are perfectly awful, she wants to accept no responsibility.

She released a new version of the borrower defense rule just a few months ago that places unreasonable burdens on borrowers, way beyond their capacity to detect the fraud being perpetrated at the time. The net result is this: According to The Institute for College Access and Success, the new DeVos rule will cancel just 3 percent of all loans associated with misconduct. She is going to cancel 3 percent.

In September, I introduced a resolution in the Senate to overturn the DeVos borrower defense rule. Forty-two of my colleagues have joined me. I plan to bring it to a vote on the Senate floor, where it needs a simple majority to pass.

Just this week, 57 student, veteran, and consumer organizations released a letter supporting the resolution. I ask unanimous consent that it be printed in the RECORD.

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

DECEMBER 9, 2019.

SENATOR DICK DURBIN,
Washington, DC.

REPRESENTATIVE SUSIE LEE,
Washington, DC.

DEAR SENATOR DURBIN AND REPRESENTATIVE LEE: As 57 organizations representing and advocating for students, families, taxpayers, veterans and service members, faculty and staff, civil rights and consumers, we write in support of your efforts to disapprove the 2019 Borrower Defense to Repayment rule pursuant to the Congressional Review Act.

The purpose of the borrower defense rule as defined by the Higher Education Act is to protect students and taxpayers from fraud, deception, and other illegal misconduct by unscrupulous colleges. A well-designed rule will both provide relief to students who have been lied to and cheated, and deter illegal conduct by colleges.

However, the final rule issued by the Department of Education on September 23, 2019, would accomplish neither of these goals. An analysis of the Department's own calculations estimates that only 3 percent of the loans that result from school misconduct would be cancelled under the new rule. Schools would be held accountable for reimbursing taxpayers for just 1 percent of these loans.

The DeVos Borrower Defense rule issued in September imposes unreasonable time limits on student borrowers who have been deceived and misled by their schools. It requires applicants to meet thresholds that make it almost impossible for wronged borrowers to obtain loan cancellation.

The rule eliminates the ability of groups of borrowers to be granted relief, even in cases where there is substantial compelling evidence of widespread wrongdoing. It prohibits the filing of claims after three years even when evidence of wrongdoing emerges at a later date. It requires borrowers to prove schools intended to deceive them or acted recklessly, although students have no ability to access evidence that might show this intent. And the rule stipulates that student loans taken by students under false pretenses are insufficient evidence of financial harm to allow the loans to be cancelled.

Additionally, the 2019 rule eliminates the promise of automatic loan relief to eligible students whose school closed before they could graduate. Instead, the Department would force each eligible student impacted by a school closure to individually find out about their statutory right to relief, apply, and navigate the government's bureaucracy to have their loans cancelled.

Many of us wrote to the Department in August 2018 in response to the notice of proposed rulemaking and offered carefully considered recommendations. However, the Department rejected our recommendations that would have provided a fair process that protects students and taxpayer dollars. Instead, the new rule would do little to provide relief to students who have been lied to, and even less to dissuade colleges from systematically engaging in deceptive and illegal recruitment tactics. Moreover, a borrower defense rule that fails to adequately protect students harms the most vulnerable students, including first-generation college students, Black and Latino students, and military-connected students, who are targeted by and disproportionately enroll in predatory for-profit colleges.

Meanwhile, the Department refuses to take action on a massive backlog of over 200,000 pending borrower defense claims, having failed to approve or deny a single claim in over a year. We fully support your effort to repeal the 2019 borrower defense rule, and look forward to restoration of the 2016 rule, which took major steps to provide a path to loan forgiveness for the hundreds of thousands of students who attended schools where misconduct has already been well documented.

Signed,

AFL-CIO, AFSCME, Allied Progress, American Association of University Professors, American Federation of Teachers, Americans for Financial Reform, Association of Young Americans (AYA), Campaign for America's Future, Center for Public Interest Law, Center for Responsible Lending, Children's Advocacy Institute, CLASP, Clearinghouse on Women's Issues, Consumer Action, Consumer Advocacy and Protection Society (CAPS) at Berkeley Law.

Consumer Federation of America, Consumer Federation of California, Demos, Duke Consumer Rights Project, East Bay Community Law Center, Economic Mobility Pathways (EMPath), The Education Trust, Empire Justice Center, Feminist Majority Foundation, Government Accountability Project, Higher Education Loan Coalition (HELCO), Hildreth Institute, Housing and Economic Rights Advocates, The Institute for College Access & Success (TICAS), Maryland Consumer Rights Coalition.

NAACP, National Association for College Admission Counseling, National Association of Consumer Advocates, National Association of Consumer Bankruptcy Attorneys (NACBA), National Consumer Law Center (on behalf of its low-income clients), National Education Association, National Urban League, New America Higher Education Program, New Jersey Citizen Action, One Wisconsin Now, PHENOM (Public Higher

Education Network of Massachusetts), Project on Predatory Student Lending, Public Citizen, Public Counsel, Public Good Law Center.

Public Law Center, Service Employees International Union (SEIU), Southeast Asia Resource Action Center (SEARAC), Student Debt Crisis, Student Defense, Student Veterans of America, Third Way, U.S. Public Interest Research Group (PIRG), UnidosUS, Veterans Education Success, Veterans for Common Sense, Young Invincibles.

Mr. DURBIN. Among the organizations supporting the resolution are the American Federation of Teachers, the Center for Responsible Lending, the Consumer Federation of America, the Education Trust, the National Association of College Admission Counseling, the NAACP, the National Education Association, the Student Veterans of America, and the American Legion on behalf of American veterans who have been victims of this fraud as well.

When our resolution comes to the floor, I hope a handful of my Republican colleagues will take a look at it and realize that we have to give these students a second chance at their lives. We misled them into attending for-profit schools that were worthless. The schools defrauded them. They ended up with a debt to our government, and under the provisions of the Higher Education Act, that debt can be forgiven. Let's give these defrauded student borrowers a second chance. Ultimately, they deserve an opportunity from our government to have a better holiday coming before them and a better life ahead.

I yield the floor.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Senator from Ohio.

UNITED STATES-MEXICO-CANADA TRADE AGREEMENT

Mr. PORTMAN. Mr. President, I have come to the Senate floor several times over the past year to talk about the importance of passing the U.S.-Mexico-Canada Agreement. This is the successor agreement to the 25-year-old NAFTA accord.

Yes, it has been a year; in fact, it has been over a year since that agreement was negotiated between Canada and Mexico, and then Congress was meant to take it up. It has been too long.

However, I am happy to report today that now we are at the end of that long process. I am told that the legislation is actually going to be voted on in the House of Representatives probably next week and then here in the U.S. Senate right after the holidays.

We will have a chance, finally, to pass this agreement that is so good for the farmers, for the workers, for the manufacturers, and for the small businesses that I represent.

I am really pleased that the President of the United States and his chief trade negotiator, Bob Lighthizer, had the persistence to get this done. I am not sure I would have had the same patience.

I also want to congratulate House Speaker NANCY PELOSI for making the

decision to move forward with it. This is one of these situations in which, under our law, the agreement has to be voted on first by the House. So the Speaker of the House had an unusual role here, where it couldn't go forward without her approval. Again, finally, we are there.

The agreement, which was negotiated over a year ago and languished—specific language was sent up here in May of last year—is pretty much the same. About 99 percent of it is the same agreement. It is a good agreement because it opens up more markets for us. What has changed is there are new provisions, different provisions, as it relates to enforcing the labor standards that are already in the agreement.

In the agreement, what Mexico and Canada were asked to do, in addition to the United States, in terms of higher labor standards, was negotiated over a year ago, but what has happened over, really, the past several months is now there is a mechanism to enforce it that is a little different.

I think it will make it easier to enforce potential violations of the agreement we have reached, particularly with regard to Mexico. It doesn't really come back against the United States at all. We can explain this in more detail as we see the exact language that is coming up in the next couple of days.

The bottom line is, for a U.S. company, the labor standards that are established are the ones we already have in our law. For Mexico or Canada to file an objection to us potentially not following that agreement is simply after there has been a U.S. law processed, which would involve the National Labor Relations Board and our existing law, so it really shouldn't affect us at all.

By the way, Secretary Scalia, who is the Secretary of Labor, was very involved in ensuring that it wouldn't come back on U.S. companies, on U.S. workers, and on our economy.

At the end of the day, although it took way too long to get there, we have ended up with a very good result—an agreement that does expand trade, and that is the whole idea.

We have talked a lot on the floor as to why this is so important. I will tell you, in my home State of Ohio, we send more than half of our exports to two countries, Canada and Mexico. By far, the No. 1 trading partner is Mexico, and No. 2 is Canada.

This is really important because these jobs are really important. It is about \$28 billion a year. These are jobs that pay higher wages and better benefits—export jobs. For our farmers, this is really important. For manufacturers and workers, it is really important because this lets them be able to do what we do best, which is efficiently and productively make things and produce things that could be sold to other markets.

Remember, in America, we are only about 5 percent of the global economy—five percent of the people—so our

population is only about 5 percent, but we are about 25 percent of the GDP of the world. We are a relatively small country by population, but we have this big economy. To access that 95 percent of consumers outside of America to sell our products is absolutely essential to our prosperity here, to our jobs here.

As I mentioned earlier, those export jobs tend to be better jobs and higher paying jobs with better benefits.

What does this agreement do? First of all, it creates a bunch of new jobs. This chart has 176,000-plus new jobs. That is because the International Trade Commission—which is the independent body that analyzes these things—gave us a range. The GDP increased. It increased our economy. The number of jobs is huge, by the way—greater than any other trade agreement we have entered into, greater on the economic growth side than the Trans-Pacific Partnership that many of my colleagues on the other side of the aisle thought was something we should have entered into and was so important. This is even bigger.

Obviously, it is so big because Canada and Mexico are such big trading partners with us. So even relatively small changes to open up new markets have a big impact. These are going to be welcome jobs and, again, higher paying jobs.

Second, it really helps us with regard to online sales. One of our advantages as a country is we do a lot of commerce over the internet. When the original NAFTA agreement was written and was currently enforced—the status quo—there really were not any significant online sales—virtually none. So there were no provisions in there. Every modern trade agreement has provisions for online sales or for sales over the internet. Now we have them with regard to Mexico and Canada, which we would not have had under the old NAFTA. So that is a big improvement. For Ohio, that is a lot of small companies because entrepreneurs—some of these new startups are online companies—really like these provisions.

By the way, it says a number of things. It says you can't require localization of data. In other words, Canada and Mexico can't say: Hey, you have to have your servers in our country if you are going to do business with us. That is really important to our American online industry.

Second, it says that you can't put tariffs on data online. Again, it is very important to establish that, not just for Canada and Mexico but as a precedent for other trade agreements going forward.

Third, it actually raises the de minimis level. In other words, to apply customs duties on stuff going to Canada and Mexico, they have a very low level. We have a relatively high level here. That level has increased for Canada and Mexico. That is an administrative burden that is lifted off of a lot of these

small businesses but also a costsaver because they don't have to pay customs duty on a relatively small product that goes to another country.

These are all good things for American jobs. Again, we have a comparative advantage here because we do a lot of online sales.

Third is more U.S.-made steel and auto parts. This is really important to Ohio but also to our country. Manufacturing is now finally on the upswing. Manufacturing jobs are actually increasing in this country for the first time in years, and we are getting back on our feet in terms of what has always made America great, which is that we produce things; we make things. So this agreement helps.

It says, as an example, that 70 percent of the steel that goes into automobiles—and the automobile industry is a big deal for Canada and Mexico and the United States—has to be from North America. That helps U.S. steel mills and steel mills in Ohio, as opposed to steel coming in from China, for example, from Brazil, and from other countries.

Second, it changes the rules of origin—how much stuff can go into an automobile that comes from other countries. It is 62½ percent now, and it would take it up to 75 percent in this agreement. That is the highest level of any agreement we have with anybody.

Why is that important? Well, think about it. We have agreed with Canada and Mexico that we are going to have this agreement that lowers the tariffs in all these countries and lowers the trade barriers generally. In other words, it gives them an advantage in our market. We get an advantage in their market. That is the idea. If you don't have a rule of origin where you say stuff can't come in from other countries and take advantage of that, then you have basically free riders.

As an example, China can send a bunch of their auto parts to Mexico and produce a car that is a Mexican car that therefore gets the benefit of the NAFTA agreement. China has not opened its market at all; it has only provided this product to Mexico. But then the product gets the advantage of the lower tariffs and lower trade barriers generally. That is not fair. Raising it from 62½ percent to 75 percent is really significant. Again, it is the highest number of any trade agreement we have, and it avoids this problem.

Some of us say: Gee, that sounds protectionist. I don't think it is. I think what it says to China, Japan, Brazil, or other countries is that if you want to get the advantage of the U.S. market that Canada and Mexico are getting and that we get reciprocally from them, then enter into a trade agreement with us.

Let's have more trade agreements. Let's lower the barriers for everybody. That actually will expand trade. But we ought not to allow them to do it without that. This is a big deal.

It also is true that in this agreement, there is something unprecedented with

regard to leveling the playing field. Remember, a basic concept of our trade laws is that you want to have a balanced trade law where you have imports and exports because that makes sense—keeps consumer prices down and allows us to have good jobs here—but you want it to be reciprocal and balanced. You don't want to have a situation where a country, because of its low wage rates and lack of labor standards or lack of environmental standards, where it is polluting a lot, can take advantage by having lower cost goods coming into America.

In this agreement, we do say that there is a minimum wage for between 40 and 45 percent of the auto production. It is \$16 an hour. That will end up benefiting us because wages are relatively higher in America and Canada than they are in Mexico. That will be good for auto jobs here and help to level the playing field. This is why you might have seen that some of the labor unions are supporting this agreement and some of the U.S. manufacturers are supporting this agreement. They have a lot of facilities here in America, and they like that part of it as well.

There are new markets for farmers. I mean, this is kind of a no-brainer that has made it, for me, frustrating over the last year because we haven't been able to move forward on this agreement while farmers have really been suffering because of a few different things.

One is weather. We have had some lousy weather, particularly in my State and across the Midwest, where it is too wet to plant and too dry for the crops to grow properly for a harvest, and that has hit us hard. We couldn't plant in Ohio in a number of cases this last year because of the weather being too wet, and so farmers have been hit by that.

The second is that prices have been relatively low—not just recently but really over the last several years for different commodities such as corn, soybeans, and wheat. Part of that is because of the global markets.

Part of it is because of the third issue, which is China. Because of our ongoing negotiation with China and disputes with China over what they are doing on intellectual property, stealing our technology, and other issues, they have bought less of our farm products. For Ohio, as an example, our No. 1 market overseas for soybeans is China, and one out of every three acres planted in Ohio is planted for export. Think about how that affects your prices if you lose that big market share and that big customer.

I am pleased to say that we seem to be making some progress with China right now, incidentally, as an aside. It is great to have this agreement done. The next agreement I hope we get done is with China and get them to play by the rules and open those markets more. This week, they started to buy more soybeans, and that is good.

In the meantime, our farmers are desperate for more markets, and in this

agreement, that is exactly what they get. So if you are an Ohio farmer—and we are No. 2 in the country on eggs—you can now have access to these markets in Canada and Mexico, on eggs, that you never had before.

On dairy, Canada in particular has some very protectionist provisions in place with regard to dairy products—think milk and cheese.

If you are an Ohio dairy farmer, you can sell stuff into Canada you couldn't sell before—also pork, beef, wheat, and other products. This is good for our farmers. This is why over 1,000 farm groups around the country have supported this agreement. I mean, I don't know a farm group in Ohio that doesn't support it strongly. Again, part of it is that this is a great agreement for them, and part of it is that they are hurting, and this gives them some light at the end of the tunnel, an opportunity to see new markets and therefore see some prices increase in our ag community.

This is a good agreement that is good for jobs, good for small business, as we talked about, good for farmers, good for workers, and good for our economy. It is important that we get it done. I am glad the House is going to go ahead and vote on it in the next week. I wish we could vote here in the Senate right away, too, but under the process called trade promotion authority, we do have some processes we need to go through. It is probably best to have it happen after the holidays. Right after the holidays, my hope is that here on the floor of the Senate, Members will look at this for what it is. This is not a Democratic or a Republican victory; this is an American victory.

Again, I appreciate the efforts of President Donald Trump because he was persistent and tough on the negotiations, and then he was persistent and patient in working with the U.S. Congress. There were a lot of people saying: Go ahead and send the agreement up and try to jam the Democrats into doing the right thing. He didn't do that. He waited to figure out a way to come up with an agreement, particularly on the labor enforcement provisions we talked about, and as a result, we now have the ability on a bipartisan basis to get this done. I hope the vote in the House will reflect that; likewise, here in the Senate.

I know there are some of my colleagues on both sides of the aisle who think this agreement is not perfect. No agreement is perfect; I will just say that. I am a former U.S. Trade Representative. I am a former trade lawyer. I am a former member of the Ways and Means Committee, which is the trade committee over there. I am now on the trade committee here, the Finance Committee. No agreement is ever perfect. It is not the agreement exactly that you would write or I would write, but, boy, this is a good agreement.

To make perfect the enemy of the good would hurt the farmers and the

workers and the small businesses that we represent that want this agreement badly because they know it is going to help them.

The other thing I would say is that it also helps our relationships with our two biggest trading partners in Ohio, Canada and Mexico, and also our neighbors.

For North America's future, this is a good idea—to have the certainty and predictability that comes with an agreement we have all been able to coalesce around and improve the status quo. NAFTA was negotiated 25 years ago. A lot has happened in the last 25 years. We talked about how the digital economy has transformed our economy, and we have a competitive and comparative advantage in that. That is one small example. So many things have changed.

We have better protections for intellectual property in this agreement, as an example. We have these new trade-opening opportunities in agriculture. We have these opportunities in manufacturing to do more here in North America and specifically in the United States.

A vote against this new agreement is a vote for NAFTA, which is this 25-year-old agreement that has these flaws because that is the status quo. My hope is that the next time I come to this floor to talk about this, it will be to ask my colleagues in short order to support a vote, that it will have come out of the Finance Committee with a strong bipartisan vote, that it will have come to the floor with a strong vote from the House, and that we can get this done. Then President Trump can sign it, and the people we represent will be better off, our community of nations here in North America will be better off, and the United States of America will have another victory.

I yield back.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

APPROPRIATIONS

Mrs. SHAHEEN. Mr. President, I came to the floor this morning to address what has been an alarming and inaccurate information campaign that is being spread about the international family planning amendment included in this year's State and Foreign Operations appropriations bill.

I would note that while this amendment is referred to as the "Shaheen amendment" in alarmist and inaccurate blog posts, it is actually bipartisan language that was agreed to by both the subcommittee and full committee chairs of the Appropriations Committee and ultimately approved unanimously by Republicans and

Democrats in the committee. Yet articles and op-eds online have condemned the amendment as pro-abortion. I was surprised to hear this given that, despite my objections, the amendment does not address the Mexico City policy—or the global gag rule, as it is known—abortion services, or information. In fact, this is the first time in 18 years—I am going to say that again. It is the first time in 18 years that members of the Appropriations Committee were prevented from offering a bipartisan amendment that would strip the bill of the Mexico City provision.

Instead of allowing the established committee process to amend the SFOPs bill with this provision, the entire bill was pulled from consideration. In response to that, in an effort to ensure the bill wasn't endangered, I worked with my colleagues Senator COLLINS of Maine and Senator MURKOWSKI of Alaska and with Republican leadership to limit the scope of the amendment so we could allow the appropriations bill to go forward.

It is false—absolutely, positively false—to say this amendment funds abortions abroad. In fact, it is wrong to say, and inaccurate to say, that any U.S. assistance goes to funding abortions at home or abroad. In compliance with U.S. law, family planning funding does not and never has gone to abortion services. I hope everyone is clear about that. Under our law, family planning funding does not go to support abortion services.

Now that I have outlined what this amendment does not do, let me discuss what it does do. It provides an increase of \$57.5 million for a total of \$632.5 million for existing international family planning accounts. This money funds programs and services that provide modern contraceptives, which 214 million women around the world who want to avoid pregnancy are not able to access.

Again, I don't know when the debate around abortion came to include contraceptives and family planning. It also would allow for the healthy timing and spacing of births, which is very important to the health of infants and it is important to the health of women to be able to space the births of their children to recover between births. It provides education information and counseling about family planning issues. It ensures access to antenatal and postnatal care for a healthy mother and baby. It provides for HPV vaccination and prevention, something very important to the health of children.

These are a few of the critical services the assistance provides. The impact of these services is very real.

According to the Guttmacher Institute, with each additional \$10 million the U.S. dedicates to family planning and reproductive health programs, 400,000 more women and couples receive contraceptive services and supplies. With the \$57.5 million increase provided for in this amendment, more than 2.2 million women and couples

will have that access. That will result in 654,500 fewer unintended pregnancies, 291,500 fewer unplanned births, 280,500 fewer induced abortions. If you care about abortion and you don't believe that is the right alternative, then you should support family planning because that gives families and couples an option to ensure they can have the children they want, and it would provide for 1,320 fewer deaths of women.

While these numbers are stark, the transformative effect of simply having access to family planning information and services on the lives of women and their families should not be underestimated.

The most vulnerable women who are reached by family planning programs report that learning about family planning options, receiving services to prevent unwanted pregnancies, and ensuring that wanted pregnancies are healthy and happy so the babies they want to have are healthy and happy gives them some control over their lives. Many women are making healthcare choices for themselves and their families for the very first time with help from these programs.

These critical programs change lives, and our partners who implement these programs are indispensable. In October, USAID Administrator Mark Green said he could not "imagine an effective development Agency that doesn't partner with the community of faith." Luckily, he doesn't have to. For those people who were worried that family planning programs are not going to be implemented by our faith community, that is just wrong.

The family planning account goes to a range of program implementers, including healthcare providers, international NGOs, and faith-based organizations alike. All of these organizations have the goal of saving women's lives and saving the lives of their children. They need more resources, not fewer, to do this work.

What else does the international family planning amendment do? It includes an additional \$33 million to USAID's family planning account for money that is rerouted away from the U.N. Population Fund.

Again, unlike what the blogs are mistakenly saying, this is not money that currently goes to UNFPA's lifesaving operations. Instead, it will be redirected back into the family planning account and contribute to the programs I just outlined.

Third, the amendment requires the Government Accountability Office to produce a report that evaluates the efficacy of family planning programs and their structure. Again, this was another bipartisan effort with my Republican colleagues to ensure that our U.S. dollars are most effective and they contribute to programs and services that are most effective. Again, if you have a concern about how family planning dollars are being spent, then you should support this amendment because it is going to give us data and in-

formation to show what is effective and what isn't.

Finally, the amendment includes language to reaffirm an existing nondiscrimination policy within USAID. This is an existing nondiscrimination policy. This is not a new policy. That policy within USAID ensures the services funded by these accounts reach all segments of the population.

As I said, this is not a new policy. The anti-discrimination policy has existed for several years, and it is not targeted toward faith-based organizations, despite what some of the blogs mistakenly are putting out there. In fact, the complaints I have heard in my office about single women being rejected for services didn't touch on work that faith-based organizations are doing.

I hope all of our colleagues in the Senate will not allow misinformation about the family planning dollars that are in the State and Foreign Operations bill to dismantle what has been a very important bipartisan achievement. Its impact is too great and its programs are too important to let them be killed by a campaign to try and mislead people about what is in the amendment.

I yield the floor.

NOMINATION OF AURELIA SKIPWITH

Mr. CARPER. Mr. President, I want to share with the Senate my reasons for opposing the nomination of Aurelia Skipwith to serve as the Director of the U.S. Fish and Wildlife Service.

Let me begin by saying that I am disappointed to find myself in this position. When I had the privilege of serving as Governor of Delaware, I was able to assemble my own leadership team, so I appreciate how important it is that people in executive positions, including Presidents, have that same ability.

However, in article II of the Constitution, our Founders set up a system in which the President would nominate individuals to the top posts in our government and Senators would provide "advice and consent" on those nominees.

In order for the Senate to fulfill that constitutional role, those nominated individuals must cooperate with the confirmation process. And, unfortunately, Ms. Skipwith has not provided information requested by the Democrats during the nomination process.

Despite my repeated requests for the nominee to be more forthcoming—requests made twice in writing and twice in person, during her nomination process—Ms. Skipwith has refused. Instead, she has given me the impression that she does not take this confirmation process seriously.

Her lack of candor has elevated questions that already existed about her qualifications, her commitment to environmental conservation and whether she can ethically lead the Fish and Wildlife Service.

Therefore, I cannot support this nomination.

Ms. Skipwith first joined the Trump administration in April 2017, when she was appointed as Deputy Assistant Secretary of Fish and Wildlife and Parks, a non-Senate-confirmed political appointment at the Department of the Interior.

During her tenure there, the Fish and Wildlife Service proposed and finalized controversial regulations that drastically altered implementation of the Endangered Species Act.

The Service has also issued a legal opinion that changes the way the Department of the Interior enforces the Migratory Bird Treaty Act. Former senior Interior officials from every administration since the early 1970s, both Republican and Democrat, have strongly opposed this Migratory Bird Treaty Act legal opinion. At her confirmation hearing, Ms. Skipwith vehemently defended it.

Prior to her controversial tenure at the Interior Department, Ms. Skipwith had no previous work experience related to conservation or wildlife management—none.

By contrast, the 16 individuals who previously served as Fish and Wildlife Service Directors for both Republican and Democratic Presidents had an estimated average of 12 years of experience at the Fish and Wildlife Service before taking on the Director role. They also have an estimated average of more than 22 years of professional experience in fields related to wildlife or fisheries management.

Ms. Skipwith has also not seemed to make up for her lack of previous experience while on the job. At her confirmation hearing, when asked to name the conservation scientist who had most influenced her career and her approach to wildlife and fisheries management, Ms. Skipwith struggled to name any conservation scientist. Ultimately, she named a former Monsanto vice president with whom she used to work, but she misremembered his name.

This was not an insignificant misstep. To me, it was revealing. Ms. Skipwith's response to my simple question represented a clear lack of familiarity with the basics of wildlife management, a troubling quality for a Fish and Wildlife Director nominee.

By contrast, Ms. Skipwith does have significant experience in the agribusiness industry. Before joining the Trump administration, she worked for Monsanto, one of the world's largest agrochemical firms. Monsanto regularly has business interests before the Interior Department. She also worked for Alltech, a Kentucky-based agricultural products company.

She also co-founded AVC Global, an agribusiness-technology start up, and was employed by Gage International, a Washington, DC, based lobbying firm founded by her fiancé.

That is why even before her confirmation hearing, I asked Ms. Skipwith some basic questions about how these companies operate and

whether Ms. Skipwith has recused herself from working on those issues. Unfortunately, Ms. Skipwith has refused to answer those questions.

She has repeatedly refused to provide her calendars with the appointments she has had as a Department of the Interior official. This information could be made available to any member of the public under the Freedom of Information Act, but she has refused to provide it to me for months within the confirmation process.

This information is important because Ms. Skipwith's former employer, Gage International, has represented water utilities that have lobbied Congress to weaken Western water policy and the Endangered Species Act.

Unanswered questions also remain about Ms. Skipwith's role in the development of a controversial repeal of an existing ban on using pesticides that have been shown to harm birds and bees in national wildlife refuges. And one of the largest producers of these pesticides is Monsanto, another one of Ms. Skipwith's former employers.

Yet when Senator GILLIBRAND asked Ms. Skipwith about her role in the ban's repeal, Ms. Skipwith defended the reversal but denied any role in the decision. This answer does not appear to be consistent with some of the email records that have been obtained under Freedom of Information Act, which show that she expressed interest in the matter and received materials on the issue from career staff.

If Ms. Skipwith was indeed involved with the decision to reverse the pesticides ban, it would constitute a violation of the ethics pledge she signed when she joined the Department. An examination of Ms. Skipwith's calendar entries could clear up these outstanding questions, but her lack of cooperation makes that impossible.

This lack of being forthcoming is troubling, not only because it undermines the Senate's advice and consent role for Presidential nominees, but it also because it demonstrates the nominee's may not be cooperative when it comes to congressional oversight.

I have found that, when a nominee is unwilling to provide information as part of their confirmation process, they almost always prove to be even more defiant to congressional oversight requests after they are confirmed.

I urge my colleagues, especially my Republican colleagues, to take this matter seriously. In fact, I would urge my Republican colleagues to remember these words spoken by my friend, former Congressman Trey Gowdy of South Carolina.

In June 2012, during the House Oversight and Government Reform Committee contempt proceedings against Attorney General Holder, then Congressman Gowdy said: "The notion that you can withhold information and documents from Congress no matter whether you are the party in power or not in power is wrong. Respect for the

rule of law must mean something, irrespective of the vicissitudes of political cycles."

Eventually, whether it is in 1 year or in 4 years or in 8, we will eventually have another Democratic administration. And when that time comes, Republicans in Congress will want officials in that Democratic administration to answer questions and respond to congressional oversight requests.

I fear that my Senate colleagues will find the process completely broken by then if we continue undermining our duty as Senators to both provide advice and consent on Presidential nomination and to conduct congressional oversight.

This clear defiance of our sworn constitutional duty and congressional oversight role diminishes the Senate, weakens our intricate system of checks and balances, and undermines the trust of the American people.

Beyond her lack of qualifications and her questionable role in some of this administration's major conservation policies, there are too many troubling concerns and questions about this nominee that remain unaddressed or unanswered.

Therefore, I will be opposing this nomination, and I encourage my colleagues to do the same.

Mr. GRASSLEY. Mr. President, I ask unanimous consent that the vote that was going to start at 11:45 a.m. start now.

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

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

Mr. GRASSLEY. 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 bill clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), the Senator from Kentucky (Mr. PAUL), the Senator from Georgia (Mr. ISAKSON), and the Senator from Alabama (Mr. SHELBY).

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

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

The result was announced—yeas 52, nays 39, as follows:

[Rollcall Vote No. 395 Ex.]

YEAS—52

Alexander	Braun	Cotton
Barrasso	Capito	Cramer
Blackburn	Cassidy	Crapo
Blunt	Collins	Cruz
Boozman	Cornyn	Daines

Enzi	Lankford	Rubio
Ernst	Lee	Sasse
Fischer	Manchin	Scott (FL)
Gardner	McConnell	Scott (SC)
Graham	McSally	Sinema
Grassley	Moran	Sullivan
Hawley	Murkowski	Thune
Hoeven	Perdue	Tillis
Hyde-Smith	Portman	Toomey
Inhofe	Risch	Wicker
Johnson	Roberts	Young
Jones	Romney	
Kennedy	Rounds	

NAYS—39

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

NOT VOTING—9

Booker	Isakson	Sanders
Burr	Klobuchar	Shelby
Duckworth	Paul	Warren

The nomination was confirmed.

EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of John Joseph Sullivan, of Maryland, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Russian Federation.

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

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), 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 Illinois (Ms. DUCKWORTH), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 70, nays 22, as follows:

[Rollcall Vote No. 396 Ex.]

YEAS—70

Alexander	Blunt	Capito
Barrasso	Boozman	Cardin
Blackburn	Braun	Carper

Cassidy	Hyde-Smith	Romney
Collins	Inhofe	Rosen
Coons	Johnson	Rounds
Cornyn	Jones	Rubio
Cortez Masto	Kaine	Sasse
Cotton	Kennedy	Scott (FL)
Cramer	King	Scott (SC)
Crapo	Lankford	Shaheen
Cruz	Leahy	Shelby
Daines	Lee	Sinema
Durbin	Manchin	Sullivan
Enzi	McConnell	Tester
Ernst	McSally	Thune
Feinstein	Merkley	Tillis
Fischer	Moran	Toomey
Gardner	Murkowski	Udall
Graham	Murphy	Van Hollen
Grassley	Perdue	Wicker
Hassan	Portman	Young
Hawley	Risch	
Hoeven	Roberts	

NAYS—22

Baldwin	Heinrich	Schumer
Bennet	Hirono	Smith
Blumenthal	Markey	Stabenow
Brown	Menendez	Warner
Cantwell	Murray	Whitehouse
Casey	Peters	Wyden
Gillibrand	Reed	
Harris	Schatz	

NOT VOTING—8

Booker	Isakson	Sanders
Burr	Klobuchar	Warren
Duckworth	Paul	

The nomination was confirmed.

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

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Stephen Hahn, of Texas, to be Commissioner of Food and Drugs, Department of Health and Human Services.

The PRESIDING OFFICER. The Senator from New Jersey.

EXPRESSING THE SENSE OF THE SENATE THAT IT IS THE POLICY OF THE UNITED STATES TO COMMEMORATE THE ARMENIAN GENOCIDE

Mr. MENENDEZ. Madam President, as in legislative session, I ask unanimous consent the Senate Committee on Foreign Relations be discharged from further consideration of S. Res. 150 and the Senate proceed to its immediate consideration.

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

The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 150) expressing the sense of the Senate that it is the policy of the United States to commemorate the Armenian Genocide through official recognition and remembrance.

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

Mr. MENENDEZ. Madam President, I further ask that the resolution be

agreed to; the preamble be agreed to; and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 150) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of April 9, 2019, under "Submitted Resolutions.")

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Madam President, we have just passed the Armenian genocide resolution recognition. It is fitting and appropriate that the Senate stands on the right side of history in doing so. It commemorates the truth of the Armenian genocide.

On Monday, we commemorated the International Day of Commemoration and Dignity of the victims of the crime of genocide and of the prevention of this crime. The UN General Assembly established this day of remembrance to commemorate and honor the victims of genocide and highlight efforts to combat and prevent genocide. Passing this resolution is a fitting tribute to this day of remembrance.

I have come to the floor on various occasions to talk about the history of the Armenian genocide. An Armenian priest, Krikoris Balakian, recorded some of the massacres against the Armenians. He said:

In Ankara and its surroundings, only a couple hundred miles east of Constantinople, the killing was done with "axes, cleavers, shovels, and pitchforks." It was like a slaughterhouse; Armenians were hacked to pieces . . . infants were dashed on rocks before the eyes of their mothers.

It was indescribable horror. Even when Armenians were supposedly deported, the conditions they were forced to live in made clear that Turkey's ultimate goal was to eliminate the Armenian people.

A visitor to one Turkish city in October of 1915 wrote: "The 16,000 deported Armenians who were living in the tents have been sent to Konia in cattle trucks. At night, while thousands of these unfortunate people, without food or shelter, shiver with cold, those brutes who are supposed to be their guardians attack them with clubs. And push them towards the station. Women, children, and old men are packed together in the trucks. The men have to climb on to the top of the trucks, in spite of the dreadful cold. Their cries are heart-breaking, but all is in vain. Hunger, cold, and fatigue, together with the Government's deeds of violence, will soon achieve the extermination of the last remnant of the Armenian people."

Henry Morgenthau, the U.S. Ambassador for Turkey, from 1913 to 1916, understood full well what was transpiring. He left his post in early 1916 because, as he later recalled, "My failure to stop the destruction of the Armenians had made Turkey for me a place of horror."

American diplomats like Henry Morgenthau were on the ground in Turkey, and they made heroic efforts to help the Armenian people, but here in Washington at the time, no one did anything in the face of this heinous crime.

As former UN Ambassador Samantha Power wrote in her Pulitzer Prize-winning book, "A Problem from Hell," "America's nonresponse to the Turkish horrors established patterns that would be repeated."

As my colleague from Texas, my co-sponsor who has been such a stalwart advocate with me, has very often noted, this is the first genocide to be recorded in this century. We know all too well the horrors in the 20th century with the Holocaust and other genocides around the world. So here in the Senate today, we break those patterns. We join the House and voted to do so by passing a resolution affirming the facts of the genocide, 405 to 11. Today, the Senate shows the same resolve.

I am deeply grateful to Senator CRUZ for his stalwart leadership on this issue and to the 27 other Senators from both parties who have cosponsored the resolution and demonstrated their commitment to the truth, and the truth finally will set us free.

I am thankful that this resolution has passed in a time in which there are still survivors of the genocide. We will be able to see that the Senate acknowledges what they left.

Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Texas.

Mr. CRUZ. Madam President, I thank my colleague and friend, the Senator from New Jersey, for his powerful remarks, and I rise today and celebrate a bipartisan achievement—an achievement of the Senate; an achievement for truth; an achievement for speaking the truth to darkness, for speaking the truth to evil, for speaking the truth to murder, for speaking the truth to genocide.

This journey has been a long journey. Senator MENENDEZ has been fighting this fight a long time. I have been proud to stand by his side. This is the third week in a row we have come to the Senate floor seeking to pass this resolution. I am grateful that today we have succeeded.

The Menendez-Cruz resolution affirms U.S. recognition of the Armenian genocide. It has been far too long in coming. From 1915 to 1923, the Ottoman Empire carried out a forced deportation of nearly 2 million Armenians, of whom 1.5 million were killed. It was an atrocious genocide. That it happened is a fact and undeniable reality.

In fact, the very word "genocide" literally means the killing of an entire people, and it was coined by Raphael Lemkin to describe the horrific nature of the Ottoman Empire's calculated extermination of the Armenians. It is why we have the horrid word "genocide" in our English language.

Over 100 years ago, the world remained silent as the Armenian people

suffered and were murdered. Even today, many people are unaware of what happened. But we must never be silent in response to atrocity. We have a responsibility to stand up and speak the truth. With this resolution, the United States is now saying it is the policy of the United States of America to commemorate the Armenian genocide through official recognition and remembrance.

We have a moral duty to acknowledge what happened to the 1.5 million innocent souls who were murdered. It is the right thing to do. I am grateful that, today, we have seen every Republican and every Democrat come together in support of the bipartisan Menendez-Cruz resolution. This is a moment of truth that was far too long coming.

NATIONAL DEFENSE AUTHORIZATION ACT

Mr. CRUZ. Madam President, I rise today to celebrate yet another major bipartisan victory that is included as part of the National Defense Authorization Act that the House has passed and the Senate is preparing to pass.

As it so happens, today is the 1-year anniversary—1 year to the very day that the European Parliament voted overwhelmingly to condemn the construction of the Nord Stream 2 pipeline between Russia and Germany. By a vote of 433 to 105, the Members of the European Parliament called for the project to be cancelled because “It is a political project that poses a threat to European energy security and the efforts to diversify energy supply.”

In the coming days, the U.S. Congress will answer the call to stop this profoundly dangerous project. The House has acted, and the Senate will act very soon.

As part of the National Defense Authorization Act, sanctions on the Nord Stream 2 pipeline are included. The Cruz-Shaheen legislation—legislation I introduced, bipartisan legislation—Senator SHAHEEN and I and the Foreign Relations Committee brought our legislation to a vote. We won an overwhelmingly bipartisan vote—a vote of 20 to 2—out of the Foreign Relations Committee.

In the past weeks and months, there have been extended negotiations to include this legislation, these sanctions, in the National Defense Authorization Act. We have negotiated with Republicans and Democrats—Republicans and Democrats on the Senate Armed Forces, on the Foreign Relations Committee, on the Banking Committee, in leadership, and also Republicans and Democrats on the House Armed Services Committee, Foreign Relations Committee, Banking Committee, and leadership—and we have achieved a remarkable consensus.

Part of the reason we were able to achieve this bipartisan victory is that the sanctions are narrowly targeted, precisely targeted. The Nord Stream 2 pipeline is a pipeline from Russia to Germany to carry natural gas that, if completed, would generate billions of

dollars for Putin and billions of dollars that would fund Russian military aggression.

Not only that, if completed, this pipeline would make Europe even more dependent on Russian energy and even more vulnerable to Russian blackmail. Putin has demonstrated that he is more than willing to cut off the gas in the dead of winter as economic blackmail against his neighbors.

This pipeline is being built this very moment. It is near completion. The legislation we are passing is designed to operate like a scalpel, specifically directed to the ships that lay in the deep sea pipeline needed to complete Nord Stream 2.

There are only five companies on the face of the Earth with the technological capability to delay the deep sea pipeline. Russia does not have one of those companies.

The Russian Government lacks the expertise to lay this pipeline. As a result, Russia has contracted with the Swiss company, Allseas. Right now, as we speak, Allseas has a ship called the Pioneering Spirit that is laying this pipeline.

The legislation that has passed the House and that is about to pass the Senate imposes crippling sanctions on any company laying this pipeline. It is designed to operate like a scalpel so it doesn't impact anyone else, but if this legislation operates as Congress intends, as both Republicans and Democrats in the Senate and House intend, then it will halt construction of this pipeline overnight.

The best estimates we have are that, if uninterrupted, the Nord Stream 2 pipeline would be completed by the end of January. That means the window to stop the pipeline is vanishingly small.

When the Senate passes the National Defense Authorization Act, which will be any day now, and the President signs it, which will be shortly thereafter, two things need to happen immediately.

No. 1, the Treasury Department and the administration need to immediately begin working on implementing these sanctions. I am confident the administration will follow the directives of President Trump. He has said that Nord Stream 2 is harmful to the national security interests of the United States of America, and it is harmful to Europe.

No. 2, there will be a decision made by the CEO and corporate leadership of Allseas. The instant this bill is signed into law—and we are only days away from that—if Allseas continues with construction of the Nord Stream 2 pipeline, even for a single day after this law is signed, then Allseas risks crippling sanctions that could devastate the company.

The purpose of this legislation is not to see those sanctions implemented on Allseas; the purpose of this legislation is to stop construction. The only responsible and rational decision for the corporate leadership of Allseas to make is to stop construction.

My understanding is their contract with the Russians has an explicit escape path in case sanctions were passed. So the day this is signed, Allseas shareholders are at profound risk if Allseas corporate leadership does anything other than cease construction and stop the pipeline.

If and when that happens, that will be an incredible victory. It will be an incredible victory for Europe, an incredible victory for Ukraine, an incredible victory for energy security, and an incredible victory for jobs in the United States of America.

It is far better for Europe to be relying on energy from the United States than to be fueling Putin and Russia and dependent on Russia and subject to economic blackmail. That is why, as I noted, the European Parliament voted by a vote of 433 to 105 to condemn Nord Stream 2.

Passing these Nord Stream 2 sanctions are an incredible victory for the United States and national security, but it is also an incredible loss for Vladimir Putin and Russia.

I commend my Democratic cosponsor Senator SHAHEEN. I commend the cosponsors that this legislation has had, both Republicans and Democrats in a bipartisan way, and I commend the U.S. Senate and the U.S. House for coming together. At a time when so many other issues divide us, we have united in defense of America, in defense of Europe, and in opposition to Russia's military aggression. Passing Nord Stream 2 sanctions is a big, big deal, and I commend the U.S. Congress for acting swiftly in the rapidly closing window we have to stop this project.

I yield the floor.

The PRESIDING OFFICER (Mr. YOUNG). The Senator from Rhode Island.

HEALTHCARE

Mr. WHITEHOUSE. Mr. President, I am here to speak about the success of the Affordable Care Act in Rhode Island. It has been very well managed in Rhode Island, and it has made a very big difference in many, many lives.

The marketplace plan that the Affordable Care Act set up in Rhode Island is called Health Source Rhode Island. It has been well run, and it has been successful. For 2019, it has 34,533 people getting health insurance through the plan.

We also expanded Medicaid, as the Affordable Care Act allowed. Under the Medicaid expansion, 72,000 Rhode Islanders got coverage that they didn't have before. So if you put those two together, that is 106,000-plus Rhode Islanders who got the benefit, the comfort, and the confidence of coverage for healthcare as a result of this bill. It is 10 percent of our population, and it has driven our uninsured numbers way, way down, into low single digits, which has been a very big win for us.

I will also say that we have taken very good advantage of the accountable care organization provisions of the Affordable Care Act, with two of the best

performing ACOs in the country as two of our lead primary care provider groups: Coastal Medical and Primary Care Partners. They are showing just terrific results, as they are changing the way they deliver care. They can do so because we have changed the way they can be reimbursed for care.

That Rhode Island snapshot is part of a larger story of success.

Eleven and a half million Americans around the country have enrolled in ACA marketplace insurance in 2019. There are 11.8 million Medicare beneficiaries who have saved a total of \$26.8 billion on prescription drug costs. That is over \$2,200 per senior. That is something to celebrate. Unfortunately, it is still at risk in the courts.

President Trump and this Republican administration are still trying to knock it down. If they succeed, 133 million Americans with preexisting conditions will be at risk of losing healthcare coverage protections.

One hundred and fifty-six million Americans with private or employer-sponsored insurance will lose the consumer protections in the ACA for preventive care, disallowing lifetime or annual limits and closing waiting periods to enroll—things that have really made a difference in people's lives.

These are big numbers, and they add to a tremendous story of success, but behind the numbers are faces. Every one of those 34,533 Rhode Islanders who signed up and got health coverage through Health Source Rhode Island has their own story.

Today it is my privilege to come to the floor of the U.S. Senate to tell the story of Bridget from Tiverton, RI. I can't tell it better than she does, so I will simply read her story. She says:

For the majority of my life, I have suffered from chronic pain. Though I am only in my 20's, I have suffered from acute arthritis in my left hip due to multiple surgeries to correct complications from a hip dysplasia surgery for almost 15+ years. I was told for years that I was not a candidate for hip replacement as I was still growing, so when I was finally developed enough and found a surgeon willing to perform the hip replacement surgery, my life felt like it was actually mine again. Last year, I finally was approved for a hip replacement. It has been a year since that day, and I thank God every day that I was able to receive the help I need. Without the hip replacement, I would still be living in bed and confined to a wheelchair or crutches.

Without my coverage, the preventive care that ensured my health would not backpedal would have been gone. I cannot stress enough how terrifying the thought of losing the opportunity of living my life was. I would not wish this endeavor on anyone, especially a child without coverage, as I have been in their situation.

Since my surgery, I have been able to hold my first full time job. I have been able to consider going back to college. I have lived pain free for the first time in practically my whole life.

No one should have to struggle with chronic issues or be discriminated against because of pre-existing conditions. Every day I grow stronger, and my voice, for those who are not as strong as I am now, grows louder. I will fight for my right to health care and for oth-

ers who deserve the treatment they need for the rest of my life.

Bridget, congratulations. Thank you. God bless you.

Let us make sure we do not let this administration tear down the millions of stories like Bridget's that they seek to undo with this reckless litigation.

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

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

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. MANCHIN. Mr. President, I rise today to reflect on the accomplishments that Chairman MURKOWSKI, my colleague and friend on the Energy and Natural Resources Committee, and I have been able to make this year. Today, I will focus on my remarks on the energy agenda we have put in place to address climate change, as well as a path forward for a bipartisan energy bill.

The year began with my appointment to ranking member of the committee. There were some expressions of uncertainty about where Chairman MURKOWSKI and I might lead that committee, and there was a great deal of skepticism about my ability and interest in addressing climate change, but I can assure you it is strong.

On March 5, 2019, we held the first hearing on climate in the committee in 7 years. Just this morning, we passed an additional five Energy bills, making the total count for this year 52 Energy bills reported out of committee.

We have endlessly examined our Nation's work on innovation in the energy and manufacturing sectors, and we have been reminded that the United States must lead in this space in order to ensure we can address climate change effectively.

As discussions about large climate bills move forward, it is important that Congress is doing the work to ensure we have the technology necessary to meet the challenge of reducing greenhouse gas emissions in a comprehensive and timely way.

In the midst of all the political noise, our committee has been quietly leading this effort over the last year. The strong bipartisan nature of our committee has enabled us to move dozens of pieces of legislation that will push the Department of Energy and the private sector into their next phase of research and development as we seek technological emissions-reducing solutions.

In reflecting on this year's progress, I want to highlight that bipartisanship because I believe it is absolutely the reason we are delivering solutions worthy of the people of West Virginia, Alaska, and the entire country. It is

simple—the chairman and I talk to each other, we talk to one another's colleagues on either side of the aisle, and sometimes we disagree, but we never disrespectfully disagree because we are friends.

We must come together in this Chamber to solve this crisis and also ensure that no community is left behind.

From even before the founding of our country, my home State of West Virginia has poured its natural resources and its human resources into every one of our Nation's ambitions. It is well known that West Virginia has produced the coal that has powered our grid and built our steel skyscrapers for decades. We have literally done the heavy lifting. What you may not know is that our salt deposits were used to make gun powder in the French and Indian and Revolutionary Wars. Our deeply ingrained culture of hard work and entrepreneurship led to James Rumsey's steamboat innovation in 1787, just as it is leading to the National Energy Technology Laboratory's inventions today.

West Virginians have applied all of our resources—coal, hydropower, natural gas, geothermal, wind, solar, and human ingenuity—to achieve our common goals. But these natural and human resources have been tested significantly in the past decade. The decline in coal production and use has gone beyond rising unemployment to unravel the tax revenues needed for our schools and communities. These economic and workforce downturns have occurred alongside the opioid crisis, the doubling of energy costs in our State, and historic flooding due to climate change in West Virginia—flooding that resulted in the tragic death of 23 of our friends, families, and neighbors.

None of these obstacles have or will get the best of West Virginia. Nothing ever has. Just as the innovators of my home State have sought to use all the resources at their disposal to seize opportunities and overcome challenges, we must reflect that resolve here in the Halls of Congress.

We cannot turn the American energy system on its head because the costs will fall too heavily on people in rural areas and energy-producing regions like West Virginia. At the same time, we cannot disregard what the science tells us about the reality and severity of climate change.

Across the country, we can clearly see that the costs of climate change are mounting, but we need to refocus our attention on the incredible opportunities presented by the solutions to it. Whether that is the upstart solar company hiring former coal miners in Jefferson and Cabell Counties; the collaboration between oil, gas, and geothermal on new ways to access hot rocks in Monongalia County; or the insulation installer who retrofits our homes, the opportunities and the needs exist in each and every community, not just on the coasts.

I have said time and again that the miners who built our country are the best workers we can employ to build our future economy. It is our responsibility as their representatives to include them and their communities in the economy of the future by passing the laws and making the investments needed to shape that future, creating those jobs and guiding the private sector and others toward new, ambitious climate solutions. That is why I have pursued bills that will build new energy and natural resource jobs in rural communities.

The Advanced Geothermal Innovation Leadership Act would significantly invest in new geothermal projects to unlock new and potentially vast resources in the Eastern United States—bringing proven renewable technologies to fossil fuel-producing regions.

The Enhancing Fossil Fuel Energy Carbon Technology Act would make the first Federal investments in direct air capture and firm up our commitment to carbon capture, utilization, and storage—necessary climate solutions and ones that can be built in the valleys of West Virginia.

The Clean Industrial Technology Act would incentivize new technologies to reduce greenhouse gas emissions in industrial and heavy transport fuel sectors—solutions that reenergize the manufacturing heartland of the United States.

These bills and the many others we have reported out will lay the foundation for meeting our climate goals while creating the innovation jobs needed in our rural communities, all while leading the world.

That brings me back to the bipartisan nature of the Energy and Natural Resources Committee. The legislation we have passed in our committee reflects the diversity of our Members and our constituents who have sent us here on their behalf. These bills invest in the programs necessary to bring climate solutions to bear, and they will create jobs and opportunities.

Our bipartisan work on energy innovation is evidence of the good work that can be done in Congress and stands in contrast to the skeptical and cynical narrative that dominates our politics today. Our work is far from done. We will continue to work in a bipartisan fashion with our colleagues in this Chamber and in the House to take those 52 bills and turn them into an impactful energy package, one that can easily and readily move the needle on reducing emissions and one that can be signed into law.

I congratulate my dear friend and colleague Chairman MURKOWSKI and the members of the committee for their work, and I look forward to this Chamber taking up our energy innovation package in the new year.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Mr. President, I thank my colleague, the ranking mem-

ber on the Energy and Natural Resources Committee. He is really a friend on not only energy matters but on so many of the other initiatives we have worked on.

As he mentioned, every now and again, our two States might see things differently, but we have come to understand where we come from, what we bring to the table, and figure out how we can work together collaboratively and then set that collaborative tone for the full committee as a whole. I appreciate the opportunity to highlight a few of the accomplishments we as a committee have achieved over this past year.

We had a holiday lunch at the first of this week with both of our staffs assembled—had some good food—and I was able to share with all of the staffs that I felt like we were the committee that was kind of like “The Little Engine that Could”—the children’s storybook wherein the tiny little engine is kind of plugging along. We are not typically the headline-grabbing committee in this Senate, but just like the little engine, we kind of put our heads down and get to work, and we achieve a lot.

In our case, even in a divided time, we are seeing good, strong bipartisan legislation that is helping just about every Member of our Senate in all areas of the country.

Think about where we started off this year. You will recall that it was unfortunately in the midst of a government shutdown. But what we were able to do even at that time was to move through a significant victory, and that was the passage of our sweeping lands package containing more than 120 individual measures that reflected the priorities of dozens of Members in the Senate and the House. We passed that out of the Senate 92 to 8, the House passed it out 363 to 62, and the President signed it shortly thereafter. It was sweeping. We recognized that it provided for economic development for so many small communities, protected treasured landscapes, addressed a range of sportsmen’s priorities, and permanently reauthorized the Land and Water Conservation Fund.

It took a long time. There were many initiatives we had been working through for a considerable period of time. But our ability to be able to pass it shortly after this government shutdown underscored that even at a time when we are known for our divisions, we can still achieve bipartisan success.

The committee really took the momentum, and we ran with it—as Senator MANCHIN has pointed out, some 51 bills, 52 bills here. Today, we just moved 19 bills out of the Energy and Natural Resources Committee markup. We have moved out measures that are focused on energy efficiency, renewables, energy storage, advanced nuclear energy, carbon capture, utilization, and storage. We focused on mineral security, cyber security, and a range of additional technologies that really

work to ensure that energy becomes more affordable as it becomes cleaner.

We have been working very hard on the public lands side of our jurisdiction as well. One bill you are sure to hear more about in the first of the year is the Restore Our Parks Act, which will address the multibillion-dollar deferred maintenance backlog at our national parks—the crown jewels of our Nation. That bill provides \$6.5 billion over the next 5 years to fix dilapidated trails, buildings, roads, bridges, monuments, and historic markers.

Working on the parks and the land side, we reported 13 nominees for key leadership positions at the Department of Energy, Department of the Interior, and the FERC. Nearly all of them were confirmed, ensuring the President has a good team to carry out our Nation’s energy and resource policies.

We have also held hearings—about two a week while we have been in session—to highlight the opportunities and the challenges we face within our jurisdiction. These range from everything from the need for new and innovative technologies—as Senator MANCHIN pointed out—to the future of our Strategic Petroleum Reserve. As he mentioned, we have held hearings—many hearings now—on climate change, making that a priority among priorities.

I think it is fair to say we have been very productive as a committee. We know the work isn’t done. It is one thing to report the measures out of committee; it is another thing to get them enacted into law. Our eyes are directed right now on these next steps.

Early next year, we hope to bring much of the work we have processed through the committee, bring it to the Senate floor. We are counting on our colleagues to join us and to help move these bills to the House and to the President for his signature. Whether you are interested in energy innovation, resource security, or access to public lands, this work should appeal to just about every Member and provide a great opportunity to advance the security, prosperity, and competitiveness of our Nation.

I want to share the deep appreciation I have for my ranking member, Senator MANCHIN, and his partnership. We have navigated some complicated stretches, but we have done so by working together to ensure a good outcome for the committee, for the Senate, and for the American people. I think you have seen some of that.

TRIBUTE TO JOHNNY ISAKSON

Mr. President, we saw some of the good work reflected of a gentleman we have lauded on the floor now throughout this week and will continue to laud because he is a most laudable and wonderful human being, and that is our friend, the Senator from Georgia, Mr. ISAKSON, who will soon be stepping down after a very good and honorable career in the U.S. Senate and before that.

It was a pleasure to know we were able to move out of the Energy Committee this morning. One of the priorities he has been working on is the Preserving America's Battlefields Act. He is a great historian and has put a great deal of himself into advancing that important legislation.

Another markup I was part of this morning was in Health, Education, Labor and Pensions, where we moved out two significant bills that had JOHNNY ISAKSON's fingerprints all over it. His care, his compassion for the most vulnerable children who have been abused—he has been a leader in the CAPTA legislation that moved out of that committee by voice vote this morning.

He was also instrumental in another measure that moved through the committee, the Adoption Opportunities Act. It gives you a glimpse of the range and the breadth of this extraordinary legislator, whether it is his great effort working for our veterans and his leadership on the Committee on Veterans' Affairs, his leadership on those matters that he cares so personally and passionately about in the HELP Committee, or what we see in the other committees as we have seen in Energy with his focus on America's history.

JOHNNY ISAKSON is not only a great legislator, a laudable man, but he is also a true friend. He is one who has reminded us all that relationships matter; that how we speak to one another matters; that how we treat one another as human beings and friends matters.

I know that as we say our goodbyes to Senator ISAKSON from this Chamber, we will long remember not only the contributions he has provided from a legislative perspective and a policy perspective but as a person and as a lovely and decent human being.

With that, I yield floor.

The PRESIDING OFFICER. The Senator from Maine.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

Mr. KING. Mr. President, I rise for a few moments to compliment my colleague, the chair of the Energy and Natural Resources committee, along with her ranking member, JOE MANCHIN, who spoke a few minutes ago, the Senator from West Virginia.

I have done a lot of thinking about leadership. One of the observations I have made is that the character and personality and thoughtfulness of the leader infect the entire organization. In this case, the chair and the ranking member of our committee have produced one of the most remarkable records of achievement in a committee that I have seen since I have been here over the past year. It has been because of their willingness to listen, their willingness to work with all of the members of the committee—and it is quite a diverse committee in terms of geography and in terms of ideology and in terms of representation of various interests at the table of the important questions of energy that face us.

This has been an amazingly productive year. I attribute that to the skill and leadership and character of Senator MURKOWSKI of Alaska and of Senator MANCHIN of West Virginia.

It has been a wonderful experience for me to see what can be done in this institution. The next step, of course, is to get to the floor of the U.S. Senate and move these bills forward, as I think they can and should, through the House of Representatives and to the President.

Again, I rise not only to congratulate but also to thank the leadership of this committee for the great work they have done this year. I look forward to even better and greater things in the years to come.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

HEALTHCARE

Mr. MURPHY. Mr. President, I am on the floor briefly today to remind my colleagues to remind their constituents that December 15 is the open enrollment deadline for healthcare at healthcare.gov. This is incredibly important because if you are uninsured or you are currently on an Affordable Care Act plan, if you don't renew or sign up by the 15th, you will be frozen out of the marketplace unless you have what is called a qualifying event.

As we head back for the weekend, I want to ensure we do everything we can to make sure there are aren't more people who go into the New Year without insurance than absolutely necessary. This is especially important because we have seen a big decline in the number of people who have insurance in this country since President Trump took office.

Obviously, we made enormous progress after the passage of the Affordable Care Act. We were able to get the percentage of Americans without insurance down to around 5 percent. That is really extraordinary. Yet we have seen that progress reverse. We have seen more and more people go without insurance since this administration started to wage what is a pretty consistent, remarkable war on the Affordable Care Act.

As we speak today, the Trump administration is in court trying to get the court system—the Federal court system—to strike down the entirety of the Affordable Care Act. If they are successful in that endeavor, then next year's deadline will not matter because the Affordable Care Act will be gone; 20 million people will lose their health insurance; insurers will once again be able to charge you more because you have a preexisting condition or your kid has cancer or you are a woman.

As we fight that court case, we need to remember that the Affordable Care Act is still out there and is still very affordable for millions and millions of Americans. Seventy percent of enrollees who go on to healthcare.gov find they qualify for financial help, meaning the sticker price is not actually

what you pay. The tax credits in ObamaCare will help you get that premium lower.

In fact, on average, folks are getting pretty sizable premiums—in the neighborhood of \$500. That could make healthcare incredibly affordable, even if the sticker price looks out of your range.

A woman in Hartford, named Deborah, visited a local enrollment fair after receiving a letter saying her premiums actually might be going up. She said this:

That scared me a little bit so I wanted to come in and have someone explain it to me whether it was going to go up, decrease, you know, what were my options. What ended up happening is that actually my premium went down for the same plan but I also learned that just because they renew you that I had the opportunity to go in and say no, I don't want that plan, I want to choose this plan. I am ecstatic with my new plan. . . . I got educated on the insurance process and I like that.

You can still get that help. You can still get somebody on the phone to walk you through your choices. I really encourage people to do that by this Sunday.

For folks who do find an affordable plan, I hope you will also step up and try to help us maintain the protections and the coverages we have. We have been fighting a battle with the Trump administration. It doesn't like the Affordable Care Act simply because the President's name is on it, despite the fact that Americans don't want the Affordable Care Act repealed. But the administration has been doing everything within its power to try to make it harder for people to sign up. The administration has rolled back the advertising for the Affordable Care Act.

This is what qualifies for advertising today—charts on the floor of the U.S. Senate. The administration has rolled back the money for the navigators—the people who help you pick which plan is right for you. The administration, for a period of time, threatened to stop paying insurance companies, which chilled the interest of insurers to actually offer plans on these exchanges. As I mentioned, the administration is going to court to try to unroll and unwind the entirety of the act through a court case.

Lastly, though, what you will find, if you go and enroll in some States, are plans that look like an Affordable Care Act plan on these websites but actually aren't. They are what we call junk plans, short-term plans—plans that don't really cover anything. They might not cover maternity care or addiction care or mental health or prescription drugs. Some of these junk plans don't cover you if you get admitted into the hospital on a Friday or Saturday.

Be careful of those plans because the sticker price is going to look really low, but that is for a reason. It is because they don't cover anything.

The President has allowed for those junk plans to be shown right next to

the Affordable Care Act plan. Make sure you are signing up for a regulated, Affordable Care Act plan. That is a plan that is bronze or silver or gold, not one of these junk short-term plans that is not going to be right for the vast majority of Americans.

It is not too late. Sunday is the deadline. If you are in Connecticut, make sure to go to Access Health CT or your State exchange, if your State runs an exchange. If not, you can get healthcare through www.healthcare.gov.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

The PRESIDING OFFICER. The Senator from Oklahoma.

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

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

Mr. LANKFORD. Mr. President, I ask unanimous consent that the vote scheduled at 1:45 p.m. begin right now.

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

VOTE ON HAHN NOMINATION

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

Mr. LANKFORD. 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 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), the Senator from Kansas (Mr. MORAN), and the Senator from Kentucky (Mr. PAUL).

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

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

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

The result was announced—yeas 72, nays 18, as follows:

[Rollcall Vote No. 397 Ex.]

YEAS—72

Alexander	Brown	Cornyn
Baldwin	Capito	Cortez Masto
Barrasso	Cardin	Cotton
Bennet	Carper	Cramer
Blackburn	Casey	Crapo
Blunt	Cassidy	Cruz
Boozman	Collins	Daines
Braun	Coons	Durbin

Enzi	Lee
Ernst	Manchin
Feinstein	McConnell
Fischer	McSally
Gardner	Menendez
Graham	Murkowski
Grassley	Murphy
Hawley	Perdue
Hooven	Peters
Hyde-Smith	Portman
Inhofe	Risch
Johnson	Roberts
Jones	Romney
Kaine	Rosen
Kennedy	Rounds
Lankford	Rubio

NAYS—18

Blumenthal	King	Schatz
Cantwell	Leahy	Schumer
Gillibrand	Markey	Smith
Hassan	Merkley	Stabenow
Heinrich	Murray	Udall
Hirono	Reed	Wyden

NOT VOTING—10

Booker	Isakson	Sanders
Burr	Klobuchar	Warren
Duckworth	Moran	
Harris	Paul	

The nomination was confirmed.

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

The Senator from South Dakota.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. THUNE. 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.

PALLONE-THUNE TRACED ACT

Mr. THUNE. Mr. President, every American has had to deal with annoying and illegal robocalls. All of us have been interrupted at one time or another by a robocall's announcing "You have won a prize" or claiming to need important banking information so that our accounts will not be closed. These calls are a major nuisance. Of course, they are not just a nuisance. Too many Americans fall victim to sophisticated robocall scammers and have their money or identities stolen. These individuals spend months or years struggling to get their lives back after falling prey to these scammers.

There are currently laws and fines in place to prevent scam artists from preying on people through the telephone. Unfortunately, these measures have not been sufficient. In many cases, robocall scammers simply build the current fines into the cost of doing business, and the Federal Communications Commission's enforcement efforts are hampered by a tight time window for pursuing violators.

I have been working on this issue since my time as chairman of the Com-

mittee on Commerce, Science, and Transportation, and at the end of last year, I introduced the Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, or the TRACED Act, with my colleague Senator MARKEY.

The Senate passed our bill in May, and last week our bill was passed by the House of Representatives. The TRACED Act provides tools to discourage illegal robocalls, protect consumers, crack down on offenders.

Criminal prosecution of illegal robocallers can be difficult. Scammers are frequently based abroad and quickly shut down shop before authorities can get to them, but I believe we need to make sure there is a credible threat of criminal prosecution and prison for those who use robocalls to prey upon the elderly and other vulnerable Americans.

The TRACED Act convenes a working group with representatives from the Department of Justice, the Federal Communications Commission, the Federal Trade Commission, the Department of Commerce, the Consumer Financial Protection Bureau, State attorneys general, and others to identify ways to criminally prosecute illegal robocalling.

In the meantime, it expands the window in which the FCC can pursue scammers and levy fines from 1 year to 4 years.

The bill also makes it easier for your cell phone carrier to lawfully block calls that aren't properly authenticated, which will ultimately help stop scammers from getting through to your phone in the first place.

The TRACED Act also tackles the issue of spoof calls, where scammers make the call appear as if it is coming from some known number.

I remember an article from my home State a couple of years ago that reported that scammers had successfully spoofed the number of the Watertown Police Department. To anyone who received a call, it looked as if it really was the Watertown Police Department calling.

The TRACED Act also addresses the issue of so-called one-ring scams, where international scammers try to get individuals to return their calls so they can charge them exorbitant fees, and it directs the Federal Communications Commission to convene a working group to address the problem of illegal robocalls being made to hospitals.

There are numerous stories of hospital telephone lines being flooded with robocalls, disrupting critical lines of communication, literally, for hours. This can't be allowed to go on.

I want to thank Senator MARKEY for partnering with me on the TRACED Act, and my House colleagues for advancing this legislation. I am proud of the bipartisan support our bill has received in both Houses of Congress.

One last step remains before we can get this bill to the President's desk, and that is Senate passage of the final

bill. I am hoping we can get that done in the coming days so we can get this bill to the President before Christmas.

While the TRACED Act may not eliminate all of the robocalls Americans receive, it will go a long way toward making it safe to answer your phone again.

I look forward to seeing this legislation signed into law in the very near future.

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.

HONORING FIRST LIEUTENANT MICHAEL CLEARY

Mr. CASEY. Mr. President, I rise today to honor the life of 1LT Michael Cleary from Dallas, PA. It has been 14 years since his death. Michael is one of some 288 Pennsylvanians killed in action in the wars in Iraq and Afghanistan.

First Lieutenant Cleary served as platoon leader of the Explosive Ordnance Disposal Team in E Company, 1st of the 15th Regiment, 3rd Brigade, 3rd Infantry Division of the U.S. Army.

On December 20, 2005, First Lieutenant Cleary was killed in action while working in a bomb factory near Samarra, Iraq. His platoon was ambushed outside the facility. He was just 24 years old.

Even prior to joining the Army, Michael Cleary was an active member of his community. He graduated from Dallas Senior High School in Dallas, PA, and was a 4-year varsity athlete in both soccer and tennis. He was captain of both teams in his senior year. He received the Dr. Pepper Soccer MVP Scholarship and a history scholarship at high school graduation and was offered academic scholarships at Ursinus College, Gettysburg, as well as Dickinson and Lafayette—all very strong academic institutions of higher education in Pennsylvania.

He followed his father's footsteps and chose Hamilton College in New York. While at Hamilton, First Lieutenant Cleary participated in varsity soccer and lettered in varsity tennis. After the September 11, 2001, attacks on our Nation, he wanted to enlist in the Special Forces but chose to follow the advice of his mother and stayed in school until completing his studies.

In May 2003, he graduated from Hamilton with honors. During his senior year, he applied to and was accepted into the Marine flight officer program.

He was notified that his class would be deferred until January. Not wanting to wait any longer to serve his country, Michael Cleary decided to enlist in the U.S. Army. Three weeks after college graduation, he went to basic training and earned his airborne wings and sapper tab and graduated from the Special Air Service Antiterrorist Course.

The news of First Lieutenant Cleary's death came just before he was scheduled to return home during the Christmas season. He was also planning to get married 2 months after he returned home to his high school sweetheart. First Lieutenant Cleary earned the following awards and decorations: the Army Achievement Medal, National Defense Service Medal, Iraq Campaign Medal, Global War on Terrorism Service Medal, Army Service Ribbon, and Overseas Service Ribbon. His family also received First Lieutenant Cleary's U.S. Army Bronze Star and Purple Heart.

Following his death, First Lieutenant Cleary's father, Jack, described his last conversation with his son the day before he died. Jack Cleary is someone I have gotten to know since his son's passing, but here is what Jack said at that time. I am quoting him directly. "He"—meaning Michael—"was very upset that they were sending home some of his men without their awards . . . for things like promotions, and he was fighting for his men. That is the kind of officer he was. Michael was a fine man. He cared about all people, great and small."

Jack Cleary knows of what he speaks because he, himself, served in Vietnam and, as I mentioned earlier, was also a graduate of the same college. 1LT Michael Cleary's legacy lives on with his family. His mother, Marianne, is a member of Gold Star Mothers where she works to support veterans, military families, and her community every day.

Jon Bellona, Michael's college roommate, is a director and founder of the 1LT Michael Joseph Cleary: Run for the Fallen, a run across America to raise awareness about the lives of those who fought to activate their memories and to keep their spirits alive. Run for the Fallen supports organizations that help wounded veterans, as well as the families of those killed, and helps aid the healing process for those Americans whose lives have been affected by war.

All Americans are grateful for the friends and family of fallen servicemembers who not only continue the legacy of service to the Nation, but who take their tragedy and turn it into a force for good.

1LT Michael Cleary is one of so many bright, talented, and dedicated young men and women who have died in service to our country. While I speak specifically of Michael today, his story is the story of thousands of men and women across our country, hundreds of them in Pennsylvania who have given their lives in Iraq and Afghanistan and

also have given their lives in service of American values, values like democracy and liberty and rule of law.

As we remember Michael Cleary, we should also remember the words of Abraham Lincoln. Abraham Lincoln reminded us that people like Michael Cleary gave, as Lincoln said, "The last full measure of devotion to our country." It is at times like this when we should remember not only those words, but also other words from the Gettysburg Address, where he said, "It is us, the living, rather, to be dedicated here to the unfinished work which they who fought here have thus far so nobly advanced."

So that was our charge from President Lincoln all those generations ago. We must strive every day, whether we are citizens or public officials, whatever our station in life, we must strive every day to complete that unfinished work that Lincoln talked about, so that, as we discuss major security issues like U.S. withdrawal from Afghanistan or combating the resurgence of ISIS in the Middle East or exercising oversight over U.S. military engagements overseas and look increasingly to try to resolve complicated global crises, we must not forget that those who have given the ultimate sacrifice and service to our country, particularly in the most recent wars, are those we should remember.

Just consider these numbers of Americans who have lost their lives in the wars in Afghanistan and Iraq, with an additional seven killed in African Command operations since 2001. That number is 6,989 Americans just in those conflicts, just in that timeframe. These 6,989 Americans includes some 300 servicemembers from Pennsylvania, the fifth highest total of any State. No. 2, over 49,000 in that time period have been wounded, including more than roughly 2,000 from Pennsylvania. So 6,989 killed since 2001 nationwide and over 49,000 wounded in that time period.

Third, although the administration refuses to be transparent in its deployment tracking, press reports indicate that approximately 19,000 Americans are currently serving in Iraq and Afghanistan, with an additional 65,000 serving the Persian Gulf and Saudi Arabia.

This year, Pennsylvania lost MSG Benjamin Hines of York County, PA, assigned to the 25th Marine Regiment, 4th Marine Division, Marine Forces Reserve. He was killed by a roadside bomb on April 8 in Parwan Province, Afghanistan, along with two other marines: SSG Christopher Slutman and SGT Robert Hendricks. Staff Sergeant Slutman also had family ties to my home State of Pennsylvania.

While we are so grateful that Pennsylvania did not suffer more losses this year, any loss of life is not only devastating, but should also cause us to reconsider the nature of our military commitments overseas. These fighting men and women are born into families,

not into divisions and brigades. They are sons and daughters, husbands and wives, fathers and mothers. Their love for their families are matched only by their devotion to our country, but many more bear the scars of war.

Some families have a loved one who served in Iraq or Afghanistan and were returned home, but who were one of the more than 49,000 who were wounded. We must not overlook the unusually high percentage of Iraq and Afghanistan veterans who have died since returning home, whether from a drug overdose or suicide or the effects of combat. Thousands of American families continue to pay a terrible price for the courage and dedication of their family members who gave life and limb for this country.

We have much to think about, not only on this day, but, of course, in this season—this season of hope, this season of gratitude, this season of our time together with our families back home, but we should especially remember those families who have loved and lost, those who have lost someone in combat, those who have lost someone who served so nobly, served on behalf of the rest of us.

At this time, Mr. President, I know you have personal experience with this, having served yourself, and I know that you understand this. It is an important time to remember those who have given so much for our country, with the spirit of gratitude for their service, hope that we don't have more losses in the coming year, and with confidence that they have set a great example for us.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

RUSSIA INVESTIGATION

Mr. CORNYN. Mr. President, the chaos in Washington, DC, precipitated by impeachment mania or our inability to get what should be relatively straightforward work done, like the appropriations process and all the gymnastics over the USMCA, the U.S.-Mexico-Canada Trade Agreement—in fact, we are coming down to a deadline on Friday, the 20th of December, when the current continuing resolution runs out.

Because of everything that is going on, many people may not have been able to pay that much attention—and I think attention is deserved—to the testimony of Department of Justice Inspector General Michael Horowitz, who testified in front of the Senate Judiciary Committee yesterday. I know there was some news coverage of it, but I

wanted to give some reflections on the testimony Mr. Horowitz gave.

First of all, the Office of Inspector General is a very important one. They are a watchdog to make sure the laws Congress passes and the rules of the various agencies—in this case, the Department of Justice—are complied with. It is really very, very important.

With everything else going on, it is important to have an impartial inspector general to conduct that kind of investigation and to hold people accountable—something that doesn't happen enough here in Washington, DC.

Inspector General Horowitz, along with his team, was widely praised for producing an outstanding report this time on the counterintelligence investigation of the Trump administration by the Obama-era Justice Department and the FBI.

This is a 480-page report. I have a copy of it right here. It is redacted for public release. If you look at it online—you can look at it through the Department of Justice website—you can see that some of it is redacted or black marks are drawn through parts of it to protect certain classified information.

But there is more than enough information contained in this report to know that the Crossfire Hurricane investigation into the Trump administration by the Obama Justice Department, including Comey and the FBI, was an unmitigated disaster.

Mr. Horowitz highlighted some of the truly disturbing and alarming facts about how this Russia investigation was conducted—how it was initiated and how it was conducted. There were mistakes made, including some intentional misconduct, which has now been referred to the Justice Department for potential investigation and even charging and prosecution. This was a troubling report, identifying at least 17 different areas of concern.

The report is full of legal jargon, government acronyms, and a long list of names most Americans probably don't recognize. The bottom line is, beneath all of this is a pattern of concerning behavior that ought to concern everyone who cares about civil liberties.

At the core of these issues is, under Director Comey, the FBI's abuse of the Foreign Intelligence Surveillance Act, or FISA. I know people have heard the reference to FISA, and that is short for Foreign Intelligence Surveillance Act. In other words, when our intelligence services, including the FBI, gather information, they can't do that on American citizens absent a showing of probable cause in front of a court. That is a protection of our civil liberties. When it comes to foreign intelligence, there is a different court—the Foreign Intelligence Surveillance Court—that has to assess and judge whether they have met the appropriate legal standards.

The inspector general found that the Comey FBI failed to file accurate applications to surveil an American citizen by the name of Carter Page.

There are very exacting requirements, very technical but very important requirements that the FBI has to put together, in consultation with the National Security Division at the Department of Justice, in order to go to court—the Foreign Intelligence Surveillance Court—and justify issuance of the authority to gather intelligence on an individual.

In this case, they claimed that Carter Page, who was for a time associated with the Trump campaign—they claim that they suspected him to be an agent of a foreign power—in other words, Russia.

The way these documents were prepared and the way in which this matter was pursued was hardly a stellar performance by the Comey FBI, and I will mention that here in a moment. Once that FISA warrant is issued, as it was on an American citizen—Carter Page—that individual's private communications then come into the hands of the FBI as part of their investigation of a potential agent of a foreign power.

As I said yesterday and reiterated to Inspector General Horowitz this morning—or yesterday morning—spying on an American citizen is not something to be taken lightly. None of us should view this as a trivial matter. That is why there are such strong protections in place to prevent an abuse of power.

One of those backstops is the Foreign Intelligence Surveillance Court—a specialized court appointed by Chief Justice Roberts, Chief Justice of the Supreme Court of the United States, that sits in rotation for a time to look at the government's applications for these warrants under the Foreign Intelligence Surveillance Act. You can imagine that when that court makes important decisions involving the national security of the United States or the civil liberties of an American citizen, they need to have a full picture. They need to have the utmost candor exercised by the FBI of all the details and information surrounding the issue at hand. Again, this is no trivial matter. The court is determining whether the government has a compelling case to secretly spy on an American's communications.

Unfortunately, as we heard from Mr. Horowitz, the FBI, under Director Comey, fell dramatically short of that goal. The application for something as serious as a foreign intelligence surveillance warrant should be free from error, let alone intentional lies. Unfortunately, Inspector Horowitz found 17 different instances where the FBI agents involved in securing this FISA warrant failed that standard.

First of all, the inspector general identified 7 mistakes in the original application and an additional 10 in 3 renewals, for a total of 4 separate warrants under the Foreign Intelligence Surveillance Act. These applications weren't put together and examined by rank-and-file agents; these errors came from three handpicked teams that didn't raise any red flags for high-level

senior officials—something that Mr. Horowitz said made him deeply concerned, which is a feeling I share.

One of the most glaring errors was the applications' reliance on a deeply flawed private intelligence report—opposition research paid for by the Clinton campaign and the Democratic National Committee—on Donald Trump. This is called the Steele dossier, as people have heard that reference. Mr. Steele is a former intelligence officer who worked for the British Government, the British intelligence services, but he had long since retired from his government service, and now he was out for hire to dig up information—in this case, on a political candidate in the Presidential election in 2016.

One of the biggest concerns we have all had since the 2016 election is Russian interference in our elections. Sometimes this is called active measures, where they merely try to sow discord and dissent by social media use, by propaganda, and by intelligence services leaking information.

I asked Attorney General Barr, before the Judiciary Committee earlier this year, whether he could state with confidence that the Steele Dossier, which we know was paid for by the Democratic National Committee and the Clinton administration, was not a part of this Russian disinformation campaign, whether he could say it was not. The Attorney General said no, he could not.

FBI attorneys assisting in the Crossfire Hurricane investigation called it a "close call" on whether they had sufficient justification to ask the Foreign Intelligence Surveillance Court to issue a warrant so they could collect intelligence on an American citizen, Carter Page. What made that a close call? What turned a close call into the granting of that authority? Well, it was the Steele dossier. It was a hit piece, really—called that by one of our intelligence agencies—based on internet rumor, not based on verified information. That was used by the Crossfire Hurricane team to apply to the Foreign Intelligence Surveillance Court to get a warrant issued to surveil and spy on an American citizen.

Although I know that taking a look at the real source of the Steele dossier was outside the realm of the inspector general's duties, it is worth investigating because it played a central and essential role in the FBI's FISA applications. That is what Mr. Horowitz found.

Mr. Horowitz found on one occasion serious and intentional misconduct on the part of an FBI lawyer, and he now has referred that lawyer for criminal prosecution. But the explanations they offered for the other errors were completely unsatisfactory, and they should not be overlooked or excused. Attorney General Barr echoed that in a TV interview earlier this week. I trust him and Mr. Durham to get to the bottom of it. They have more authority than the inspector general to compel the

production of evidence in testimony—much like a grand jury, as opposed to what the inspector general had, which was basically a voluntary willingness of witnesses to come forward and to look at the FBI's internal files.

To make matters worse, even as new and exculpatory information—information that tended to show innocence—came to light on Carter Page, this information was not reflected in what the FBI filed when they requested a foreign intelligence surveillance warrant from the court.

You have to wonder—if this level of mishandling is occurring in a high-profile investigation of a Presidential candidate, someone who would later become the leader of the free world, what kind of protections are in place for average American citizens?

We place an enormous amount of trust in the U.S. Government to keep us safe and also to respect and uphold our constitutional rights. So seeing these types of errors, intentional and unintentional, slipping through the cracks in such a sensitive investigation doesn't give me much confidence that it is not happening in other cases.

Another question I asked the inspector general was on something called defensive counterintelligence briefings. This is a little bit arcane, but let me explain.

There are two different types of investigations by the FBI. One is of a potential criminal prosecution. We are all familiar with that. But the second role that the FBI plays is conducting counterintelligence investigations—in other words, protecting the American people and our national security from the attempts by foreign actors, malign foreign actors to gain intelligence on the U.S. Government and the American people, to our detriment and to the detriment of our national security.

One of the things Loretta Lynch, who was Attorney General under Barack Obama, said is that in a counterintelligence investigation, defensive briefings are routine. In other words, if the Presiding Officer were a target of a Russian intelligence operation—somebody had bumped into you at the grocery store or shown up at your kid's soccer game or perhaps shown up at your work, and you began to wonder, who this person and why have they taken such interest in me?—well, if the FBI discovers information that indicates this is part of an effort to recruit an American citizen to become an asset for the Russian intelligence services, what the FBI is obligated to do is to give a defensive briefing where they might tell the Presiding Officer or me or anybody else who might be targeted "This is what is happening to you, so be on your guard. Don't think this is innocent. Protect yourself," and in so doing, protect the national security of the United States.

These briefings, we learned from Loretta Lynch, are routine. They are given routinely to political candidates, to individuals, and to companies that

hear from the FBI about those potential threats so they can take steps to protect themselves.

We know that both Presidential candidates of 2016—Donald Trump and Hillary Clinton—received some kind of defensive briefing in August of 2016, but the so-called defensive briefing for the Trump campaign was unique in a number of aspects.

At the time the FBI believed the Russians were trying to infiltrate the Trump campaign, you would think that would have been a prime opportunity to share that information with Candidate Trump and his campaign so he could tell the people on his campaign: Be on your guard, and don't engage in any unnecessary contact with people whom you don't know and who might have malign motives.

The FBI could have advised the Trump campaign about these potential threats and given them their professional advice on how to mitigate the concerns, but that didn't happen in the case of the Trump campaign. Instead of warning the Trump campaign about possible Russian efforts, they actually inserted—the FBI inserted a case agent into the briefing and used that as an opportunity to collect information in support of their own criminal investigation of GEN Michael Flynn.

It is not only unfair to insert an FBI agent into an otherwise benign setting in order to collect information on an American citizen in a criminal investigation, obviously General Flynn did not know the FBI was trying to do this under a pretext, so he couldn't say: I would like to talk to a lawyer. I would like to know that what I say can't be used against me in a court of law. In other words, all of the normal protections under the Bill of Rights that would be given to somebody under a criminal investigation were not afforded because of this pretextual defensive briefing where the FBI agent slipped in in order to collect information.

Here is the bottom line: This defensive briefing of the Trump campaign lasted a whopping 13 minutes—hardly enough time to convey the sort of information you would want to a political campaign. I can tell you that if the FBI came to me and told me that some foreign actor was trying to infiltrate my campaign, I would want to know about it, and I would want to tell the people who volunteered in the campaign to knock it off. But President Trump, when he was a candidate, was not given that information or the opportunity to shut it down, which he should have been.

Director Wray, to his credit, after hearing about that, has accepted the recommendations of the inspector general and has moved quickly to try to rectify some of these practices, and he has already issued corrective action on them. This doesn't negate the fact that the American people's trust in their government to protect them has been harmed by the Comey FBI.

We need the American people's confidence in the laws the Congress passes, the constitutional rights they enjoy under our Constitution, and the oversight that Congress performs and that the FBI and the intelligence community are going to be required to play by the rules of the road and not jeopardize the civil liberties of any American, much less a candidate for the U.S. Presidency. This is something I will talk about more at another time.

Chairman GRAHAM of the Judiciary Committee assures me that yesterday's very important hearing, at which Inspector Horowitz testified, will not be the last hearing on this matter but merely the first. There is more to come, as there well should be.

I yield floor.

The PRESIDING OFFICER. The majority leader.

NATIONAL DEFENSE AUTHORIZATION ACT FOR FISCAL YEAR 2020—CONFERENCE REPORT

Mr. MCCONNELL. Mr. President, I ask that the Chair lay before the Senate the conference report accompanying S. 1790.

The PRESIDING OFFICER. The Chair lays before the Senate the conference report, which will be stated by title.

The senior assistant bill clerk read as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 1790) to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes, having met, have agreed that the Senate recede from its disagreement to the amendment of the House and agree to the same with an amendment and the House agree to the same, signed by a majority of the conferees on the part of both Houses.

Thereupon, the Senate proceeded to consider the conference report.

(The conference report is printed in the House proceedings of the RECORD of December 9, 2019.)

CLOTURE MOTION

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

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 bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the conference report to accompany S. 1790, an original bill to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

Mitch McConnell, John Boozman, Kevin Cramer, John Cornyn, Mike Crapo,

Shelley Moore Capito, Pat Roberts, John Thune, James Lankford, James E. Risch, Deb Fischer, Lamar Alexander, Richard Burr, John Barrasso, James M. Inhofe, Johnny Isakson, Steve Daines.

Mr. MCCONNELL. I ask unanimous consent that the mandatory quorum called be waived.

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

The PRESIDING OFFICER. The Senator from New Mexico.

AUTHORIZATION FOR USE OF MILITARY FORCE AND NATIONAL DEFENSE AUTHORIZATION ACT

Mr. UDALL. Mr. President, I rise to discuss Congress's ongoing failure to assert our constitutional war powers. This failure is the root cause of two pressing concerns that we currently face: first, the seemingly endless U.S. involvement in Middle East wars; and, second, the very real possibility that the Trump administration will involve us in more of them.

The Founders were clear in their intent. The Constitution squarely places the authority to "declare war"—that is the phrase in the Constitution—and places it clearly with Congress and Congress alone. The Founders did this for good reason. For centuries, European monarchs had drained royal coffers, levied heavy taxes, and lost countless lives in wars that benefited themselves and not the people.

As Elbridge Gerry from Massachusetts said during the Constitutional Convention, after another delegate suggested giving this war power to the President: "[I] never expected to hear in a republic a motion to empower the Executive alone to declare war."

The Founders vested this most consequential power in the legislative branch so that any decision to go to war would have broad public support. Since the Republic's beginning, there has been a tension between the Congress and the executive branch regarding the use of this power.

In the modern era, the balance has been upended. Our ability and willingness to effectively check the Executive on war powers is dangerously diminished. Congress has not declared war for any of our major conflicts since World War II. But after the bloody, prolonged, and politically divisive Vietnam War, Congress passed a War Powers Resolution of 1973, overriding the veto of President Nixon. That resolution requires Congress to issue an authorization for use of military force, or an AUMF.

Immediately after 9/11, a nearly unanimous Congress—myself included—authorized force against the perpetrators, al-Qaida and those who harbored them, by which we meant the Taliban government in Afghanistan. The 2001 AUMF authorized the United States' entering conflict in Afghanistan to root out al-Qaida.

The Taliban was then expelled from power. Al-Qaida in Afghanistan has been defeated. Osama Bin Laden is dead. And the now 18-year-old AUMF

has outlived its purpose, as a stunning Washington Post expose on the Afghan war has now made clear.

The war in Afghanistan is the longest in U.S. history, but it no longer has a clear purpose. The Washington Post successfully sued for access to previously undisclosed government documents, dubbed the "Afghanistan Papers." These 2,000 pages of interviews and memos from senior military, diplomatic, and White House officials tell a shocking and tragic story. Three separate administrations have had no well-formed mission for the war but fought on anyway and repeatedly misled the American people.

According to the head of the NATO command in Afghanistan in 2006, "there was no coherent long-term strategy there." The next NATO commander, Army LTG Dan McNeill said:

I tried to get someone to define for me what winning meant, even before I went over, and nobody could. Nobody would give me a good definition of what it meant. . . . There was no NATO campaign plan—a lot of verbiage and talk, but no plan.

A senior diplomat under President Obama said:

If I were to write a book, its [cover] would be: "America goes to war without knowing why it does."

Over and over, senior officials describe the lack of strategic goals. All the while, the government lied to the American people, claiming success when there was none.

This war has cost 157,000 lives, more than 775,000 American troops have been deployed, 2,300 American military personnel have been killed, and more than 20,000 have been wounded. It has cost the American people over \$2 trillion—\$2 trillion. These costs are tragic, excusable, and it is time for this war to end.

The executive branch isn't the only branch at fault. Congress has sat back and let the Executives stretch the AUMF to the point of breaking. We have ducked the debates. We have ducked the hard votes. We need to change that, and we can start with Afghanistan.

In March, Senator PAUL and I introduced the American Forces Going Home After Noble Service Act. This act would responsibly pull our troops out of Afghanistan. The act declares victory in Afghanistan, acknowledging that the original objectives have largely been met. It sets guidelines for the safe and orderly withdrawal of troops, and it repeals the 2001 AUMF once and for all. We should have a vote on this.

Afghanistan is just the largest of our ongoing Middle Eastern wars. The 9/11 AUMF has been used to justify military ventures all around the world—41 times to justify military action in 14 countries. I voted for this authorization, and I know full well that Congress did not intend that. More unauthorized conflicts are looming on the horizon.

I was encouraged earlier this year when the House passed—and a majority

of the Senate supported—my amendment to prohibit war with Iran absent congressional authorization.

Tensions with Iran have grown since the President withdrew from the international agreement preventing Iran from developing nuclear weapons. It has been a year and a half since the President dropped out of the agreement, claiming he could get a “better deal” and mounting his “maximum pressure” strategy. Since then, we haven’t gotten anywhere close to a better deal, but we have gotten much closer to war.

This June we were 10 minutes away from the President’s calling a strike on Iran, 10 minutes away from military escalation in the Gulf. While the President’s maximum pressure campaign has not succeeded in forcing Iran into a better deal, it has succeeded in pushing Iran to breach the nuclear agreement, and it has led to a cycle of violence in the region and from Iran, attacking commercial ships in the Gulf of Oman, moving short-range ballistic missiles into Iraq, and threatening U.S. troops in Israel.

Since May, the President has increased troop presence by 14,000 in the Middle East, and after initially denying it, the Pentagon is considering sending an additional 14,000 troops. The risk of war with Iran is very real, whether intentionally or by mistake, miscalculation, or misjudgment. And the President claims he can go to war against Iran without congressional approval.

In September, this body held a historic vote, voting 50 to 40 to include the Udall-Kaine-Paul amendment to the National Defense Authorization Act to prohibit funding for war with Iran without congressional authorization. We took a giant step forward to assert our constitutional authority.

This amendment was germane and by rule it should have been included in the final Senate NDAA, but the majority leader forced a 60-vote threshold that should not have been applied. Nevertheless, the House version did include the prohibition, and with Senate majority support, it should have been included in the conference.

This week, the Senate and the House conference committee just released their NDAA conference report. I am deeply disappointed that they did not include our amendment. This is a major missed opportunity to take back our authority and a missed opportunity to stop expansion of war and U.S. interventionism in the Middle East. Another terribly missed opportunity is the NDAA’s failure to include a provision to eliminate U.S. support for Saudi Arabia’s disastrous war in Yemen.

Under the authority of the 2001 AUMF, our troops are supporting Saudi Arabia in its war against the insurgent Houthi, but the Houthi are also fighting al-Qaida, the actual target of the AUMF. We are fighting a group fighting against al-Qaida. This is a prime

example of the misuse of this authorization.

The human cost is horrific. Since 2015, more than 100,000 people have been killed in Yemen, including more than 12,000 Yemeni citizens. More than 20 million Yemenis need humanitarian aid. There is no compelling U.S. national security interest in aiding the Saudis in this war. We should not be lending support to a war that the international community recognizes as a humanitarian disaster.

In April, both Houses voted on a bipartisan basis to remove our troops from this conflict unless Congress authorized force. The President vetoed that bipartisan bill. The NDAA conference committee missed an opportunity to step up and direct the President to take us out of the Saudi-Yemen conflict. Again, Congress is ducking its duties. For too long, Congress has hidden from making the hard decisions, from taking the tough votes. We have deferred to the Executive under Republican and Democratic administrations alike. The Founders placed this power in our hands for a good reason. Those reasons are as sound today as they were two centuries ago.

This is not a political issue. It is not a red or blue issue. It is not a Republican or Democratic issue. It is a constitutional issue. It goes to the core of our Constitution and our war powers in the legislative branch in Congress. Everyone here has sworn to uphold the Constitution. We can do so by upholding, not running from, our constitutional responsibilities.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Iowa.

TRIBUTE TO JOHNNY ISAKSON

Ms. ERNST. Mr. President, JOHNNY ISAKSON will be a legend in the Senate. His life is marked with such tremendous service. From his time in the Georgia Air National Guard to his service in the Georgia house and senate, and on to the U.S. House and the Senate, Johnny has been making his home State proud every single step of the way.

As a fellow veteran, I can’t tell you how much I especially appreciate Senator ISAKSON’s relentless and dedicated focus on veterans’ issues. As chairman of the Senate Veterans’ Affairs Committee, he has worked tirelessly to put our veterans first.

One of the most important pieces of legislation we worked on together was the VA MISSION Act. Veterans in Iowa and in Georgia are oftentimes living in rural areas or are simply homebound. So with the VA MISSION Act, I knew that Johnny would be a great ally and partner to make sure that we prioritized telehealth and ensure that veterans could receive necessary care closer to home, and we did just that.

Folks, the MISSION Act is truly landmark legislation that is making a difference in the lives of countless veterans across our Nation. It would not have been possible without the hard

work and the diligent efforts of our colleague Senator JOHNNY ISAKSON. He understands the importance of building relationships and working across the aisle, putting our veterans ahead of politics, and getting his job done. His determination and commitment to veterans is remarkable, and I will forever be grateful for his leadership in this particular area.

I have been asked many times what I am going to miss about JOHNNY ISAKSON. Well, there is quite a lot that I will miss about Johnny, but if I had to narrow it down to just a few things, I would say, first, his joy. Johnny always—always—has a smile on his face. His joy truly is contagious, and it is genuine. He loves serving the people of Georgia, and you can’t help but smile when you see JOHNNY ISAKSON.

Second is his passion. There is absolutely no doubt in anyone’s mind around here that Senator JOHNNY ISAKSON loves his country. You can see it when he speaks on the floor of the Senate and in the way he works with colleagues to fulfill his duties as a Senator. Georgians really should be very proud of him.

Finally, for me, I would have to say his encouragement. When I see Johnny in the halls or in the cloakroom, always—no matter how quickly I seem to be walking—he smiles. He will stop me, and he will always speak an encouraging and a very kind word. I know he does this not just with his Republican colleagues but also with our Democratic friends. While you will not see that on TV or in the headlines, it is real, and it is JOHNNY ISAKSON.

That leads me to what I will miss most of all. I will miss Johnny, plain and simple. He has never taken his eye off the ball. He has been committed and he has been focused on serving the people of his home State that he loves so dearly. We will miss Johnny. He has been a tremendous colleague and a friend to all of us.

Johnny, you will be missed on this floor and in these halls. From one veteran to another, thank you for all you have done for our great veterans, not just in Georgia, not just in Iowa, but all across our Nation. May God bless you, JOHNNY ISAKSON, and may God bless your family. Thank you for your service.

I yield the floor.

THE PRESIDING OFFICER. The Senator from Arkansas.

HONORING STEPHEN CARR

Mr. COTTON. Mr. President, Stephen Carr has been described by friends as a “gentle giant” and “all-American boy.” He enjoyed hunting and fishing. He played on the offensive line at Southwest Baptist University.

He came from a law enforcement family. He always knew he wanted to be a police officer, so it was little surprise when Stephen joined the Fayetteville Police Department 2½ years ago. He served with professionalism and valor in those 2½ years as a patrol officer in the Dickson Street entertainment district.

Sadly, Officer Carr was in his patrol car Saturday night when he was ambushed by a gunman looking for an officer to kill. Carr's fellow police heard the gunshots and responded to the scene within seconds. With little regard for their own safety, they pursued the gunman down an alley. When confronted, they met force with force and took him down. The whole incident took just minutes from start to finish.

Emergency services were on the scene within an instant, but despite their best efforts, they couldn't save Officer Carr. He succumbed to his wounds on the scene, as did his killer. Officer Carr was only 27 years old.

This tragedy reminds us of the terrible risks officers face every day when they put on the uniform and the badge, not knowing whether they will be alive to take it off that night. Already this year, 118 officers across America have been killed in the line of duty. Some were the victims of random tragedies. Others, like Officer Carr, were targeted by a criminal class that hates what the police represent: law and order.

Since Officer Carr's killing, two more officers have fallen in the line of duty. Detective Joseph Seals, a 15-year veteran of the Jersey City Police Department, was shot to death while approaching two suspected killers. Sergeant Kaila Sullivan, a 16-year veteran of the Nassau Bay Police Department, was struck and killed by a fleeing suspect in a vehicle. All of these fallen officers will be remembered as heroes.

In Arkansas, especially, we will remember Officer Carr, whose watch ended on December 7, 2019. May he rest in peace.

HONORING STOREKEEPER 1ST CLASS JOHN
WILLIAM CRAIG

Mr. President, Navy Storekeeper 1st Class John William Craig of Monroe, AR, perished aboard the USS *Oklahoma* on December 7, 1941, a date which will live in infamy. On that day, Imperial Japanese bombers shattered the morning calm at Pearl Harbor, killing Petty Officer Craig and more than 2,000 of his brothers in arms.

Nearly eight decades later, however, his remains were listed as unknown and interred at the National Memorial Cemetery of the Pacific in Honolulu. He was reported as missing in action, but Petty Officer Craig is missing no more. Thanks to the outstanding work of the Defense POW/MIA Accounting Agency, his remains were accounted for in 2017, and just last weekend, on the 78th anniversary of the attack on Pearl Harbor, he arrived home in Arkansas to his final resting place.

Petty Officer Craig's burial is a long-overdue moment of honor for a brave sailor. It is also a moment of hope for our many military families whose loved ones haven't yet been found—a reminder that our Nation will not rest until every one of our missing heroes is back in our arms or laid to rest with honor.

We have now fulfilled this solemn pledge to Petty Officer Craig. Nearly 80

years after his disappearance, we have affirmed once again that the United States leaves no man behind on the battlefield.

FENTANYL SANCTIONS ACT

Mr. President, synthetic opioids like fentanyl kill tens of thousands of Americans each year. They are a terrible accelerant that has fueled the worst drug crisis in our Nation's history, killing more people every year than died in the entire Vietnam war.

These drugs aren't made here in the United States. No, they are flooding across our borders from overseas, trafficked by cartels, and, even unwittingly, sometimes by the U.S. Postal Service.

Synthetic opioids are often produced in superlabs by the drug cartels that are terrorizing our border communities. But the ingredients for those drugs—and sometimes the drugs themselves—can be traced back to a different source: China, whose vast pharmaceutical and chemical industries frequently have been abused to poison our fellow citizens.

The Chinese Communist Party has been waging an opium war in reverse against the United States for far too long. As tens of thousands of Americans have perished from overdoses, Chinese officials have turned a blind eye to the drug criminals who have profited off of our pain. But now, desperate for a trade deal to save its sputtering economy, Beijing has finally promised to crack down on fentanyl and other synthetic opioids. But we would be naive to trust any promise from Chinese Communists, especially this one.

It is time that we take matters into our own hands. That is exactly what we will do in the 2020 National Defense Authorization Act, which includes my bill introduced with Senator SCHUMER to sanction foreign drug dealers in China, Mexico, and elsewhere. The bill also urges the President to work with our allies to impose even tougher multilateral sanctions against foreign drug dealers. It authorizes new funding for law enforcement and the intelligence community for counternarcotics activities. It establishes a commission to find new ways to stop the flow of drugs from overseas.

This bill will soon be signed by the President and become law. This is welcome news for law enforcement and for families who are battling the crisis of opioid addiction, and it is bad news for the Chinese Communist Party and foreign drug dealers around the world who are responsible for the poisoning of so many Americans.

PROTECTING EUROPE'S ENERGY SECURITY ACT OF 2019

Mr. President, 70 years after the creation of NATO, the biggest external threats to the alliance are our revisionist adversaries—China and Russia. Unfortunately, however, the alliance faces some internal threats, too, among the allies themselves, who too often fail to take these adversaries seriously. Instead, they strike dangerous

deals with the very powers that threaten to destroy all of us.

Consider the Nord Stream 2 pipeline project between Germany and Russia. Germany touts the pipeline's commercial benefits, but Russia sees it differently—as a strategic tool to divide Europe and thus to strengthen its fictional claim to dominion over parts of Eastern Europe.

The Nord Stream 2 pipeline would effectively double the amount of natural gas Russia could export to Europe along a route that bypasses the alliance's eastern frontier. This would deepen the NATO members' reliance on Russian gas while it would enhance Putin's ability to engage in energy blackmail, just as he has done in the past. For example, in 2009, Russia shut off the flow of natural gas to Europe during a dispute with Ukraine, causing energy shortages across the entire continent in the dead of winter. Putin's opportunities for such blackmail will only increase if Nord Stream 2 is completed because he will be able to ship his gas to Western Europe without its transiting Eastern Europe. Therefore, he will be able to blackmail Eastern Europe while the Germans will sit warm and toasty in their living rooms—indifferent to the plight of their NATO allies to the east.

This pipeline is almost complete, so the timeline for action is short. Thankfully, the National Defense Authorization Act includes our bill to impose mandatory sanctions on companies that are constructing, insuring, or financing Vladimir Putin's pipeline to Europe. These sanctions are a demonstration of our commitment to the strength and security of the whole NATO alliance.

I urge the German Government and all companies involved in this dangerous endeavor to pull back before it is too late and to consider the serious consequences that Nord Stream 2 could have for their security as well as for the security of the NATO alliance as a whole.

JUNIOR RESERVE OFFICERS' TRAINING CORPS HOMESCHOOL

Mr. President, homeschooling parents sacrifice a lot when they make the legitimate and indeed very admirable choice to personally educate their children. In effect, these parents are making the choice to go back to school themselves so that their kids may receive well-rounded and faithful educations.

Their sacrifices pay off in spades. Homeschooled students consistently prove to be outstanding citizens because they are taught the importance of patriotism, faith, hard work, and sacrifice—virtues exemplified by their parents and their teachers.

Homeschooled students, therefore, ought to be prime candidates for our Armed Forces for this very reason, but until now, in some places, it hasn't been clear as to whether homeschooled

students have been eligible to join their local Junior Reserve Officers' Training Corps Programs. Now that is going to change.

The 2020 National Defense Authorization Act includes my bill—also sponsored by Senator JONES—which clarifies that homeschooled students may indeed enroll in their local JROTC Programs. Our bill will ensure that the Nation's 2.5 million homeschooled students will have the opportunity to sharpen and deploy their skills in service of our country. This will move us closer to being a society that fully accepts and indeed celebrates homeschooling families for the noble paths they have chosen.

PCS ACT

Mr. President, the 2020 National Defense Authorization Act includes many valuable reforms. One such reform is the PCS Act, which is legislation I introduced with Senator SHAHEEN, that helps military spouses keep their occupational licenses even when they are on the move across State lines.

One in three military spouses works in a field that requires one to have an occupational license, and too many spouses are forced to recertify every time they move between States. That can be very often. Most military families move every 2 to 3 years, and when each move requires an expensive, time-consuming recertification process, many military spouses might as well kiss their jobs goodbye. These occupational licenses are a costly burden for military families, who have already sacrificed so much for our country.

Our PCS Act will alleviate this burden by empowering the Department of Defense and the States to negotiate interstate compacts for occupational licenses in fields in which military spouses often work. These compacts, which are made possible by our bill, will ensure that military spouses will be able to pursue their careers uninterrupted even while they are moving their families from State to State and base to base. Most importantly, the PCS Act will allow military families to focus on their mission, which is to protect and serve our country with honor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alaska.

TRIBUTE TO HUGH "BUD" FATE

Mr. SULLIVAN. Mr. President, it is that time of week in which I get to come down to the floor of the U.S. Senate—a great privilege—and talk about a special person in Alaska, somebody who helps to make my State the greatest State in the country, in my opinion. We call this person our Alaskan of the Week. It is one of the best things I get to do all week. I know that the pages really enjoy it as well because they get to hear about Alaska and all of the things that are happening.

Before I recognize our special Alaskan, let me tell you a little bit about what is going on in Alaska right now.

We have had some strange weather in Southcentral Alaska—warm by our

standards—that being wet and windy, with gusts over 100 miles per hour in some places. In Fairbanks, which is in the interior—I was just up there last week and am going to talk about that, for it is where our special Alaskan of the Week is from—it feels a lot more like winter. It got down to 27 below zero last week, and now it is in the single digits.

When it comes to Alaska's interior weather, there is some debate as to what the lowest recordbreaking temperature was in Fairbanks. Some say it was 66 below zero in 1934, and others say it was in the negative 70 and 70-below-zero territory.

The numbers do matter. Take it from Dr. Hugh "Bud" Fate, who is our Alaskan of the Week—we call him Bud—who, during the time he was working construction on the North Slope in the early 1950s, once had to walk a mile for shelter after a tractor he was operating froze up.

"When I got to the station, they told me the official temperature was 70 degrees below zero," he said. "I was dressed for it"—Bud is a tough guy—"but my fingers and my toes were getting cold. I don't think I could have made another mile," Bud said.

Bud, we know you could have. We know you could have.

That is just one of many stories that Bud tells about his 70 years of living in the great State of Alaska.

So let me talk about Bud Fate—a legend across our State. He just turned 90 years old last week. He has been a rodeo cowboy, a college football player, a roughneck, a soldier, a gold miner, a carpenter, a hunter, a commercial and subsistence fisherman, a dog musher, a bush pilot, a dentist, a businessman, a State representative, an author, an artist, an all-around rabble-rouser, and an Alaskan renaissance man through and through.

But most importantly, he is a dedicated father, grandfather, husband to his wife, Mary Jane, for 65 years, and a man who has lived his life in service to his country, his State, and his community—very worthy of being our Alaskan of the Week.

So Bud Fate was born on December 4, 1929—90 years ago last week—and raised in Eastern Oregon—Cowntown, he called it. He began riding a horse when he was just 6 years old, eventually riding on the rodeo circuit, getting bucked off horses all across the American West.

He went to college at the University of Washington, where he initially played football. After he got hurt, he enrolled in a drama class and had dreams, when he made his way to California, to Hollywood, to work as an actor or as a stuntman in cowboy movies and films.

As it turned out, it wasn't California that called him; it was Alaska that called him—specifically, a good job in the far north of Alaska, a place called Umiat, working on oil rigs not too far away from what would become the big-

gest oil find ever in North America, the mammoth field at Prudhoe Bay. Bud was 20 years old, working 12 hours a day, 7 days a week. Even though it was a barren and cold, cold place—this was in the winter—he fell in love with it. Alaska grabbed him, as it does to certain types of adventuresome, intelligent, and fiercely independent individuals.

It grabbed Bud, and it didn't let go—never let go. He was one of the drillers working on the shift which brought the first oil to the surface that came out of this rig in Umiat. Bud likes to describe it as this almost beautiful orange color, some of the first oil in Alaska in the fifties, early fifties—pretty exciting.

He was working on the slope when, in 1950, a radio message came in where they were working that the United States was at war in Korea.

Bud said:

I remember thinking it wouldn't affect me way up here on the North Slope of Alaska. Nobody is going to find me, a 20-year-old, but 2 weeks later, I got my first draft notice.

That is what Bud said. I guess it goes to show you Uncle Sam can find you anywhere if he wants you.

As a U.S. Army corporal, Bud was attached to the 11th Airborne Division when he got deployed not to Korea but actually back to Alaska. He was charged with riding the lead Jeep to conduct the combat survey on all the twists and turns of the newly constructed, 1,700-mile-long Alcan Highway, advising the mission commanders about the Arctic, cold weather, and Alaska.

A couple of years later, he was out of the Army, back in Alaska, and he was having a drink one night at the famous Rendezvous Club in Fairbanks, a tongue-tied veteran, he was, and in walks a Miss Alaska contestant—or should I say, from Bud's perspective, in walks destiny.

Whom am I talking about? Who was the destiny?

Well, it is Mary Jane Evans, a young, smart—according to Bud—"Hollywood beautiful" Athabaskan woman from the small Yukon River village of Rampart. She took his breath away. As a matter of fact, she took everybody's breath away.

Now, Bud, at this event, was wearing moccasins. Mary Jane was wearing stillettos, and she promptly stepped on his toes, but it was still love at first sight for both of them, and according to Bud, it still is, 65 years later. For 65 years, they forged a life together, Bud and Mary Jane, the theme of which centered around public service.

Always working together, they raised three beautiful, kind and keenly intelligent daughters—keenly intelligent—and they worked to fundamentally change Alaska for the better, both through institutions and volunteering at organizations and through individual actions that profoundly impacted so many Alaskans over the years.

Eventually Bud, using the GI bill, went back to college, and then he went to get his degree in dentistry. He was a beloved dentist not only in Fairbanks but all across the region.

Now, he was a bush pilot, and he had a plane, so he and Mary Jane, who was a trained dental assistant, traveled all around the small villages in the interior.

Trust me, these villages do not and certainly back then did not have any dental care, so they provided dental care throughout the interior to tiny, little communities for free, for anybody who needed it.

As their three daughters were growing up—Janine, Jennifer, and Julie—it was a big time, a momentous time, in Alaska.

The Alaska Native Claims Settlement Act was being debated. One of the biggest land settlements in American or all history took place right here on the floor of the U.S. Senate.

Bud and Mary Jane were both highly involved in this monumentally important bill for Alaska and in the overarching efforts to attain rights and lands for the Alaska Native people.

One of Bud's best friends was Ralph Perdue, a strong Alaska Native leader, who, along with Mary Jane and Bud, founded the Fairbanks Native Association. Working together, they focused heavily on education for Alaska Natives, particularly high school education, something most Americans take for granted. Until 1970, rural Alaska—a huge swath of America—by and large did not have any high schools. The small communities, small villages, did not have any high schools. To get a high school education, young students and even children had to leave their homes and their villages and travel to boarding schools in very faraway places in Alaska and in the lower 48.

Now, that was an injustice—one, among others, that the Fairbanks Native Association decided to tackle. They produced studies. They gave lectures. They talked to State officials. They talked to Federal officials. They and so many others across the State helped lay the groundwork for the seminal lawsuit brought by a group of Alaskans that resulted in a State-signed consent decree to provide high schools in communities throughout the State—communities with at least 15 students—rather than sending their children all across Alaska, hundreds of miles away, or to the lower 48, thousands of miles away.

At the time, this education settlement was the largest education settlement in American history, but Bud's commitment to education didn't stop there—not even close. He was on the Board of Regents for the University of Alaska, eventually serving as president of the university. It should be noted that later, Mary Jane, his wife, also served on this very important board.

With a combined 24 years of service together, Bud and Mary Jane were on the University of Alaska Board of Re-

gents. Bud helped run the university when the president abruptly resigned.

He and Mary Jane also opened their home to villagers all across the State who came to Fairbanks and just needed a place to stay. They knew that Bud and Mary Jane would take them in. "Our house was always full," their lovely daughter Julie said.

There were always people living with us who were empowering themselves through education. To this day, I still have Alaskans stop to tell me how they were helped and given a second chance by my parents.

As Julie also noted, there was always a huge amount of smoked salmon strips on the table for all to share—the best smoked salmon in Alaska, I might add.

There is so much more to Bud Fate's life. For instance, at the young, tender age of 70, he decided he was going to run for office. He ran for the State legislature, and he won in a landslide. He served two terms. He was immediately elected chairman of the Natural Resources Committee, which is a huge, important committee in Alaska, and was highly respected on both sides of the aisle.

The list of boards and commissions that he sat on is way too long to go into here, as is the list of service organizations he has volunteered for and led.

He has known Presidents of countries and dignitaries from all over the globe. He is as comfortable at his fish camp on the Yukon River as he is in the board room.

As I mentioned, he is a rabble rouser with very strong opinions—I have heard them for many years, but at heart all of his opinions are focused on a commitment to treat everybody with respect and kindness and provide every Alaskan—every American—an opportunity to better themselves.

He is a good man—Bud Fate—one of the best. The measure of Bud and the impact of his life is probably best reflected in his family and his friends, so many of whom gathered in Fairbanks on December 4 for his 90th birthday, where people from all walks of life all across the State came together—well over 100—talked about his generosity, how it impacted them, how it impacted families, and how it impacted people all around him.

People gave speeches about how he and Mary Jane took in people from all walks of life—veterans coming back from Vietnam who needed comfort and respect, people who needed a helping hand, food, warmth, just love. He lifted people up, so did Mary Jane, and they saved lives.

I was actually one of those people giving a speech in Fairbanks at Bud's 90th birthday party, and I talked about the profound impact Bud has had on my own life—after all, Bud Fate is my father-in-law, and I can't imagine a better one.

He has taught me so much. Bud and Mary Jane, along with my own mom and dad, have provided me a model—

actually, for me and Julie, my wife, of what a true partnership looks like. He is a model for how fulfilling a life of service can be, especially a life in the great State of Alaska.

As I mentioned, he is not just a model for me but for the whole State of a life well lived and a life lived in full.

So, Bud, thanks for all you have done for Alaska, for America, for Fairbanks, for our family, for our great State, and all you continue to do. Thanks for being a great father-in-law and a friend, and, Bud, congratulations on being our Alaskan of the Week.

I yield the floor.

The PRESIDING OFFICER. The majority leader.

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate 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 KIAH MORRIS

Mr. LEAHY. Mr. President, I recently had the pleasure of meeting with my friend, former Vermont State Representative Kiah Morris, who among many distinctions was only the second African-American woman ever elected to the Vermont Legislature. Kiah's talents are far-reaching. She has also been an actress of stage, film, and television, spoken word performance, as a singer, dancer, and arts manager. Whether as a legislator or on a theater stage, Kiah's work has focused on amplification of the voices of oppressed people, on human rights, and on social justice.

It was in keeping that Kiah recently traveled to El Salvador and Honduras under the auspices of Oxfam America to meet with families struggling with the violence, poverty, lack of opportunity, injustice, and hopelessness that is causing thousands of destitute, frightened people to abandon their homes to seek refuge elsewhere. In those countries, Kiah saw where people had been gunned down, victims of gangs or corrupt police. She listened to the stories of threats and extortion, of kidnappings and deadly attacks, of fear and desperation. Inspired by the people she met and outraged by the brutality they described, she wrote a poem.

I ask unanimous consent that Kiah's poem, which captures the essence of what the debate here over Central American refugees should be about, be printed in the RECORD.

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

I SAW THE PLACES THEY DIED

(By Kiah Morris 2019)

I saw the places they died
I saw the places they died
I saw the blood on the wall as if it were fresh

I saw the bullet holes pierce their flesh
 I saw the places where they died and their
 spirits left their bodies onto a heavenly
 place
 Far from a war-torn country of our design
 which orchestrated their demise
 On the darkened brick walls splashed with
 stucco
 Metal bars on windows each home a fortress
 from the violence that hovers in wait
 across the thresholds
 Street vendors who compete for our
 Starbucks money to feed their souls
 and nourish their dreams
 I saw the places they died in the tears behind
 the eyes of a priest who saw too much
 Mental memorials to the expressions of
 horror and sadness on the face of a
 mother who died trying to save their
 daughter's life captured in the space
 between his eyes and the weight of
 their loss
 Their state-sanctioned murders designed to
 leave no witnesses behind
 Ordered bullets to fillet her face to ensure no
 viewer could recognize their own moth-
 er's eyes in her frozen gaze
 I saw the places where they died, where the
 children were not spared
 No life too precious to halt corruption and
 gang warfare
 Daily genocides where there are no sacred
 spaces or sanctuaries in which to hide
 I saw the places that they died in the cobble-
 stone streets
 Where people are pawns in a corruptors
 endgame
 The depth of the violence bears no shame
 I saw the places where they died when I
 heard the women speak of the terror
 that they face every day,
 Every week
 The normalcy of rape, the dignity decimated,
 the beatings meant to break and the
 constant earthquakes that shake the
 fragile state
 I saw the places they died in the hopeful
 smiles of the proud feminists who carry
 the burdens of their sisters as a shield
 To protect the dignity of their humanity
 which too often is forced to yield
 I saw the places they died, float off into still
 air
 Laden with promises unfulfilled and hidden
 ambitions laid bare
 I craft petals with poem to form a bouquet
 dropped off in a history of genocide
 With the hope the path these roses display
 will propagate a garden in honor of the
 many places they died.

TRIBUTE TO MAJOR BRAD CATON

Mr. DAINES. Mr. President, I rise to pay tribute to MAJ Brad Caton for his exemplary dedication to duty while serving as a Department of Defense congressional fellow and a congressional budget liaison for the Assistant Secretary of the Army, Financial Management and Comptroller. This month, he will begin his transition to serve as a budgetary analyst in the Army's Budget Office.

As a native of Libby, MT, Brad was commissioned as an infantry officer upon graduation from the University of Montana, where he earned a bachelor's of science degree in business administration. A dedicated scholar, Brad went on to earn his master of business administration from the University of Montana and later a master's degree in legislative affairs from the George

Washington University. Brad has been very successful in his Army career and has served in a broad range of assignments.

His billets have spanned from serving as an infantry platoon commander with the 4th Infantry Division with a deployment to Iraq to assignments managing the Army's financial resources. Brad exemplifies what it means to be a Montanan with his leadership, perseverance, and versatility. This was evident during his first assignment as a budget analyst for U.S. Army Central Command and while he commanded the Pontiac Recruiting Company in Eastern, MI. Following command, Brad continued to display his Montana Resolve as the support operations officer at Camp Carroll, Republic of Korea. Additionally, he was deployed to the Hashemite Kingdom of Jordan while serving as the deputy assistant chief of staff, financial management for the 1st Armored Division.

In 2017, Brad served as my Department of Defense congressional fellow. For a year, I had the privilege of working closely with Brad. He was extremely passionate about serving and representing Montanans. He consistently went above and beyond his immediate responsibilities to work in areas outside of the veterans and defense realm. He used his insight as a Montanan to provide critical local feedback on rural Montana priorities, including Tribal and energy issues. He was always thinking of Montana while representing the Department of Defense in my office. Following his fellowship, Brad transitioned to serve as a congressional budget liaison for the U.S. Army. In this capacity Brad arranged and escorted me over to visit the Montana National Guard while they were deployed to Afghanistan over the holidays. He continued to work tirelessly with all 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 was outstanding and represented the Department of Defense and U.S. Army to the U.S. Congress well.

The foundation of Brad's military success is his family and his Montana roots. In fact, Brad bought a house in Red Lodge during his fellowship which he hopes to retire to 1 day. He is a devoted husband to his wife, Eryn Beckman of Colstrip, MT, and a committed father to his children, Isabel, Evan, Pierce, and Audrey. Brad and Eryn's attitude of service, sacrifice, and care for others permeates every organization and activity they participate in, and they are truly examples of servant leaders in the Army and their communities.

Throughout his career, Brad has exemplified what it truly means to be a Montanan as he 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 his invaluable service to the U.S. Congress as an Army congressional liaison.

It has been a genuine pleasure to have worked with MAJ Brad Caton over the past 3 years. On behalf of a grateful nation, I join my colleagues today in recognizing and commending Brad for his service to our country, and we wish him all the best as he continues service in the U.S. Army.

TRIBUTE TO JEREMY WHEELER

Mr. YOUNG. Mr. President, I rise to formally express my appreciation to Mr. Jeremy Wheeler. Jeremy is a congressional relations officer in the Department of Veterans Affairs. However, over the last year, he served as a fellow on my national security and veterans team.

Jeremy has supported my work helping the veterans of Indiana and the Nation using his exceptional knowledge of the Veterans Affairs system and his experience working with many of the veterans service organizations. A dedicated public servant, Jeremy has spent much of the last two decades serving our Nation. He served in the U.S. Army for 6 years, including two combat tours in Iraq in 2003 and 2005. After 5 years working in Hollywood, he returned to government service at the Department of Veterans Affairs and has spent much of this decade working to improve the quality and access to care for our Nation's heroes, establish deeper relationships with veterans service organizations, and strengthen the VA's outreach and communications capabilities.

In my office this year, he has provided valuable insight into how the legislation before this Chamber would be implemented and how it would impact the VA's ability to continue serving our veterans. And perhaps most impressively, I am not sure how many offices on Capitol Hill can boast an Emmy-winning staff member. This is just one of the many unique contributions Jeremy has brought to my office. In the last year, I have continually been impressed with Jeremy's work ethic, professionalism, candor, and knowledge.

Next month, Jeremy will be returning to the VA, where I have no doubt he will continue seeking innovative ways to caring for veterans. I wish him the best in all his endeavors, and I look forward to working with him in the future.

ADDITIONAL STATEMENTS

25TH ANNIVERSARY OF THE VETERANS GUEST HOUSE

• Ms. CORTEZ MASTO. Mr. President, I come forward today to recognize the 25th anniversary of the Veterans Guest House.

The Veterans Guest House has long been one of Reno's best kept secrets. This "home away from home" is one of the only facilities of its kind in the country serving U.S. military veterans and their families, providing temporary overnight accommodations for veterans receiving treatment at a medical facility in the Reno-Sparks area. In the early 1990s, veterans visiting the Veterans Administration Medical Center of the Sierra, VAMC, in Reno noticed that the family members of veterans were sleeping in their cars because they couldn't afford lodging while their loved one was in the hospital. Even some veterans were sleeping in their cars so they could arrive for appointments and other treatments. It was clear that this was not acceptable, and so our generous Northern Nevada community went to work to do better for our veterans.

In 1994, Reno's Spouse House opened its doors in an old bungalow-style home right near the VAMC in Reno. It had a handful of beds, and in those early years, the House provided lodging to about 800 guests each year. In the 25 years since that time, the Veterans Guest House has evolved and expanded to better meet the needs of our veterans and their families. In 2002, the nonprofit took the name "Veterans Guest House" to reflect its broader mission of assisting both veterans and their families, and in 2004, a new 12-bed home was built. By 2012, the nonprofit had acquired another property and expanded the bed total to 17, allowing them to provide more than 5,000 guest nights that year. Recently, construction concluded on the latest expansion bringing total capacity to 33 beds.

The Veterans Guest House is key to connecting our community to our veterans, providing a variety of ways to show our support for our veterans and their families and the sacrifices made by both. Volunteers are welcome at the Veterans Guest House to help provide the organization ongoing support doing everything from cleaning rooms, to assisting in small repairs, to helping with fundraisers. Community groups, families, and businesses also are encouraged to provide a home-cooked meal for the guests or help fill the needs of the agency's "Wish List." Most guests reside more than 30 miles away from the hospital, and so having that support for them and their families is crucial. Guests are asked to make a donation to support the work of the House, but no one is turned away because they can't pay. The organization relies completely on donations and receives no Federal or State funding.

I am so pleased to recognize the 25th anniversary of the Veterans Guest House and the critical services and support it provides to our veterans and their families.●

TRIBUTE TO ALYSSA LIEDLE-CAISSEY AND KAI BAUER

● Mr. DAINES. Mr. President, this week I have the honor of recognizing

the first set of graduates from Anaconda Junior/Senior High School's Copper Academy, Alyssa Liedle-Caissey and Kai Bauer.

The Anaconda Junior/Senior High School's Copper Academy allows students to learn at a different pace and in a unique environment which includes the use of online programs that have visual demonstrations and explanations for different educational requirements.

Alyssa and Kai both took a chance participating in this program, and it paid off. They both graduated 6 months early. I am very proud of these two young Montanans for pushing themselves and showing the Anaconda community that this new, individualized program allows students to thrive. Congratulations to Alyssa and Kai on their graduation from the Copper Academy. I wish them the best of luck as they transition into the next steps of their lives.●

TRIBUTE TO MELISSA MATTHEWS AND BELLE RAE ZACHESKY/COPP

● Ms. HASSAN. Mr. President, I am proud to recognize Melissa Matthews and Belle Rae Zachesky/Copp of Raymond as December's Granite Staters of the Month for seeking to turn their own grief into positive change and mental wellness for their community.

In the last few months, both Melissa and Belle have lost someone dear to them. Melissa lost her husband, Graham, to suicide on September 30, 2019; and her niece, 8-year-old Belle, lost her father, Jesse, to an opioid overdose the next day, on October 1.

In response to their shared grief and to distract from their sadness Melissa and Belle are seeking to raise awareness about the importance of mental wellness in their community. Belle and Melissa have started promoting wristbands with the slogan "Let's change the 'I' in mental illness with 'WE' for mental wellness," to help spread this important message to others.

The two have also started a Facebook page to try to create an online community of support and positivity. The group's name, MW Warriors—MW standing for mental wellness—was inspired by the song "Warrior" by singer Demi Lovato, who has struggled with drug addiction and depression.

Their story is another inspiring example of how people across New Hampshire come together during difficult times to support one another. This is particularly true as the opioid crisis continues to ravage our State, and it is crucial that we continue to be there for the loved ones of those whom we have lost.

Melissa and Belle are trying to do the challenging but important work of promoting positive change, all while battling their own loss and channeling their energy to help others.

Thank you, Melissa and Belle, for your strength and courage.●

100 SEASONS OF THE NATIONAL FOOTBALL LEAGUE

● Mr. PORTMAN. Mr. President, today I wish to recognize the 100th season of the National Football League.

Ohio has a rich football history. In 1920, 10 teams gathered in Canton, OH, to form the American Professional Football Association. Of those original 10 teams, Cleveland, Canton, Akron, Columbus, and Dayton were all in the lineup. Further, the Dayton Triangles hosted the first-ever NFL game in 1921 against the Columbus Panhandles.

Home to the Cleveland Browns and the Cincinnati Bengals, Ohio has continued to embrace the legacy and tradition of America's game. The birthplace of the NFL, Canton's Pro Football Hall of Fame sees 225,000 visitors annually. Additionally, Ohio natives Don Shula, Chuck Noll, Paul Brown, Roger Staubach, and Cris Carter are among the 326 players who have been inducted into the Hall of Fame. Further, Cleveland looks forward to hosting the 2021 NFL draft, and I was proud to advocate for this selection last year.

Since its first season in 1920, the NFL has grown from humble beginnings to a national pastime known as America's game. Represented in 22 States by 32 teams, the NFL has united communities across the Nation through live games and televised events. In fact, the Super Bowl has become the single most-watched annual television event in the United States.

I commend the NFL for their continued philanthropic and volunteer efforts. Through working to honor veterans, promote cancer awareness, and encourage healthy lifestyles, the league has embraced community through sport. I applaud the commitment of the NFL, its staff, and all who were involved in reaching this milestone and making the first 100 seasons of the NFL a success.●

TRIBUTE TO NANCY WHITWORTH

● Mr. SCOTT of South Carolina. Mr. President, today I would like to take a moment to recognize Ms. Nancy Whitworth of Greenville, SC, for her over 40 years of service to Greenville County. I extend my congratulations to her on her upcoming retirement and wish to reflect on her successful career.

As the longtime economic developer and deputy city manager for the city of Greenville, Nancy was responsible for commercial and neighborhood revitalization, downtown development, business recruitment and retention, planning and zoning, and building codes. She has also authored articles on Greenville's award-winning downtown and meets frequently with other cities to share Greenville's success story. Last year, she was awarded with the 2018 Local Economic Developer of the Year award.

Ms. Whitworth is to be commended for her role in spurring the dramatic growth and revitalization Greenville

has seen in the past decades. Through her leadership and dedication to her community, she has been an invaluable asset to the Upstate of South Carolina. Ms. Whitworth is a shining example of a dedicated public servant and should inspire us all to give our best to our communities. I would like to personally commend and thank Ms. Whitworth for her decades of service that encouraged Greenville's economic prosperity and success. •

MESSAGE FROM THE HOUSE

At 10:09 a.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 729. An act to amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, and for other purposes.

H.R. 5038. An act to amend the Immigration and Nationality Act to provide for terms and conditions for nonimmigrant workers performing agricultural labor or services, and for other purposes.

The message also announced that the House agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House of Representatives to the bill (S. 1790) to authorize appropriations for fiscal year 2020 for military activities of the Department of Defense, for military construction, and for defense activities of the Department of Energy, to prescribe military personnel strengths for such fiscal year, and for other purposes.

MEASURES REFERRED

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

H.R. 729. An act to amend the Coastal Zone Management Act of 1972 to authorize grants to Indian Tribes to further achievement of Tribal coastal zone objectives, and for other purposes; to the Committee on Commerce, Science, and Transportation.

H.R. 5038. An act to amend the Immigration and Nationality Act to provide for terms and conditions for nonimmigrant workers performing agricultural labor or services, and for other purposes; 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. 877. A bill to prohibit the sale of shark fins, and for other purposes (Rept. No. 116-173).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation, with an amendment in the nature of a substitute:

S. 1822. A bill to require the Federal Communications Commission to issue rules relating to the collection of data with respect

to the availability of broadband services, and for other purposes (Rept. No. 116-174).

By Mr. RISCH, from the Committee on Foreign Relations, without amendment and with an amended preamble:

S. Con. Res. 23. A concurrent resolution honoring the 75th Anniversary of the Battle of the Bulge fought during World War II, recognizing the valiant efforts of the Allied Forces in December 1944, and remembering those who made the ultimate sacrifice, all of which contributed to the Allied victory in the European Theater.

By Mr. RISCH, from the Committee on Foreign Relations, with an amendment in the nature of a substitute:

S. 2641. A bill to promote United States national security and prevent the resurgence of ISIS, and for other purposes.

EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

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

*Crosby Kemper III, of Missouri, to be Director of the Institute of Museum and Library Services for a term of four years.

*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

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. MENENDEZ (for himself, Mr. BLUMENTHAL, Mrs. GILLIBRAND, and Mr. BOOKER):

S. 3029. A bill to amend titles XVIII and XIX of the Social Security Act to make premium and cost-sharing subsidies available to low-income Medicare part D beneficiaries who reside in Puerto Rico or another territory of the United States; to the Committee on Finance.

By Mr. BENNET (for himself, Mr. PORTMAN, Mr. YOUNG, and Mr. BROWN):

S. 3030. A bill to require the Secretary of Housing and Urban Development to establish a national evictions database, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. COTTON (for himself, Mrs. BLACKBURN, Mr. CORNYN, Mr. CRUZ, Mr. GRAHAM, Mr. HAWLEY, Mr. PERDUE, Mr. ROMNEY, and Mr. SASSE):

S. 3031. A bill to amend the Immigration and Nationality Act to add membership in a significant transnational criminal organization to the list of grounds of inadmissibility and to prohibit the provision of material support or resources to such organizations; to the Committee on the Judiciary.

By Mr. BENNET:

S. 3032. A bill to amend the Internal Revenue Code of 1986 to allow for transfers of the renewable electricity production credit, the energy credit, and the credit for carbon oxide sequestration; to the Committee on Finance.

By Mr. PETERS (for himself and Mr. SCOTT of Florida):

S. 3033. A bill to establish a K-12 education cybersecurity initiative, and for other pur-

poses; to the Committee on Homeland Security and Governmental Affairs.

By Mr. PETERS (for himself, Ms. STABENOW, Mrs. GILLIBRAND, and Ms. CORTEZ MASTO):

S. 3034. A bill to make trade adjustment assistance available to workers whose jobs are eliminated through automation, and for other purposes; to the Committee on Finance.

By Mr. DURBIN (for himself, Mr. LEE, Mr. WHITEHOUSE, Mr. BOOKER, Mr. BLUMENTHAL, Mr. COONS, Ms. HARRIS, Ms. KLOBUCHAR, Ms. HIRONO, and Mr. LEAHY):

S. 3035. A bill to provide that the amount of time that an elderly offender must serve before being eligible for placement in home detention is to be reduced by the amount of good time credits earned by the prisoner, and for other purposes; to the Committee on the Judiciary.

By Mr. JONES (for himself, Mr. COTTON, and Mr. MERKLEY):

S. 3036. A bill to amend the Truth in Lending Act to prohibit the distribution of any check or other negotiable instrument as part of a solicitation by a creditor for an extension of credit, to limit the liability of consumers in conjunction with such solicitations, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mrs. SHAHEEN (for herself, Ms. COLLINS, and Mr. ISAKSON):

S. 3037. A bill to prevent international violence against women, and for other purposes; to the Committee on Foreign Relations.

By Mr. PETERS (for himself and Ms. ERNST):

S. 3038. A bill to promote innovative acquisition techniques and procurement strategies, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. TESTER (for himself and Mr. ROUNDS):

S. 3039. A bill to authorize the Secretary of Veterans Affairs to establish a grant program to conduct cemetery research and produce educational materials for the Veterans Legacy Program, and for other purposes; to the Committee on Veterans' Affairs.

By Ms. ROSEN (for herself, Mr. WICKER, Ms. HASSAN, and Mr. ROMNEY):

S. 3040. A bill to amend the Higher Education Act of 1965 to include teacher preparation for computer science in elementary and secondary education; to the Committee on Health, Education, Labor, and Pensions.

By Ms. HASSAN (for herself, Ms. ERNST, and Ms. SINEMA):

S. 3041. A bill to amend title 38, United States Code, to ensure that medical professionals employed by the Veterans Health Administration are properly credentialed, and for other purposes; to the Committee on Veterans' Affairs.

By Mrs. FEINSTEIN:

S. 3042. A bill to amend title 46, United States Code, to require the Secretary of the department in which the Coast Guard is operating to prescribe additional regulations to secure the safety of individuals and property on board certain small passenger vessels, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. INHOFE (for himself, Mr. MORAN, Ms. DUCKWORTH, and Mrs. CAPITO):

S. 3043. A bill to modernize training programs at aviation maintenance technician schools, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. WYDEN (for himself and Mr. MERKLEY):

S. 3044. A bill to amend the American's Water Infrastructure Act of 2018 to expand the Indian reservation drinking water program, and for other purposes; to the Committee on Indian Affairs.

By Mr. JOHNSON (for himself and Ms. HASSAN):

S. 3045. A bill to amend the Homeland Security Act of 2002 to protect United States critical infrastructure by ensuring that the Cybersecurity and Infrastructure Security Agency has the legal tools it needs to notify private and public sector entities put at risk by cybersecurity vulnerabilities in the networks and systems that control critical assets of the United States; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MERKLEY:

S. 3046. A bill to amend the Energy Policy Act of 2005 to establish a program to provide grants and loan guarantees to improve the energy efficiency of publicly owned wastewater treatment facilities, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. BARRASSO (for himself, Mrs. CAPITO, and Mr. MANCHIN):

S. 3047. A bill to amend the Energy Policy Act of 2005 to require the Secretary of Energy to establish a carbon technologies program, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. COLLINS (for herself and Ms. SINEMA):

S. 3048. A bill to authorize certain aliens seeking asylum to be employed in the United States while their applications are being adjudicated; to the Committee on the Judiciary.

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

S. 3049. A bill to amend title XVIII of the Social Security Act to provide for certain amendments relating to reporting requirements with respect to clinical diagnostic laboratory tests, and for other purposes; to the Committee on Finance.

By Mr. TESTER (for himself, Mr. THUNE, Mr. BROWN, and Mr. PERDUE):

S. 3050. A bill to amend the Federal Financial Institutions Examination Council Act of 1978 to provide designees of the Secretary of Veterans Affairs and the Administrator of the Rural Housing Service of the Department of Agriculture with positions on the Appraisal Subcommittee of the Federal Financial Institutions Examination Council; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BARRASSO (for himself and Mr. CARPER):

S. 3051. A bill to improve protections for wildlife, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MORAN:

S.J. Res. 61. A joint resolution approving the request of the Secretary of Veterans Affairs for a waiver under section 1703E(f) of title 38, United States Code; to the Committee on Veterans' Affairs.

By Mrs. GILLIBRAND (for herself and Mr. SCHUMER):

S.J. Res. 62. A joint resolution disapproving the recommendation of the Administrator of the Federal Aviation Administration to realign Binghamton, NY (BGM) TRACON operations and Elmira, NY (ELM) TRACON operations to Wilkes-Barre/Scranton, PA (AVP) TRACON; to the Committee on Commerce, Science, and Transportation.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MENENDEZ (for himself, Mr. CARDIN, Mrs. SHAHEEN, Mr. COONS, Mr. UDALL, Mr. MURPHY, Mr. Kaine, Mr. MARKEY, Mr. MERKLEY, and Mr. BOOKER):

S. Res. 453. A resolution honoring the Employees of the Department of State and the United States Agency for International Development, and for other purposes; to the Committee on Foreign Relations.

By Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. DURBIN, Mr. CRUZ, Mr. CARDIN, Ms. COLLINS, and Mr. Kaine):

S. Res. 454. A resolution calling for the immediate release of Cuban democracy activist Jose Daniel Ferrer and commending the efforts of Jose Daniel Ferrer to promote human rights and fundamental freedoms in Cuba; to the Committee on Foreign Relations.

By Mr. MCCONNELL:

S. Res. 455. A resolution to authorize representation by the Senate Legal Counsel in the Case of Richard Arjun Kaul v. Senator Charles Schumer, et al; considered and agreed to.

By Mr. BLUMENTHAL (for himself, Mr. CASEY, Mr. BROWN, Ms. CANTWELL, Mr. MERKLEY, Ms. HASSAN, Ms. DUCKWORTH, Mr. MURPHY, Ms. HARRIS, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. COONS, Mrs. MURRAY, and Ms. HIRONO):

S. Con. Res. 30. A concurrent resolution recognizing the need to improve physical access to many federally funded facilities for all people of the United States, particularly individuals with disabilities; 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 Michigan (Ms. STABENOW), the Senator from Tennessee (Mrs. BLACKBURN), the Senator from Arkansas (Mr. COTTON), the Senator from New York (Mrs. GILLIBRAND), the Senator from Michigan (Mr. PETERS), the Senator from Louisiana (Mr. KENNEDY) and the Senator from Illinois (Mr. DURBIN) 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. 299

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 299, a bill to amend title VII of the Public Health Service Act to reauthorize programs that support interprofessional geriatric education and training to develop a geriatric-capable workforce, improving health outcomes for a growing and diverse aging American population and their families, and for other purposes.

S. 668

At the request of Mr. BROWN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 668, a bill to amend title XVIII of the Social Security Act to waive coinsurance under Medicare for colorectal cancer screening tests, regardless of whether therapeutic inter-

vention is required during the screening.

S. 685

At the request of Mr. LEE, the name of the Senator from Louisiana (Mr. KENNEDY) was added as a cosponsor of S. 685, a bill to amend the Inspector General Act of 1978 relative to the powers of the Department of Justice Inspector General.

S. 803

At the request of Mr. TOOMEY, the name of the Senator from South Carolina (Mr. GRAHAM) was added as a cosponsor of S. 803, a bill to amend the Internal Revenue Code of 1986 to restore incentives for investments in qualified improvement property.

S. 877

At the request of Mr. BENNET, his name was added as a cosponsor of S. 877, a bill to prohibit the sale of shark fins, and for other purposes.

At the request of Ms. HASSAN, her name was added as a cosponsor of S. 877, *supra*.

S. 903

At the request of Ms. MURKOWSKI, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 903, a bill to direct the Secretary of Energy to establish advanced nuclear goals, provide for a versatile, reactor-based fast neutron source, make available high-assay, low-enriched uranium for research, development, and demonstration of advanced nuclear reactor concepts, and for other purposes.

S. 1032

At the request of Mr. PORTMAN, the names of the Senator from Oklahoma (Mr. LANKFORD) and the Senator from Wyoming (Mr. ENZI) were added as cosponsors of S. 1032, a bill to amend the Internal Revenue Code of 1986 to modify the definition of income for purposes of determining the tax-exempt status of certain corporations.

S. 1151

At the request of Mr. SCOTT of Florida, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1151, a bill to prohibit contracting with persons that have business operations with the Maduro regime, and for other purposes.

S. 1380

At the request of Mr. SULLIVAN, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S. 1380, a bill to amend the Federal Rules of Criminal Procedure to remind prosecutors of their obligations under Supreme Court case law.

S. 1381

At the request of Mr. BOOZMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1381, a bill to modify the presumption of service connection for veterans who were exposed to herbicide agents while serving in the Armed Forces in Thailand during the Vietnam era, and for other purposes.

S. 1421

At the request of Mr. MARKEY, the name of the Senator from Iowa (Ms.

ERNST) was added as a cosponsor of S. 1421, a bill to award a Congressional Gold Medal to the 23d Headquarters Special Troops and the 3133d Signal Service Company in recognition of their unique and distinguished service as a "Ghost Army" that conducted deception operations in Europe during World War II.

S. 1583

At the request of Mr. DURBIN, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 1583, a bill to amend the Lead-Based Paint Poisoning Prevention Act to provide for additional procedures for families with children under the age of 6, and for other purposes.

S. 1602

At the request of Ms. COLLINS, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1602, a bill to amend the United States Energy Storage Competitiveness Act of 2007 to establish a research, development, and demonstration program for grid-scale energy storage systems, and for other purposes.

S. 1657

At the request of Ms. COLLINS, the names of the Senator from Michigan (Mr. PETERS) and the Senator from Colorado (Mr. BENNET) were added as cosponsors 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. 1757

At the request of Ms. ERNST, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors 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. 1820

At the request of Mrs. GILLIBRAND, the names of the Senator from New Hampshire (Ms. HASSAN) and the Senator from Wisconsin (Ms. BALDWIN) were added as cosponsors of S. 1820, a bill to improve the integrity and safety of horseracing by requiring a uniform anti-doping and medication control program to be developed and enforced by an independent Horseracing Anti-Doping and Medication Control Authority.

S. 1908

At the request of Mrs. GILLIBRAND, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1908, a bill to amend the Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 2024

At the request of Mr. CORNYN, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 2024, a bill to amend the Higher Education Act of 1965 to improve the

American History for Freedom grant program.

S. 2085

At the request of Ms. ROSEN, the name of the Senator from Massachusetts (Mr. MARKEY) 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. 2160

At the request of Mr. SCOTT of South Carolina, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 2160, a bill to require carbon monoxide alarms in certain federally assisted housing, and for other purposes.

S. 2321

At the request of Mr. BLUNT, the names of the Senator from Alabama (Mr. JONES) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of Negro Leagues baseball.

S. 2449

At the request of Mr. MENENDEZ, his name was added as a cosponsor of S. 2449, a bill to amend title 18, United States Code, to require licenses to acquire or receive firearms, and for other purposes.

S. 2547

At the request of Mr. RISCH, the name of the Senator from Texas (Mr. CRUZ) was added as a cosponsor of S. 2547, a bill to state the policy of the United States with respect to the expansion of cooperation with allies and partners in the Indo-Pacific region and Europe regarding the People's Republic of China.

S. 2590

At the request of Mr. BRAUN, the name of the Senator from Arkansas (Mr. COTTON) was added as a cosponsor of S. 2590, a bill to protect the dignity of fetal remains, and for other purposes.

S. 2615

At the request of Mr. CASSIDY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2615, a bill to amend the Internal Revenue Code of 1986 to improve the historic rehabilitation tax credit, and for other purposes.

S. 2627

At the request of Ms. CORTEZ MASTO, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2627, a bill to amend the Internal Revenue Code of 1986 to allow an above-the-line deduction for attorney fees and costs in connection with civil claim awards.

S. 2661

At the request of Mr. GARDNER, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 2661, a bill to amend the Communications Act of 1934 to designate 9-8-8

as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes.

S. 2695

At the request of Mr. ROBERTS, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Illinois (Mr. DURBIN) were added as cosponsors of S. 2695, a bill to authorize the Secretary of Agriculture to provide for the defense of United States agriculture and food through the National Bio and Agro-Defense Facility, and for other purposes.

S. 2741

At the request of Mr. SCHATZ, the names of the Senator from Connecticut (Mr. MURPHY) and the Senator from South Dakota (Mr. ROUNDS) 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. 2754

At the request of Mr. KENNEDY, the names of the Senator from Georgia (Mr. PERDUE) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 2754, a bill to create jobs and drive innovation and economic growth in the United States by supporting and promoting the manufacture of next-generation technologies, including refrigerants, solvents, fire suppressants, foam blowing agents, aerosols, and propellants.

S. 2765

At the request of Mr. ENZI, the name of the Senator from Idaho (Mr. RISCH) was added as a cosponsor of S. 2765, a bill to improve Federal fiscal controls and the congressional budget process.

S. 2774

At the request of Ms. MCSALLY, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a cosponsor of S. 2774, a bill to direct the Attorney General to establish and carry out a Veteran Treatment Court Program.

S. 2815

At the request of Mr. SCHUMER, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from Delaware (Mr. COONS) were added as cosponsors 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. 2831

At the request of Mrs. CAPITO, the names of the Senator from South Dakota (Mr. ROUNDS) and the Senator from Nevada (Ms. ROSEN) were added as cosponsors of S. 2831, a bill to amend title 51, United States Code, to modify the national space grant college and fellowship program, and for other purposes.

S. 2898

At the request of Mr. INHOFE, the names of the Senator from New Hampshire (Ms. HASSAN), the Senator from

Arizona (Ms. MCSALLY), the Senator from North Dakota (Mr. HOEVEN) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors 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. 2941

At the request of Mr. PORTMAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2941, a bill to require the Administrator of the Environmental Protection Agency to establish a consumer recycling education and outreach grant program, and for other purposes.

S. 2942

At the request of Mrs. SHAHEEN, the names of the Senator from Maine (Ms. COLLINS) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 2942, a bill to amend the Internal Revenue Code of 1986 to provide that certain contributions by government entities are treated as contributions to capital.

S. 2949

At the request of Mrs. FISCHER, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 2949, a bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes.

S. 2976

At the request of Mr. CASSIDY, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 2976, a bill to amend the Internal Revenue Code of 1986 to provide an election to advance future child tax credits in the year of birth or adoption.

S. 2989

At the request of Mr. CASSIDY, the name of the Senator from Maine (Ms. COLLINS) was added as a cosponsor of S. 2989, a bill to amend title XI of the Social Security Act to clarify the mailing requirement relating to social security account statements.

S. 3001

At the request of Mr. TOOMEY, the name of the Senator from North Carolina (Mr. TILLIS) was added as a cosponsor of S. 3001, a bill to provide for certain extensions with respect to the Medicare and Medicaid programs under titles XVIII and XIX of the Social Security Act, and for other purposes.

S. 3004

At the request of Mr. MARKEY, the name of the Senator from California (Ms. HARRIS) 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. 3016

At the request of Mrs. FISCHER, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3016, a bill to amend the Fed-

eral 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.

S.J. RES. 4

At the request of Mr. MENENDEZ, his name and the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S.J. Res. 4, a joint resolution requiring the advice and consent of the Senate or an Act of Congress to suspend, terminate, or withdraw the United States from the North Atlantic Treaty and authorizing related litigation, and for other purposes.

S. RES. 98

At the request of Mrs. BLACKBURN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. Res. 98, a resolution establishing the Congressional Gold Star Family Fellowship Program for the placement in offices of Senators of children, spouses, and siblings of members of the Armed Forces who are hostile casualties or who have died from a training-related injury.

S. RES. 371

At the request of Mr. COONS, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. Res. 371, a resolution reaffirming the support of the United States for the people of the Republic of South Sudan and calling on all parties to uphold their commitments to peace and dialogue as outlined in the 2018 revitalized peace agreement.

S. RES. 385

At the request of Mr. RISCH, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. Res. 385, a resolution celebrating the 30th anniversary of the fall of the Berlin Wall, the reunification of both Germany and Europe, and the spread of democracy around the world.

S. RES. 447

At the request of Mr. RISCH, the name of the Senator from Colorado (Mr. GARDNER) was added as a cosponsor of S. Res. 447, a resolution expressing serious concern about widespread irregularities in Bolivia's October 20, 2019, general elections and supporting the convening of new elections in Bolivia at the earliest possible date.

STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. LEE, Mr. WHITEHOUSE, Mr. BOOKER, Mr. BLUMENTHAL, Mr. COONS, Ms. HARRIS, Ms. KLOBUCHAR, Ms. HIRONO, and Mr. LEAHY):

S. 3035. A bill to provide that the amount of time that an elderly offender must serve before being eligible for placement in home detention is to be reduced by the amount of good time credits earned by the prisoner, and for

other purposes; to the Committee on Banking, Housing, and Urban Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3035

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the "Elderly Home Detention Pilot Program Technical Corrections Act of 2019".

SEC. 2. CREDITS FOR CERTAIN ELDERLY NON-VIOLENT OFFENDERS.

Section 231(g)(5)(A)(ii) of the Second Chance Act of 2007 (34 U.S.C. 60541(g)(5)(A)(ii)) is amended by striking "to which the offender was sentenced" and inserting "reduced by any credit toward the service of the prisoner's sentence awarded under section 3624(b) of title 18, United States Code".

By Mrs. FEINSTEIN:

S. 3042. A bill to amend title 46, United States Code, to require the Secretary of the department in which the Coast Guard is operating to prescribe additional regulations to secure the safety of individuals and property on board certain small passenger vessels, and for other purposes; to the Committee on Commerce, Science, and Transportation.

Mrs. FEINSTEIN. Mr. President, I rise today to introduce the "Small Passenger Vessel Safety Act of 2019".

This bill would prevent future tragedies like the one that happened onboard the *Conception* passenger vessel off the coast of Santa Cruz Island, California. This was the worst maritime disaster in modern California history, and my thoughts continue to be with the victims and their loved ones.

On September 2, 2019, thirty-four people were tragically killed onboard the vessel when a fire started while passengers were sleeping below deck after a nighttime swim. The victims of the boat fire—thirty-three passengers and one crewmember—were athletes, immigrants, CEO's, and students. All were united by love of the water, marine life, and their adventurous spirit.

The *Conception* boat fire was a tragedy that must never be allowed to happen again. Reports indicate the fire consumed the boat, including the salon, galley compartment, and the aft deck, and causes include overloading of the electric system, possibly from rechargeable devices with lithium ion batteries. The lack of an interconnected fire alarm system throughout the vessel meant passengers and crew were not made aware of the fire until key areas of escape were already engulfed. Critical time—time that could have saved lives—was lost. This bill addresses these issues and potential causes.

While investigations by the National Transportation Safety Board and the Coast Guard are still ongoing, it is

clear regulatory changes are needed to ensure small passenger vessels have the right safety measures in place to limit the possibility of fire and help evacuate the vessel of passengers in the event a fire does start.

The *Conception* is one of about 325 small passenger vessels built before 1996 and exempt from stricter safety standards imposed on newer vessels.

This bill offers a number of common-sense provisions that will improve passenger vessel safety. These include: requiring these types of vessels to have no less than two avenues of escape from all areas accessible to passengers; mandating safety standards for the handling, storage and operation of lithium ion batteries; and, establishing standards for interconnected fire alarm systems.

I appreciate the hard work of the National Transportation Safety Board and the U.S. Coast Guard Inspections and Compliance Directorate. I especially appreciate the Commandant's Marine Safety Information Bulletin issued on September 10 reminding owners, operators and masters of passenger vessels to adhere to the regulations related to firefighting, lifesaving, emergency preparation and means of escape. And, more specifically, I appreciate the attention to the issue of unsupervised charging of lithium-ion batteries and the extensive use of power strips and extension cords.

Given the horrific nature of this tragedy, it is imperative that we establish stricter safety standards onboard these boats where so many children and families have such enjoyment. I believe this bill is a pragmatic, common-sense solution to improve safety on these older vessels, and I urge it to be included in the Coast Guard Reauthorization Act.

Thank you, Mr. President. I yield the floor.

By Ms. COLLINS (for herself and Ms. SINEMA):

S. 3048. A bill to authorize certain aliens seeking asylum to be employed in the United States while their applications are being adjudicated; to the Committee on the Judiciary.

Ms. COLLINS. Mr. President, I rise today to introduce the Asylum Seeker Work Authorization Act of 2019, which is similar to a bill introduced by Representative PINGREE in the House. My bill would allow asylum seekers to seek employment 30 days after applying for asylum, provided their applications are not frivolous, their identities have been verified, and their names run through the Federal government's terrorist watch lists. This change would allow asylum applicants to work and contribute to society without being dependent on assistance from local governments while their claims are being adjudicated.

Under current law, asylum seekers must wait 180 days after filing their applications before they are allowed to work. The 180-day requirement was

adopted by the Clinton Administration in 1994 out of concern that some asylum seekers might apply for asylum primarily as a means of getting a work authorization. Clearly, this change has only transferred the burden of care for these asylum seekers onto communities across the Nation.

One such community is Portland, Maine. Earlier this year, over the span of several weeks, a surge of asylum seekers from the Democratic Republic of the Congo and Angola arrived in Portland after crossing our southern border. These asylum seekers could have given a much-needed boost to Maine's very tight labor market—our unemployment rate is just 2.8 percent—but the lengthy work-authorization process prevents these asylum seekers from getting jobs even to support themselves.

Thankfully, the Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act of 2019 made funds available to assist local communities dealing with a sudden influx of asylum seekers. The City of Portland and private organizations in southern Maine received \$892,586 from that Act. While I am pleased that these funds have been provided to Portland and other communities around our country, it would be a better solution if those seeking asylum were able to join the workforce and achieve self-sufficiency as quickly as possible while awaiting the outcome of their cases.

It is my hope that the change proposed by my bill will lessen the burden on the budgets of communities hosting asylum seekers while allowing these individuals and their families to support themselves as they want to do, bringing needed skills to the cities and towns in which they settle. I encourage my colleagues to support it.

By Mr. MORAN:

S.J. Res. 61. A joint resolution approving the request of the Secretary of Veterans Affairs for a waiver under section 1703E(f) of title 38, United States Code; to the Committee on Veterans' Affairs.

Mr. MORAN. Mr. President, I ask unanimous consent to submit the following letter from U.S. Secretary of Veterans Affairs, Robert L. Wilkie, for the RECORD.

So Ordered.

Hon. MITCH MCCONNELL,
Majority Leader, U.S. Senate,
Washington, DC 20510.

DEAR SENATOR MCCONNELL: In accordance with the requirements of section 1703E(f)(2) of title 38, United States Code, enclosed is the Department of Veterans Affairs (VA) report on a request for a waiver to allow VA to pilot community partnered collaborations to expand dental care for Veterans. We request that copies of this waiver be provided to the Chair and Ranking Member of applicable standing committees with jurisdiction to report a bill to amend the provision or provisions of law that would be waived by VA, consistent with section 1703E(f)(3).

As required by section 1703E(f)(2), the enclosed report describes in detail the specific

authorities to be waived under the pilot program; the standard or standards to be used in the pilot program in lieu of the waived authorities; the reasons for such waiver or waivers; a description of the metric or metrics VA will use to determine the effect of the waiver or waivers upon the access to and quality, timeliness, or patient satisfaction of care and services furnished through the pilot program; the anticipated cost savings, if any, of the pilot program; the schedule for interim reports on the pilot program describing the results of the pilot program so far and the feasibility and advisability of continuing the pilot program; the schedule for the termination of the pilot program and the submission of a final report on the pilot program describing the result of the pilot program and the feasibility and advisability of making the pilot program permanent; and the estimated budget of the pilot program.

Consistent with section 17.450 of title 38, Code of Federal Regulations, this report also includes the geographic locations for each pilot program, the rationale for those selections, and how VA believes the selected locations will address deficits in care for a defined population; any applicable provision of existing regulations implementing any laws to be waived; and any more specific definitions of terms included in section 17.450(b), as necessitated by the specific provisions of the proposed pilot program.

The Office of Management and Budget advises that there is no objection to the submission of this waiver proposal to Congress and that its enactment would be in accord with the program of the President.

Thank you for your continuing support of our mission. A similar letter has been sent to other leaders of the Congress and the House and Senate Committees on Veterans' Affairs.

Sincerely,

ROBERT L. WILKIE.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 453—HONORING THE EMPLOYEES OF THE DEPARTMENT OF STATE AND THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT, AND FOR OTHER PURPOSES

Mr. MENENDEZ (for himself, Mr. CARDIN, Mrs. SHAHEEN, Mr. COONS, Mr. UDALL, Mr. MURPHY, Mr. Kaine, Mr. MARKEY, Mr. MERKLEY, and Mr. BOOKER) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 453

Whereas more than 81,000 people serve as employees of the Department of State and the United States Agency for International Development, including locally employed staff, protecting and advancing national security, freedom, democracy, development, and free markets, for the benefit of the people of the United States and the international community;

Whereas employees of the Department of State and the United States Agency for International Development together represent the United States in maintaining diplomatic relations in over 250 posts in 180 countries around the world, including in many inhospitable and dangerous regions;

Whereas employees of the Department of State and the United States Agency for International Development promote American values and interests at home and abroad

through their work and actions, promoting the safety and freedom of all Americans;

Whereas employees of the Department of State and the United States Agency for International Development are a central component of our defense against international terrorism and the proliferation of weapons of mass destruction;

Whereas employees of the Department of State and the United States Agency for International Development work to preserve peace and freedom and promote economic prosperity and mutual understanding around the world;

Whereas employees of the Department of State and the United States Agency for International Development daily work to reduce poverty, end hunger and malnutrition, fight disease, combat international crime and illegal drugs, and address environmental degradation;

Whereas employees of the Department of State and the United States Agency for International Development daily work to promote economic development, commercial enterprises, economic prosperity, and United States job and trade promotion;

Whereas employees of the Department of State and the United States Agency for International Development daily work to promote American ideals and values, human rights, freedom, gender equality, and democracy;

Whereas employees of the Department of State and the United States Agency for International Development daily work to provide emergency and humanitarian assistance aid to respond to crises around the globe;

Whereas there are almost 50,000 local employees at posts that aid and support the work of the United States and the Department of State around the world;

Whereas at least 250 United States citizen employees, as well as family members, and many more locally employed staff, of the Department of State and the United States Agency for International Development have made the ultimate sacrifice on behalf of their Nation;

Whereas employees of the Department of State and the United States Agency for International Development personify the virtues of patriotism, sacrifice, service, and duty;

Whereas the families of employees of the Department of State and the United States Agency for International Development make important and significant sacrifices for the United States;

Whereas multiple career Foreign Service and civil service employees of the Department of State upheld their oaths to defend the Constitution, uphold the law, and provide testimony in response to lawful subpoenas from congressional oversight hearings, risking their careers and personal safety for service to their nation;

Whereas these courageous employees of the Department of State, individuals who have served the Nation with distinction and represent our Nation's finest, include Ambassador Marie Yovanovitch, a distinguished career public servant who dedicated 33 years of her life as a Foreign Service Officer; Ambassador William Taylor, a diplomat who started his 50-year public service as a West Point cadet and served in every Administration since 1985; George Kent a career foreign service officer with multiple postings throughout the Department since 1992; Jennifer Williams, a 13-year veteran of the Foreign Service who has served overseas in Beirut and Jamaica, managed the United States Government's humanitarian assistance program for Syrian refugees from 2011 to 2014, and, most recently, has served as the Vice President's assistant on European and Russian affairs

since April 2019; Ambassador David Hale, who has served around the world for more than three decades with the Department, including as Ambassador to Pakistan, Lebanon and Jordan, and in his current role as Under Secretary of State for Political Affairs; David Holmes, who joined the foreign service in 2002 and was awarded the William Rivkin award for Constructive Dissent in 2014; Peter Michael McKinley, whose career in the foreign service spanned more than 35 years and included service as ambassador to Peru, Colombia, Afghanistan and Brazil, and Senior Adviser to Secretary Mike Pompeo; Philip Reeker, a 27-year veteran of the foreign service, including as acting assistant secretary of the Bureau of European and Eurasian Affairs; Catherine M. Croft, who has served as a special advisor for Ukraine in the State Department and on the National Security Council staff; and Christopher Anderson, a foreign service officer since 2005, who served at the United States Embassy in Kyiv from 2014 to 2017 and as the special adviser for Ukraine negotiations from August 2017 to July 2019; and

Whereas the Department of State has represented to Congress that "no employee has faced any adverse action by the Department for testimony before Congress" and committed that "the Department will not discipline any Department employee for appearing before Congress in response to a subpoena": Now, therefore, be it

Resolved, That the Senate—

(1) honors the employees of the Department of State and the United States Agency for International Development;

(2) calls on the people of the United States to reflect on the service and sacrifice of employees of the Department of State and the United States Agency for International Development, wherever they serve, past, present, and future;

(3) thanks the local employees for their aid and support in the mission of the Department of State and the United States Agency for International Development;

(4) expresses the deep appreciation of a grateful Nation to the employees of the Department of State and the United States Agency for International Development who each and every day courageously and publicly stand up for their country and defend the Constitution, including those who have provided testimony to Congress in response to lawful subpoenas;

(5) urges the Department to fully and faithfully implement all its stated commitment to assist employees called to testify before Congress with the cost of legal fees; and

(6) calls on the Department to ensure that no personnel will face any retaliatory action, adverse personnel action, or other negative consequence for testifying or providing requested information to Congress, and emphasizes that any reprisal for testifying before Congress would be a violation of law.

SENATE RESOLUTION 454—CALLING FOR THE IMMEDIATE RELEASE OF CUBAN DEMOCRACY ACTIVIST JOSE DANIEL FERRER AND COMMENDING THE EFFORTS OF JOSE DANIEL FERRER TO PROMOTE HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS IN CUBA

Mr. MENENDEZ (for himself, Mr. RUBIO, Mr. DURBIN, Mr. CRUZ, Mr. CARDIN, Ms. COLLINS, and Mr. Kaine) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 454

Whereas José Daniel Ferrer García is a Cuban democracy and human rights activist who has dedicated his life to promoting greater political pluralism and respect for fundamental freedoms in Cuba;

Whereas Mr. Ferrer was born in Cuba on July 29, 1970, in the province of Santiago de Cuba;

Whereas, in the late 1990s, Mr. Ferrer joined the Christian Liberation Movement (MCL), a peaceful political movement led by late Cuban activist Oswaldo Paya;

Whereas, through coordination with the MCL, Mr. Ferrer helped lead the Varela Project, an initiative to collect the signatures of citizens to petition the Government of Cuba for democratic reforms and protections for freedom of speech, freedom of the press, and freedom of assembly;

Whereas, in March 2003, as part of a series of sweeping arrests of 75 democracy activists, Mr. Ferrer was arrested by Cuban authorities for his work on the Varela Project and sentenced to 25 years in prison;

Whereas, in March 2004, Amnesty International declared the group of 75 democracy activists, including Mr. Ferrer, to be prisoners of conscience and called for their immediate and unconditional release;

Whereas, in 2009, Mr. Ferrer was honored with the Democracy Award given annually by the National Endowment for Democracy;

Whereas, in March 2011, as part of an agreement brokered by the Catholic Church, Mr. Ferrer refused to abandon his homeland and was released from prison to remain in Cuba;

Whereas, in August 2011, Mr. Ferrer founded the Patriotic Union of Cuba (UNPACU), a nonviolent political movement dedicated to promoting human rights, democratic principles, and fundamental freedoms in Cuba;

Whereas, on June 7, 2012, Mr. Ferrer testified via digital video conference at a hearing of the Committee on Foreign Relations of the Senate;

Whereas, since he was released from jail in March 2011, Mr. Ferrer has been frequently harassed, regularly surveilled, and repeatedly jailed by Cuban authorities for his role in UNPACU;

Whereas, on October 1, 2019, Mr. Ferrer was imprisoned arbitrarily by Cuban authorities for his leadership of UNPACU and outspoken advocacy for human rights and democratic principles in Cuba;

Whereas, on October 1, 2019, Cuban authorities detained 3 other members of UNPACU, Fernando González Vailant, José Pupo Chaveco, and Roilan Zarraga Ferrer;

Whereas a letter from Mr. Ferrer was smuggled out of prison stating that he had been tortured, mistreated, and denied proper medical attention, and that his life was put in danger while in detention;

Whereas the family of Mr. Ferrer has been permitted to visit him only twice since he was imprisoned arbitrarily on October 1, 2019, and the wife of Mr. Ferrer reported that she saw evidence that he had been physically abused and mistreated; and

Whereas, on November 28, 2019, the European Parliament approved a resolution condemning the arbitrary detention of Mr. Ferrer and calling for his immediate release: Now, therefore, be it

Resolved, That the Senate—

(1) condemns the arbitrary imprisonment of leading Cuban democracy and human rights activist José Daniel Ferrer and calls for his immediate and unconditional release;

(2) urges Cuban authorities to grant Mr. Ferrer immediate access to medical care and independent legal counsel;

(3) calls for the immediate and unconditional release of all members of the Patriotic

Union of Cuba (UNPACU) that have been arbitrarily imprisoned;

(4) commends Mr. Ferrer for his unwavering commitment to advance democratic principles, human rights, and fundamental freedoms in Cuba; and

(5) recognizes the important contributions of UNPACU and all of its members for their efforts to promote greater respect for democratic principles, human rights, and fundamental freedoms in Cuba.

SENATE RESOLUTION 455—TO AUTHORIZE REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF RICHARD ARJUN KAUL V. SENATOR CHARLES SCHUMER, ET AL

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

S. RES. 455

Whereas, Senator Charles Schumer has been named as a defendant in the case of *Richard Arjun Kaul v. Senator Charles Schumer, et al.*, Case No. 19-CV-13477-BRM-JAD, currently pending in the United States District Court for the District of New Jersey;

Whereas, pursuant to sections 703(a) and 704(a)(1) of the Ethics in Government Act of 1978, 2 U.S.C. §§288b(a) and 288c(a)(1), the Senate may direct its counsel to defend Members of the Senate in civil actions relating to their official responsibilities: Now, therefore, be it

Resolved, That the Senate Legal Counsel is authorized to represent Senator Schumer in the case of *Richard Arjun Kaul v. Senator Charles Schumer, et al.*

Mr. MCCONNELL. Mr. President, I send to the desk a resolution authorizing representation by the Senate Legal Counsel and ask for its immediate consideration.

Mr. President, this resolution concerns a civil action pending in New Jersey Federal court against Senator Schumer and various private entities. The plaintiff previously brought a lawsuit arising out of the revocation of his medical license by the New Jersey State Board of Medical Examiners, and that lawsuit was dismissed. In this lawsuit, plaintiff asserts a conspiracy among Senator Schumer and two large insurance companies, a bank, a law firm, and a media company, to obstruct and undermine plaintiff's previous lawsuit by having the Senator use his influence over the presiding judge to dismiss the case. Plaintiff's claims against Senator Schumer are subject to dismissal for failure to State a claim and on jurisdictional grounds. This resolution would authorize the Senate Legal Counsel to represent Senator Schumer in order to seek dismissal of the claims against him.

SENATE CONCURRENT RESOLUTION 30—RECOGNIZING THE NEED TO IMPROVE PHYSICAL ACCESS TO MANY FEDERALLY FUNDED FACILITIES FOR ALL PEOPLE OF THE UNITED STATES, PARTICULARLY INDIVIDUALS WITH DISABILITIES

Mr. BLUMENTHAL (for himself, Mr. CASEY, Mr. BROWN, Ms. CANTWELL, Mr.

MERKLEY, Ms. HASSAN, Ms. DUCKWORTH, Mr. MURPHY, Ms. HARRIS, Mr. WHITEHOUSE, Mr. VAN HOLLEN, Mr. COONS, Mrs. MURRAY, and Ms. HIRONO) submitted the following concurrent resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. CON. RES. 30

Whereas the First Amendment to the Constitution of the United States—

(1) prevents Congress from making any law respecting an establishment of religion, prohibiting the free exercise of religion, or abridging the freedom of speech, the freedom of the press, the right to peaceably assemble, or the right to petition for a governmental redress of grievances; and

(2) was ratified on December 15, 1791, as 1 of the 10 amendments that constitute the Bill of Rights;

Whereas the Bill of Rights, specifically the First Amendment to the Constitution of the United States, calls for the right of all individuals to peaceably assemble, meaning that all individuals, regardless of their physical ability, shall be offered equal opportunity to access all amenities that are federally funded, in whole or part, with the exception of certain sites of historical importance approved by the Architectural and Transportation Barriers Compliance Board (referred to in this preamble as the "United States Access Board") or a nonpartisan commission convened by the United States Access Board;

Whereas, in the 29 years since the signing of the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.), there have been advances in technologies that benefit individuals with disabilities, such as automatic doors;

Whereas, in 2018, the Centers for Disease Control and Prevention reported that—

(1) 61,000,000 individuals in the United States have a disability that impacts major life activities;

(2) 1 of every 7 adults experience a mobility impairment, which is the most common form of disability; and

(3) as people age, disability becomes increasingly common, affecting an estimated 2 of every 5 older adults;

Whereas, as significant advances in medical treatment result in improved health outcomes, the incidence of disability has increased over time;

Whereas, in 2016, an estimated 25.1 percent of veterans in the United States, or more than 2,000,000 individuals, reported having a service-connected disability;

Whereas the Act entitled "An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped", approved August 12, 1968 (42 U.S.C. 4151 et seq.) (commonly known as the "Architectural Barriers Act of 1968"), was enacted to ensure that certain federally funded facilities are designed and constructed to be accessible to individuals with disabilities;

Whereas title V of the Rehabilitation Act of 1973 (29 U.S.C. 791 et seq.)—

(1) prohibits discrimination against a person with a disability in programs and activities funded by the Federal Government;

(2) requires the elimination of architectural barriers for Federal employees and applicants with disabilities; and

(3) established the United States Access Board;

Whereas the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.)—

(1) prohibits discrimination against a person with a disability by a State or local government, including any department, agency,

special purpose district, or other instrumentality of a State or local government, in programs and activities, transportation, communications, and the built environment;

(2) prohibits discrimination against a person with a disability in the activities of a place of public accommodation, which is an entity that is—

(A) generally open to the public; and

(B) within a category described in that Act, such as a restaurant, movie theater, school, day care facility, or doctor's office; and

(3) requires a newly constructed or altered place of public accommodation or commercial facility (such as a factory, warehouse, or office building) to comply with the Standards for Accessible Design;

Whereas the Fair Housing Act (42 U.S.C. 3601 et seq.)—

(1) prohibits discrimination on the basis of disability in multifamily housing, including military family housing; and

(2) requires the elimination of architectural barriers in common areas;

Whereas the United States Access Board has developed new guidelines for public rights-of-way that address various issues, including access for blind pedestrians at street crossings, wheelchair access to on-street parking, and various constraints posed by space limitations, roadway design practices, slope, and terrain;

Whereas the new guidelines developed by the United States Access Board cover pedestrian access to sidewalks and streets, including crosswalks, curb ramps, street furnishings, pedestrian signals, parking, and other components of public rights-of-way;

Whereas the aim of the United States Access Board in developing the new guidelines includes ensuring that—

(1) access for individuals with disabilities is provided wherever a pedestrian way is newly built or altered; and

(2) the same degree of convenience, connection, and safety afforded the public generally is available to pedestrians with disabilities;

Whereas, on the date on which the Attorney General adopts the new guidelines, the guidelines will become enforceable standards under title II of the Americans with Disabilities Act of 1990 (42 U.S.C. 12131 et seq.); and

Whereas the United States was founded on the principles of equality and freedom, and such principles require that all individuals, including individuals with disabilities, are able to engage as equal members of society: Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That Congress—

(1) recognizes the importance of equal opportunity for individuals with disabilities in the United States;

(2) recognizes that too many facilities of Federal, State, and local governments remain inaccessible to individuals with disabilities due to architectural and other barriers;

(3) reaffirms its support of and requires full compliance with—

(A) the Act entitled "An Act to insure that certain buildings financed with Federal funds are so designed and constructed as to be accessible to the physically handicapped", approved August 12, 1968 (42 U.S.C. 4151 et seq.) (commonly known as the "Architectural Barriers Act of 1968");

(B) title V of the Rehabilitation Act of 1973 (29 U.S.C. 791 et seq.);

(C) the Americans with Disabilities Act of 1990 (42 U.S.C. 12101 et seq.); and

(D) the Fair Housing Act (42 U.S.C. 3601 et seq.); and

(4) pledges to make universal and inclusive design a guiding principle for all infrastructure bills and projects and will continue working to identify and remove the barriers that prevent all people of the United States,

including individuals with disabilities, from having equal access to the services provided by the Federal Government.

AMENDMENTS SUBMITTED AND PROPOSED

SA 1256. Mr. McCONNELL (for Mr. CRAMER) proposed an amendment to the concurrent resolution S. Con. Res. 23, honoring the 75th Anniversary of the Battle of the Bulge fought during World War II, recognizing the valiant efforts of the Allied Forces in December 1944, and remembering those who made the ultimate sacrifice, all of which contributed to the Allied victory in the European Theater.

TEXT OF AMENDMENTS

SA 1256. Mr. McCONNELL (for Mr. CRAMER) proposed an amendment to the concurrent resolution S. Con. Res. 23, honoring the 75th Anniversary of the Battle of the Bulge fought during World War II, recognizing the valiant efforts of the Allied Forces in December 1944, and remembering those who made the ultimate sacrifice, all of which contributed to the Allied victory in the European Theater; as follows:

Between the seventh and eighth whereas clauses in the preamble, insert the following:

Whereas, the heroic defense of Bastogne by the 101st Airborne Division became personified by General Anthony McAuliffe's reply to the German request to surrender with one word: "Nuts!";

AUTHORITY FOR COMMITTEES TO MEET

Mr. McCONNELL. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10 a.m., to conduct a closed hearing.

COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10.30 a.m., to conduct a hearing.

COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10 a.m., to conduct a hearing nomination of Crosby Kemper III, of Missouri, to be Director of the Institute of Museum and Library Services.

COMMITTEE ON RULES AND ADMINISTRATION

The Committee on Rules and Administration is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10 a.m., to conduct a closed hearing.

SUBCOMMITTEE ON SECURITY

The Subcommittee on Security of the Committee on Commerce, Science, and

Transportation is authorized to meet during the session of the Senate on Thursday, December 12, 2019, at 10 a.m., to conduct a hearing.

APPOINTMENT

The PRESIDING OFFICER. The Chair, on behalf of the Vice President, pursuant to 14 U.S.C. 194(a), as amended by Public Law 101-595, and further amended by Public Law 113-281, appoints the following Senator to the Board of Visitors of the U.S. Coast Guard Academy: The Honorable ROGER WICKER of Mississippi.

AUTHORIZING REPRESENTATION BY THE SENATE LEGAL COUNSEL IN THE CASE OF RICHARD ARJUN KAUL V. SENATOR CHARLES SCHUMER, ET AL

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 455, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 455) to authorize representation by the Senate Legal Counsel in the case of Richard Arjun Kaul v. Senator Charles Schumer, et al.

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

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 455) was agreed to.

The preamble was agreed to.

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

HONORING THE 75TH ANNIVERSARY OF THE BATTLE OF THE BULGE FOUGHT DURING WORLD WAR II

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 326, S. Con. Res. 23.

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

The senior assistant legislative clerk read as follows:

A concurrent resolution (S. Con. Res. 23) honoring the 75th Anniversary of the Battle of the Bulge fought during World War II, recognizing the valiant efforts of the Allied Forces in December 1944, and remembering those who made the ultimate sacrifice, all of which contributed to the Allied victory in the European Theater.

There being no objection, the Senate proceeded to consider the concurrent resolution, which had been reported from the Committee on Foreign Relations, without amendment, and with an amendment to the preamble as follows:

S. CON. RES. 23

Whereas the Battle of the Bulge was the last major German offensive in Western Europe during World War II, designed to split the Allied Forces, regain the initiative in the West, and pressure the Allies to seek a negotiated peace;

Whereas, in the Ardennes region of Belgium and Luxembourg, more than 650,000 troops from the United States, Great Britain, Belgium, Canada, and other Allied Forces defeated Germany in the Battle of the Bulge, which began December 16, 1944, and ended January 25, 1945;

Whereas the Battle of the Bulge resulted in over 89,000 United States casualties, including 19,000 soldiers killed, 47,500 wounded, and more than 23,000 captured or missing-in-action;

Whereas the Allied Forces overcame formidable obstacles that included being greatly outnumbered by the German Army, harsh weather conditions, and the treacherous and unknown terrain of the Ardennes Forest region of Belgium and Luxembourg;

Whereas, on December 17, 1944, during one of the worst atrocities of the war in Europe, the Malmedy Massacre, 84 unarmed American prisoners of war were shot by troops of the 1st SS Panzer Division;

Whereas 11 African American soldiers of the 333rd Field Artillery Battalion were massacred by SS troops near Wereth, Belgium, and were identified as James Stewart of West Virginia, Due Turner of Arkansas, Curtis Adams of South Carolina, Mager Bradley of Mississippi, George Davis, Jr. of Alabama, Thomas Forte of Mississippi, Robert Green of Georgia, James Leatherwood of Mississippi, Nathaniel Moss of Texas, George Moten of Texas, and William Pritchett of Alabama;

Whereas the impressive leadership of Lieutenant General George S. Patton of the Third Army accelerated the success of the Allied Forces during the Battle of the Bulge;

Whereas, although Belgium lost more than 74,000 civilians during the war, in addition to many more having suffered through other atrocities that come with war, the people of Belgium persevered through the difficult period of time and rebuilt their lives the best they could after the war ended;

Whereas the success of the Allied Forces in beating back the German attack in the Battle of the Bulge made possible the final defeat and surrender of Nazi Germany in May 1945;

Whereas the citizens of Belgium and Luxembourg have generously hosted thousands of United States veterans and kept the memory of the Battle of the Bulge alive through numerous memorials and museums, including the Henri-Chapelle American Cemetery and Memorial, the Ardennes American Cemetery and Memorial, the Luxembourg American Cemetery, the Battle of the Ardennes Museum, the Bastogne War Museum, and the Bastogne December Historic Walk; and

Whereas, after the Battle of the Bulge ended, British Prime Minister Winston Churchill said, "This is undoubtedly the greatest American battle of the war and will, I believe, be regarded as an ever-famous American victory."; Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Senate—

(1) commemorates, on December 16, 2019, the 75th Anniversary of the Battle of the Bulge in World War II;

(2) recognizes the valiant efforts of the various Allied Forces; and

(3) remembers the individuals who made the ultimate sacrifice, which contributed to the Allied victory in the European Theater.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed

to; that the committee-reported amendment to the preamble be agreed to; that the Cramer amendment at the desk to the preamble be agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The concurrent resolution (S. Con. Res. 23) was agreed to.

The committee-reported amendment to the preamble was agreed to.

The amendment (No. 1256) to the preamble was agreed to as follows:

(Purpose: To add language to the preamble)

Between the seventh and eighth whereas clauses in the preamble, insert the following:

Whereas, the heroic defense of Bastogne by the 101st Airborne Division became personified by General Anthony McAuliffe's reply to the German request to surrender with one word: "Nuts!";

The preamble, as amended, was agreed to.

The concurrent resolution with its preamble, as amended, read as follows:

S. CON. RES. 23

Whereas the Battle of the Bulge was the last major German offensive in Western Europe during World War II, designed to split the Allied Forces, regain the initiative in the West, and pressure the Allies to seek a negotiated peace;

Whereas, in the Ardennes region of Belgium and Luxembourg, more than 650,000 troops from the United States, Great Britain, Belgium, Canada, and other Allied Forces defeated Germany in the Battle of the Bulge, which began December 16, 1944, and ended January 25, 1945;

Whereas the Battle of the Bulge resulted in over 89,000 United States casualties, including 19,000 soldiers killed, 47,500 wounded, and more than 23,000 captured or missing-in-action;

Whereas the Allied Forces overcame formidable obstacles that included being greatly outnumbered by the German Army, harsh weather conditions, and the treacherous and unknown terrain of the Ardennes Forest region of Belgium and Luxembourg;

Whereas, on December 17, 1944, during one of the worst atrocities of the war in Europe, the Malmedy Massacre, 84 unarmed American prisoners of war were shot by troops of the 1st SS Panzer Division;

Whereas 11 African American soldiers of the 333rd Field Artillery Battalion were mas-

sacred by SS troops near Wereth, Belgium, and were identified as James Stewart of West Virginia, Due Turner of Arkansas, Curtis Adams of South Carolina, Mager Bradley of Mississippi, George Davis, Jr. of Alabama, Thomas Forte of Mississippi, Robert Green of Georgia, James Leatherwood of Mississippi, Nathaniel Moss of Texas, George Moten of Texas, and William Pritchett of Alabama;

Whereas the impressive leadership of Lieutenant General George S. Patton of the Third Army accelerated the success of the Allied Forces during the Battle of the Bulge;

Whereas, the heroic defense of Bastogne by the 101st Airborne Division became personified by General Anthony McAuliffe's reply to the German request to surrender with one word: "Nuts!";

Whereas, although Belgium lost more than 74,000 civilians during the war, in addition to many more having suffered through other atrocities that come with war, the people of Belgium persevered through the difficult period of time and rebuilt their lives the best they could after the war ended;

Whereas the success of the Allied Forces in beating back the German attack in the Battle of the Bulge made possible the final defeat and surrender of Nazi Germany in May 1945;

Whereas the citizens of Belgium and Luxembourg have generously hosted thousands of United States veterans and kept the memory of the Battle of the Bulge alive through numerous memorials and museums, including the Henri-Chapelle American Cemetery and Memorial, the Ardennes American Cemetery and Memorial, the Luxembourg American Cemetery, the Battle of the Ardennes Museum, the Bastogne War Museum, and the Bastogne December Historic Walk; and

Whereas, after the Battle of the Bulge ended, British Prime Minister Winston Churchill said, "This is undoubtedly the greatest American battle of the war and will, I believe, be regarded as an ever-famous American victory."': Now, therefore, be it

Resolved by the Senate (the House of Representatives concurring), That the Senate—

(1) commemorates, on December 16, 2019, the 75th Anniversary of the Battle of the Bulge in World War II;

(2) recognizes the valiant efforts of the various Allied Forces; and

(3) remembers the individuals who made the ultimate sacrifice, which contributed to the Allied victory in the European Theater.

ORDERS FOR FRIDAY, DECEMBER 13, 2019, AND MONDAY, DECEMBER 16, 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn and then convene for a pro forma session only, with no business being conducted, on Friday, December 13, at 11:45 a.m. I further ask that when the Senate adjourns on Friday, December 13, it next convene at 3 p.m., Monday, December 16; 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 resume consideration of the conference report to accompany S. 1790; finally, that notwithstanding the provisions of rule XXII, the cloture motion filed during today's session ripen at 5:30 p.m., Monday.

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

ADJOURNMENT UNTIL 11:45 A.M. TOMORROW

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.

There being no objection, the Senate, at 5 p.m., adjourned until Friday, December 13, 2019, at 11:45 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 12, 2019:

DEPARTMENT OF THE INTERIOR

AURELIA SKIPWITH, OF INDIANA, TO BE DIRECTOR OF THE UNITED STATES FISH AND WILDLIFE SERVICE.

DEPARTMENT OF STATE

JOHN JOSEPH SULLIVAN, OF MARYLAND, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE RUSSIAN FEDERATION.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

STEPHEN HAHN, OF TEXAS, TO BE COMMISSIONER OF FOOD AND DRUGS, DEPARTMENT OF HEALTH AND HUMAN SERVICES.