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## Senate

The Senate met at 9:30 a.m. and was called to order by the Honorable THOM TILLIS, a Senator from the State of North Carolina.

### PRAYER

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

Let us pray.

Eternal God, You are our light and salvation, and we are not afraid. You protect us from danger so we do not tremble.

Mighty God, You are not intimidated by the challenges that confront our Nation and world.

Lord, inspire our lawmakers with the knowledge of Your holiness that will give them reverential awe. Remind them of the many prayers they have prayed that You have already answered.

Lord, You have been our help in ages past. You are our hope for the years to come. We magnify Your Holy Name. Don't stay far off. Show Yourself strong to this generation and fill us with Your peace.

We pray in Your powerful Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### APPOINTMENT OF ACTING PRESIDENT PRO TEMPORE

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

The legislative clerk read the following letter:

U.S. SENATE,  
PRESIDENT PRO TEMPORE,  
Washington, DC, December 19, 2019.

To the Senate:

Under the provisions of rule I, paragraph 3, of the Standing Rules of the Senate, I hereby appoint the Honorable THOM TILLIS, a Senator from the State of North Carolina, to perform the duties of the Chair.

CHUCK GRASSLEY,  
President pro tempore.

Mr. TILLIS 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.

### LEGISLATIVE SESSION

#### NATIONAL LAW ENFORCEMENT MUSEUM COMMEMORATIVE COIN ACT

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of the House message to H.R. 1865, which the clerk will report.

The legislative clerk read as follows:

House Message to accompany H.R. 1865, an act to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 1258 (to the

House amendment to the Senate amendment), to change the enactment date.

McConnell Amendment No. 1259 (to Amendment No. 1258), of a perfecting nature.

McConnell motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, McConnell Amendment No. 1260, to change the enactment date.

McConnell Amendment No. 1261 (the instructions (Amendment No. 1260) of the motion to refer), of a perfecting nature.

McConnell Amendment No. 1262 (to Amendment No. 1261), of a perfecting nature.

#### RECOGNITION OF THE MAJORITY LEADER

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

#### IMPEACHMENT

Mr. MCCONNELL. Mr. President, last night the House Democrats finally did what they had decided to do a long time ago. They voted to impeach President Trump.

Over the last 12 weeks, House Democrats have conducted the most rushed, least thorough, and most unfair impeachment inquiry in modern history. Now their slapdash process has concluded in the first purely partisan Presidential impeachment since the wake of the Civil War.

The opposition to impeachment was bipartisan. Only one part of one faction wanted this outcome. The House's conduct risks deeply damaging the institutions of American government. This particular House of Representatives has let its partisan rage at this particular President create a toxic new precedent that will echo well into the future.

That is what I want to discuss right now—the historic degree to which House Democrats have failed to do their duty and what it will mean for the Senate to do ours. So let's start at the beginning. Let's start with the fact

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



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that Washington Democrats made up their minds to impeach President Trump since before he was even inaugurated.

Here is a reporter in April of 2016—April of 2016:

Donald Trump isn't even the Republican nominee yet . . . [but] "Impeachment" is already on the lips of pundits, newspaper editorials, constitutional scholars, and even a few Members of Congress.

April 2016.

On Inauguration Day 2017, the headline in the Washington Post: "The campaign to impeach President Trump has begun." That was day one.

In April 2017, 3 months into the Presidency, a senior House Democrat said: "I am going to fight every day until he is impeached." That was 3 months into the administration.

In December 2017, 2 years ago, Congressman JERRY NADLER was openly campaigning to be the ranking member on the House Judiciary Committee, specifically—specifically—because he was an expert on impeachment. That was NADLER's campaign to be the top Democrat on Judiciary.

This week wasn't even the first time House Democrats have introduced articles of impeachment. It was actually the seventh time. They started less than 6 months after the President was sworn in. They tried to impeach President Trump for being impolite to the press, for being mean to professional athletes, for changing President Obama's policy on transgender people in the military. All of these things were high crimes and misdemeanors according to Democrats. Now, this wasn't just a few people.

Scores—scores—of Democrats voted to move forward with impeachment on three of those prior occasions. So let's be clear. The House's vote yesterday was not some neutral judgement that Democrats came to with great reluctance. It was the predetermined end of a partisan crusade that began before President Trump was even nominated, let alone sworn in.

For the very first time in modern history, we have seen a political faction in Congress promise from the moment—the moment—a Presidential election ended that they would find some way to overturn it.

A few months ago, Democrats' 3-year-long impeachment in search of articles found its way to the subject of Ukraine. House Democrats embarked on the most rushed, least thorough, and most unfair impeachment inquiry in modern history. Chairman SCHIFF's inquiry was poisoned by partisanship from the outset. Its procedures and parameters were unfair in unprecedented ways. Democrats tried to make Chairman SCHIFF into a de facto special prosecutor, notwithstanding the fact that he is a partisan Member of Congress who had already engaged in strange and biased behavior.

He scrapped precedent to cut the Republican minority out of the process. He denied President Trump the same

sorts of procedural rights that Houses of both parties had provided to past Presidents of both parties. President Trump's counsel could not participate in Chairman SCHIFF's hearings, present evidence, or cross-examine witnesses.

The House Judiciary Committee's crack at this was even more ahistorical. It was like the Speaker called up Chairman NADLER and ordered one impeachment, rush delivery, please.

The committee found no facts on its own and did nothing to verify the Schiff report. Their only witnesses were liberal law professors and congressional staffers.

So there is a reason the impeachment inquiry that led to President Nixon's resignation required about 14 months of hearings—14 months—in addition to a special prosecutor's investigation.

With President Clinton, the independent counsel's inquiry had been underway literally for years before the House Judiciary Committee actually dug in. There were mountains of evidence—mountains—mountains of testimony from firsthand fact witnesses, and serious legal battles to get what was necessary.

This time around? House Democrats skipped all of that and spent just 12 weeks—12 weeks. There was more than a year of hearings for Nixon, multiple years of investigation for Clinton, and they have impeached President Trump in 12 weeks—12 weeks.

So let's talk about what the House actually produced in those 12 weeks. House Democrats' rushed and rigged inquiry yielded two articles—two—of impeachment. They are fundamentally unlike any articles that any prior House of Representatives has ever passed.

The first article concerns the core events which House Democrats claim are impeachable—the timing of aid to Ukraine. But it does not even purport to allege any actual crime. Instead, they deployed a vague phrase "abuse of power"—"abuse of power"—to impugn the President's action in a general, indeterminate way.

Speaker PELOSI's House just gave into a temptation that every other House in history has managed to resist. Let me say that again. Speaker PELOSI's House just gave into a temptation that every other House in our history has managed to resist. They impeach a President whom they do not even allege has committed an actual crime known to our laws. They have impeached simply because they disagree with a Presidential act and question the motive behind it.

So let's look at history. Andrew Johnson's impeachment revolved around a clear violation of a criminal statute, albeit an unconstitutional statute. Nixon had obstruction of justice, a felony under our laws. Clinton had perjury, also a felony.

Now, the Constitution does not say the House can impeach only those Presidents who violate a law, but his-

tory matters. History matters and precedent matters.

There were important reasons why every previous House of Representatives in American history restrained itself—restrained itself—from crossing this Rubicon. The Framers of our Constitution very specifically discussed whether the House should be able to impeach Presidents just for "maladministration"—just for maladministration—in other words, because the House simply thought the President had bad judgment or he was doing a bad job. They talked about all of this when they wrote the Constitution.

The written records of our Founders' debates show they specifically rejected this. They realized it would create total dysfunction to set the bar for impeachment that low.

James Madison himself explained that allowing impeachment on that basis would mean the President serves at the pleasure of the Congress instead of the pleasure of the American people. It would make the President a creature of Congress, not the head of a separate and equal branch. There were powerful reasons why Congress after Congress for 230 years—230 years—required Presidential impeachment to revolve around clear, recognizable crimes, even though that was not a strict limitation—powerful reasons why, for 230 years, no House opened the Pandora's box of subjective, political impeachments. That 230-year tradition died last night.

House Democrats have tried to say they had to impeach President Trump on this historically thin and subjective basis because the White House challenged their requests for more witnesses.

That brings us to the second article of impeachment. The House titled this one "Obstruction of Congress." What it really does is impeach the President for asserting Presidential privilege. The concept of executive privilege is another two-century-old constitutional tradition. Presidents starting with George Washington have invoked it. Federal courts have repeatedly affirmed it is a legitimate constitutional power.

House Democrats requested extraordinary amounts of sensitive information from President Trump's White House, exactly the kinds of things over which Presidents of both parties have asserted privilege in the past.

Predictably, and appropriately, President Trump did not simply roll over. He defended the constitutional authority of his office. There is no surprise there. It is not a constitutional crisis for a House to want more information than a President wants to give up. That is not a constitutional crisis. It is a routine occurrence. The separation of powers is messy by design.

Here is what should have happened: Either the President and Congress negotiate a settlement or the third branch of government, the Judiciary, addresses the dispute between the other two.

The Nixon impeachment featured disagreements over Presidential privilege, so they went to the courts. The Clinton impeachment featured disagreements over Presidential privilege, so they went to the courts. This takes time. It is inconvenient. That is actually the point. Due process is not meant to maximize the convenience of the prosecutor. It is meant to protect the accused, but this time was different.

Remember, 14 months of hearings for Richard Nixon, years of investigation for Bill Clinton, but 12 weeks for Donald Trump. Democrats didn't have to rush this, but they chose to stick to their political timetable at the expense of pursuing more evidence through proper legal channels. Nobody made Chairman SCHIFF do this. He chose to.

The Tuesday before last, on live television, ADAM SCHIFF explained to the entire country that if House Democrats had let the justice system follow its normal course, they might not have gotten to impeach the President in time for the election. My goodness.

In Nixon, the courts were allowed to do their work. In Clinton, the courts were allowed to do their work. Only these House Democrats decided due process is too much work, and they would rather impeach with no proof.

They tried to cover for their own partisan impatience by pretending the routine occurrence of a President exerting constitutional privilege is itself—*itself*—a second impeachable offense.

The following is something ADAM SCHIFF literally said in early October. Here is what he said: "Any action . . . that forces us to litigate, or have to consider litigation, will be considered further evidence of obstruction of justice." That is ADAM SCHIFF.

Here is what the chairman effectively said and what one of his committee members restated just this week: If the President asserts his constitutional right, it is that much more evidence he is guilty.

If the President asserts his constitutional rights, it is that much more evidence he is guilty.

That kind of bullying is antithetical to American justice. Those are the House Democrats' two Articles of Impeachment. That is all their rushed and rigged inquiry could generate: an act that the House does not even allege is criminal and a nonsensical claim that exercising a legitimate Presidential power is somehow an impeachable offense.

This is, by far, the thinnest basis for any House-passed Presidential impeachment in American history—the thinnest and the weakest, and nothing else even comes close.

Candidly, I don't think I am the only person around here who realizes this. Even before the House voted yesterday, Democrats had already started to signal uneasiness—uneasiness—with its end product.

Before the articles even passed, the Senate Democratic leader went on tele-

vision to demand this body redo House Democrats' homework for them; that the Senate should supplement Chairman SCHIFF's sloppy work so it is more persuasive than Chairman SCHIFF himself bothered to make it. Of course, every such demand simply confirms that House Democrats have rushed forward with a case that is much too weak.

In June, Speaker PELOSI promised the House would "build an ironclad case." Never mind that she was basically promising impeachment months—months—before the Ukraine events, but that is a separate matter. She promised "an ironclad case."

In March, Speaker PELOSI said this: "Impeachment is so divisive to the country that unless there's something so compelling and overwhelming and bipartisan, I don't think we should go down that path, because it divides the country."

By the Speaker's own standards, she has failed the country. This case is not compelling, not overwhelming, and as a result not bipartisan. The failure was made clear to everyone earlier this week when Senator SCHUMER began searching for ways the Senate could step out of our proper role and try to fix the House Democrats' failures for them.

It was made even more clear last night when Speaker PELOSI suggested that House Democrats may be too afraid—too afraid—to even transmit their shoddy work product to the Senate.

It looks like the prosecutors are getting cold feet in front of the entire country and second-guessing whether they even want to go to trial. They said impeachment was so urgent that it could not even wait for due process but now they are content to sit on their hands. This is really comical.

Democrats' own actions concede that their allegations are unproven. The articles aren't just unproven; they are all constitutionally incoherent—incoherent. Frankly, if either of these articles is blessed by the Senate, we could easily see the impeachment of every future President of either party.

Let me say that again. If the Senate blesses this historically low bar, we will invite the impeachment of every future President. The House Democrats' allegations, as presented, are incompatible with our constitutional order. They are unlike anything that has ever been seen in 230 years of this Republic.

House Democrats want to create new rules for this President because they feel uniquely enraged—they feel uniquely enraged. Long after the partisan fever of this moment has broken, the institutional damage will remain.

I have described the threat to the Presidency, but this also imperils the Senate itself. The House has created an unfair, unfinished product that looks nothing—nothing—like any impeachment inquiry in American history. If the Speaker ever gets her House in

order, that mess will be dumped over here on the Senate's lap.

If the Senate blesses this slapdash impeachment—if we say that from now on this is enough—then we invite an endless parade of impeachable trials. Future Houses of either party will feel free to toss a "jump ball" every time they feel angry—free to swamp the Senate with trial after trial no matter how baseless the charges.

We would be giving future Houses of either party unbelievable new power to paralyze the Senate at their whim—more thin arguments, more incomplete evidence, more partisan impeachments.

In fact, this same House of Representatives has already indicated they themselves may not be finished impeaching. The House Judiciary Committee told a Federal court this very week that it will continue its impeachment investigation even after voting on these articles, and multiple Democratic Members have already called publicly for more.

If the Senate blesses this, if the Nation accepts this, Presidential impeachments may cease being once-in-a-generation events and become a constant part—a constant part—of the political background noise. This extraordinary tool of last resort may become just another part of the arms race of polarization.

Real statesmen would have recognized, no matter their view of this President, that trying to remove him on this thin and partisan basis could unsettle the foundations of our Republic.

Real statesmen would have recognized, no matter how much partisan animosity might be coursing through their veins, that cheapening the impeachment process was not the answer.

Historians will refer to this as the very irony of our era: that so many who professed such concern for our norms and traditions themselves proved willing to trample our constitutional order to get their way.

It is long past time for Washington to get a little perspective. President Trump is not the first President with a populist streak, not the first to make entrenched elites uncomfortable. He is certainly not the first President to speak bluntly, to mistrust the administrative state, or to rankle unelected bureaucrats. Heaven knows, he is not the first President to assert the constitutional privileges of his office rather than roll over when Congress demands unlimited sensitive information. None of these things—none of them—is unprecedented.

I will tell you what would be unprecedented. It will be an unprecedented constitutional crisis if the Senate literally hands the House of Representatives a new, partisan "vote of no confidence" that the Founders intentionally withheld, destroying the independence of the Presidency. It will be unprecedented if we agree that any future House that disliked any future President can rush through an unfair

inquiry, skip the legal system, and paralyze the Senate with a trial. The House can do that at will under this President. It will be an unprecedented if the Senate says secondhand and third-hand testimony from unelected civil servants is enough to overturn the people's vote. It will be an unprecedented constitutional crisis if the Senate agrees to set the bar this low—forever.

It is clear what this moment requires. It requires the Senate to fulfill our founding purpose. The Framers built the Senate to provide stability, to take the long view of our Republic, to safeguard institutions from the momentary hysteria that sometimes consumes our politics, and to keep partisan passions from literally boiling over. The Senate exists for moments like this.

That is why this body has the ultimate say in impeachments. The Framers knew the House would be too vulnerable to transient passions and violent factionalism. They needed a body that could consider legal questions about what has been proven and political questions about what the common good of our Nation requires. Hamilton said explicitly in Federalist 65 that impeachment involves not just legal questions but inherently political judgments about what outcome best serves the Nation. The House can't do both. The courts can't do both.

This is as grave an assignment as the Constitution gives to any branch of government, and the Framers knew only the Senate could handle it. Well, the moment the Framers feared has arrived. A political faction in the lower Chamber has succumbed to partisan rage. A political faction in the House of Representatives has succumbed to a partisan rage. They have fulfilled Hamilton's prophecy that impeachment will "connect itself with the pre-existing factions . . . enlist all their animosities . . . [and] there will always be the greatest danger that the decision will be regulated more by the comparative strength of parties, than by the real demonstrations of innocence or guilt."

Alexander Hamilton.

That is what happened in the House last night. The vote did not reflect what had been proven; it only reflects how they feel about the President.

The Senate must put this right. We must rise to the occasion. There is only one outcome that is suited to the paucity of evidence, the failed inquiry, the slapdash case. There is only one outcome suited to the fact that the accusations themselves are constitutionally incoherent. There is only one outcome that will preserve core precedents rather than smash them into bits in a fit of partisan rage because one party still cannot accept the American people's choice in 2016. It could not be clearer which outcome would serve the stabilizing, institution-preserving, fever-breaking role for which the U.S. Senate was created and which outcome would betray it.

The Senate's duty is clear. The Senate's duty is clear. When the time comes, we must fulfill it.

#### MEASURES PLACED ON THE CALENDAR

Mr. MCCONNELL. Mr. President, I understand there are three bills at the desk due for a second reading en bloc.

The ACTING PRESIDENT pro tempore. The clerk will read the titles of the bills for the second time en bloc.

The legislative clerk read as follows:

A bill (H.R. 397) to amend the Internal Revenue Code of 1986 to create a Pension Rehabilitation Trust Fund, to establish a Pension Rehabilitation Administration within the Department of the Treasury to make loans to multiemployer defined benefit plans, and for other purposes.

A bill (H.R. 1759) to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment benefits, and for other purposes.

A bill (H.R. 4018) 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.

Mr. MCCONNELL. In order to place the bills on the calendar under the provisions of rule XIV, I would object to further proceedings en bloc.

The ACTING PRESIDENT pro tempore. Objection having been heard, the bills will be placed on the calendar en bloc.

Mr. MCCONNELL. 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. SCHUMER. Mr. 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.

#### RECOGNITION OF THE MINORITY LEADER

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

#### IMPEACHMENT

Mr. SCHUMER. Mr. President, last night, the House of Representatives voted to impeach President Donald Trump. It is only the third time in our Nation's history that the President of the United States has been impeached.

The articles of impeachment charge that President Trump abused the powers of his office by soliciting the interference of a foreign power in our elections, not for the good of the country but to benefit himself personally. The articles also charge that the President obstructed Congress in the investigation of those matters. Together, these articles suggest the President committed a grave injury to our grand democracy.

The conduct they describe is very much what the Founders feared when they forged the impeachment powers of the Congress. The Founders, in their

wisdom, gave the House the power to accuse and the Senate the power to judge. We are now asked to fulfill our constitutional role as a court of impeachment.

Now that the House of Representatives has impeached President Trump, the Nation turns its eyes to the Senate. What will the Nation see? Will the Nation see what Alexander Hamilton saw—a body of government with "confidence enough . . . to preserve, unawed and uninfluenced, the necessary impartiality," or will the Nation see the Senate dragged into the depths of partisan fervor?

The Nation just witnessed how the Republican leader sees his role in this chapter of our history—demonstrating both an unfortunate descent into partisanship and demonstrating the fundamental weakness of the President's defense.

Leader MCCONNELL claimed that the impeachment of President Trump is illegitimate because the House voted along party lines. Forgive me, but House Democrats cannot be held responsible for the cravenness of the House Republican caucus and their blind fealty to the President.

Leader MCCONNELL claimed that the impeachment was motivated by partisan rage—this from the man who said proudly, "I am not impartial. I have no intention to be impartial at all" in the trial of President Trump. What hypocrisy.

Leader MCCONNELL accused the House Democrats of an obsession to get rid of President Trump—this from the man who proudly declared his "number one goal" was to make President Obama a one-term President.

Leader MCCONNELL claimed that Democrats impeached the President for asserting Executive privilege. President Trump never formally claimed Executive privilege; he claimed "absolute immunity," and the White House Counsel wrote a letter stating simply that the administration would not comply with any subpoenas.

Leader MCCONNELL claimed that the Democrats' "obsession" with impeachment has prevented the House from pursuing legislation to help the American people. Leader MCCONNELL knows very, very well that the House Democratic majority has passed literally hundreds of bills that gather dust here in the Senate, condemned to a legislative graveyard by none other than Leader MCCONNELL himself, who proudly called himself the Grim Reaper.

Members of the 116th Senate have been denied the opportunity to legislate by Leader MCCONNELL. We aren't even allowed to debate the issues that would impact the American people: healthcare, infrastructure, prescription drugs. We could have spent the year debating these issues. We weren't doing impeachment. Leader MCCONNELL has chosen not to focus on these issues and to put none of these bills on the floor. As he reminds us often, he alone decides what goes on the floor.

Leader MCCONNELL claimed that the House did not afford the President due process. The leader knows well that President Trump refused to participate in the process, despite invitation, and blocked witnesses and documents from Congress in unprecedented fashion.

Leader MCCONNELL claimed that the House ran the “most rushed, least thorough, and most unfair impeachment inquiry in modern history.” I know that is the Republican talking point, but here is the reality: Leader MCCONNELL is plotting the most rushed, least thorough, and most unfair impeachment trial in modern history. His plan to prevent House managers from calling witnesses to prove their case is a dramatic break from precedent.

We heard a lot about precedent from the leader. Never has there been a Presidential impeachment trial in which the majority prevented the House managers from fairly presenting their case, to have witnesses explain their knowledge of the alleged malfeasance. Will Leader MCCONNELL, breaking precedent, strong-arm his caucus into making this the first Senate impeachment trial of a President in history that heard no witnesses?

We ask: Is the President's case so weak that none of the President's men can defend him under oath? Is the President's case so weak that none of the President's men can defend him under oath? If the House case is so weak, why is Leader MCCONNELL so afraid of witnesses and documents? We believe the House case is strong, very strong, but if the Republican leader believes it is so weak, why is he so afraid of relevant witnesses and documents, which will not prolong things very long in our proposal—four hours for each witness?

It is true, as the leader has said, that the Framers built the Senate to provide stability and to keep partisan passions from boiling over. However, their vision of the Senate is a far cry from the partisan body Senator MCCONNELL has created.

I hope America was watching the Republican leader deliver his speech. I really do, because most glaring of all was the fact that Leader MCCONNELL's 30-minute partisan stem-winder contained hardly a single defense of the President of the United States on the merits. Almost none have defended President Trump because they can't.

In the wake of an enormous amount of evidence uncovered by House investigators—much of it in the form of testimony by top Trump officials whom the administration tried to silence—the Republican leader could not rebut the accusations against the President with facts. The Republican leader complained about the process. The Republican leader made very partisan and inflammatory accusations about Democrats, but he did not advance an argument in defense of the President's conduct on the merits. That, in and of itself, is a damning reflection on the state of the President's defense.

Our goal in the Senate, above all, should be to conduct a fair and speedy trial. I have proposed a very reasonable structure that would do just that: four witnesses, only those with direct knowledge of the charges made by the House; only those who could provide new, relevant and potentially illuminating testimony; strict time limits on each stage of the process to prevent the trial from dragging out too long. It is eminently reasonable; it is eminently fair. A group with no partisan bias would come up with this type of proposal.

I have yet to hear one good argument as to why less evidence is better than more evidence, particularly in such a serious moment as impeachment of the President of the United States. In Leader MCCONNELL's 30-minute screed, he did not make one argument as to why witnesses and documents should not be a part of the trial.

President Trump protests that he did not receive due process in the House impeachment inquiry. Due process is the ability to respond to charges made against you and present your side of the case. The President was invited to provide witnesses and provide documents at every stage of the process. He chose not to.

Still, Democrats are offering the President due process again here in the Senate. The witnesses we suggest are top Trump-appointed officials. They aren't Democrats. We don't know if their testimony would exculpate the President or incriminate him, but their testimony should be heard. If the President's counsel wants to call other witnesses with direct knowledge of why the aid to Ukraine was delayed, we say that they should be able to do so. President Trump claims he wants due process. I suspect he would rather hide or name-call because if he really wanted due process, he could get it easily. One phone call to Leader MCCONNELL telling him to let his aides testify, one phone call to his chief of staff telling him to release the documents to Congress—both of these actions would let the truth come out. I ask again: Can none of the President's men come defend him under oath?

To my Republican colleagues, our message is a simple one. Democrats want a fair trial that examines the relevant facts. We want a fair trial. The message from Leader MCCONNELL at the moment is that he has no intention of conducting a fair trial, no intention of acting impartially, no intention of getting the facts.

Despite our disagreements, I will meet with Leader MCCONNELL soon to discuss the rules, but each Senator will influence whether the Senate lives up to its constitutional duty to serve as an impartial court of impeachment. In the coming weeks, Republican senators will face a choice. Each Republican Senator will face a choice. Do they want a fair trial or do they want to allow the President free rein? Each Senator must ask himself or herself:

Do you want a fair trial or do you want the President to do whatever he wants, regardless of the rule of law, regardless of the consequences to this great Nation?

The Nation turns its eyes to the Senate. What will it see?

The President of the United States has spent the past several months telling Congress that it has no right to oversight and no right to investigate any of his activities; that he has absolute immunity; that article II of the Constitution gives him the “right to do whatever he wants.” Those are the President's words. Past Senates have disagreed with such views and strongly, proudly stood up for the notion that the President is not omnipotent. Democrats have done it; Republicans have done it—and often Presidents of their own party.

The Senate has said in the past that the President serves the people, not himself; that he is not a King. Will it do so again or will it shirk from that responsibility?

If the Republicans lead with the majority leader's scheme to sweep these charges under the rug and permit the President to ignore Congress, they will be creating a new precedent that will long be remembered as one of the Senate's darkest chapters. It will be remembered as a time when a simple majority in the Senate sought to grant two new rights to the President: the right to use the government for personal purposes and the right to ignore Congress at his pleasure. Here I agree with Senator MCCONNELL: “Moments like this are why the Senate exists.” If the President commits high crimes and misdemeanors and the Congress can do nothing about it, not even conduct a fair tribunal where his conduct is judged by dispassionate representatives of the people, then the President can commit those crimes with impunity. This President can; others can.

I have little doubt that if we tell the President that he can escape scrutiny in this instance, he will do it again and again and again. Future Presidents will take note and may do worse. The most powerful check on the Executive, the one designed to protect the people from tyranny, will be erased.

This chapter in our history books could be a lesson about the erosion of checks and balances in our modern age or it could be a proud reaffirmation of those founding principles. This chapter in our history books could be about the overpowering partisanship of our times or it could be about the Senate's capacity to overcome it. Again, moments like this are why the U.S. Senate exists.

I yield the floor.

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

#### APPROPRIATIONS

Mr. LEE. Mr. President, it is December, so America's attention turns once again to the great debate of our times: What is the best Christmas movie? Is it “White Christmas,” maybe “Elf,” “A



Christmas Story,” “Home Alone,” or “Die Hard”? That is a good one. A lot of people are partial to “It’s a Wonderful Life” or “Braveheart.” Now, “Braveheart,” of course, has nothing to do with Christmas, but it is about freedom. Nothing says freedom quite like Christmas.

We have to debate, you see, the best Christmas movie out there for the simple reason that we also have to watch every year the worst Christmas movie. The worst Christmas movie is the one that runs every single year from this Chamber right here in this city on C-SPAN just a week before our Lord’s birthday. It is called omnibus. Critics and fans have loved to hate it for years. As is always the case in these money-grabbing sequels, the actors and the writers and the directors are just mailing it in. They know they can do this every year, and it works for them, so they mail it in. The only plot twist this time is that instead of a continuing resolution or a single omnibus, leaders and appropriators have cleverly put the negotiated spending agreement into two bills so that we can all pretend it is better than just one.

Even though they were negotiated at the same time, released to the public at the same time, and will be voted on within only minutes of each other, we have had different formulations of this over the years. Sometimes it is a continuing resolution. Sometimes it is an omnibus. Sometimes it is a couple of minibuses capped off with another continuing resolution. Sometimes we call it a CROmnibus. This time I think we can call it a double-decker minibus, but whatever you want to call it, it is the same movie. It is a rerun, and it is not very good. In fact, it is really, really bad. The secretive, undemocratic, irresponsible, and ultimately irresponsible process that produced this bill is nothing short of a sham, but then, again, so is the substance of the bill. It has been like this for years now. Instead of actively setting and passing budgets within which we intend to stay, as we expect from any other organization, we make it up as we go along in as abusive and dysfunctional a fashion as the American people will possibly let us get away with because that seems to be our aim—do whatever they let us get away with.

In fact, the last time Congress passed all of its respective appropriations bills in each of the dozen or so categories in which we spend money—and we pass each of those bills unbundled and on time—was back in 1997. For this fiscal year, we have already passed two continuing resolutions.

An omnibus bill in and of itself doesn’t have to be a bad thing. In fact, one could make it a relatively good thing. You see, in theory, an omnibus could be a decent legislative vehicle if—and only if, that is—Members of the House and the Senate were given time to read it, to debate it, and to offer, consider, and vote upon amendments to offer improvements to that legislation.

So I really don’t care whether it is a dozen individual spending bills or a small handful of minibuses or whether it is a single bill; what I want is consideration on the floor of the Senate in front of the American people so they can be aware of what is happening, so we can exercise the election certifies we fought so hard for. Each one of us is made more relevant when we get that opportunity and less relevant when we are denied.

Unfortunately, it is just never the case anymore that we have those kinds of opportunities to debate, discuss, and consider amendments, and to receive the underlying legislation in enough time for any of us to make a difference. These bills are written entirely behind closed doors by a small handful of leaders from two parties—thousands of pages of spending trillions of dollars and released to public scrutiny for the first time within only hours of what would otherwise become a government shutdown.

You see, this is a feature, not a bug. For those in charge of this process, this is a good thing because this is what allows them to write it on their own. The law firm, as I sometimes describe it—the law firm of MCCONNELL, SCHUMER, PELOSI, MCCARTHY, and a small handful of staffers and a few other Members around them write this bill, and then it is presented to us as a single, binary, take-it-or-leave-it package. You fund this and everything in it or you fund nothing. You vote for this package or you are blamed for a government shutdown. It is not right.

This, we somehow manage to call rather euphemistically, is bipartisanship. Like too much of what Washington calls bipartisanship these days, these spending bills are a fiscal dumpster fire. You see, they are masquerading under the banner of bipartisan compromise, when, in fact, they are collusion—collusion just by a small handful of Members of Congress who don’t have to have their provisions debated and discussed and subject to amendment.

On the merits, and not just on the procedure, this bill is a dumpster fire. Discretionary spending will be set at record-high levels in nearly every category of government spending.

This omnibus—or double-decker minibus, as I sometimes call it—will add \$2.1 trillion to the national debt over the next 20 years. By that time, we will be spending more on interest on the debt than we do on national defense.

This is embarrassing. It is embarrassing to the American people, and it ought to be especially embarrassing to those of us elected to represent our respective States in the U.S. Senate. What has historically called itself the world’s greatest deliberative body has become something substantially less glorious than that.

When we had a trillion-dollar deficit after the 2008 financial crisis, everyone admitted it. Everyone admitted it was

a problem; that it was reckless and out of control. President Obama admitted it. Now we are borrowing just as much, and we are doing so at the top of the business cycle. With wages up and unemployment at record lows, it is an awful, corrupt cycle on repeat. Congress breaks its own spending rules, creates new ones to spend more, and then breaks the new ones and tries to hide the evidence, racking up ever more national debt all the while.

What is worse, we are literally putting the brunt of the cost of all of this on future generations, on those who are not yet here and not able to vote for or against the politicians who are doing this to them. Gorging ourselves on debt to the tune of another trillion dollars a year means we are saddling our children and our children’s children with the cost of this bill, and we are setting ourselves up for a disaster come the next inevitable recession.

John F. Kennedy famously said “to govern is to choose,” but Congress’s defining dysfunction is that it doesn’t choose. It chooses not to choose rather deliberately. We don’t budget. We don’t reform. We don’t prioritize. We just spend, and we hope we are retired or—let’s face it—dead when the bill for our negligence and recklessness finally comes due.

Not only does this package feature reckless spending, but it includes many bills it should not, with Congress funding broken, inefficient, and, in many cases, downright harmful programs.

For instance, this bill reauthorizes the National Flood Insurance Program—a program that might sound nice, but it subsidizes beachfront properties right in the middle of dangerous flood plains, which is already in more than \$20 billion of debt to American taxpayers, for a full year, without a single reform. By the way, after every single time it has been reauthorized, for years running, I and others have been promised that the next time around, we will have an opportunity to offer amendments, and we will have an opportunity to reform the Flood Insurance Program. It can be reformed, and it must be reformed. We have been promised reforms for years, but this bill just reauthorizes it for a full year, without a single reform—not one.

This bill also maintains the broken status quo for overseas contingency operations. For those Americans who aren’t familiar with this term—or OCO, as it is sometimes described—this is the Pentagon’s increasingly unaccountable and widely abused slush fund, insulated from scrutiny by unchecked budget caps. The deal appropriates another \$71.5 billion for OCO, a \$4 billion increase just from last year alone. This, only days after America learned that civilian and military leaders have been lying to the American people for years across multiple Presidential administrations about our failures in Afghanistan.

Instead of reform or oversight, these bills would put another \$4.1 billion into

the Afghanistan Security Forces Fund and limit our ability to negotiate peace and bring the war in Afghanistan finally to an end. In an era of rampant fake news, even the media is outperforming Congress on this issue.

These bills include \$495 million for the Land and Water Conservation Fund, a 13-percent increase from the last fiscal year, and the highest appropriation it has had in 17 years—all for a program that has been of particular detriment to my State of Utah. The LWCF has been used as a tool for the Federal Government to gradually acquire more and more land, even as it is failing to care for the lands that it already owns, with a current maintenance backlog of \$19.4 billion.

Worse, in addition to funding broken programs, it funds blatant, abusive cronyism. The bill reauthorizes the Export-Import Bank—Washington's favorite among favored banks—which doles out taxpayer-backed loans to help American exporters, and it does so for a full 7 years, without even so much of a word of debate. This, notwithstanding the fact that the Export-Import Bank has been the subject of very intense debate in this body for many years, and with good reason.

Why? Well, among other things, the biggest recipient of Export-Import Bank funds is Pemex—Mexico's infamous, corrupt, state-owned oil company. It is so corrupt, in fact, that its own employees collaborate with Mexico's drug cartels to facilitate the theft of their best oil and their refined petroleum products.

In fact, that theft has become so rampant in Mexico that there is a term coined to refer to that kind of theft. Those who engage in it are called "huachicoleros"—"huachicoleros." We are funding, and we are insulating from the ramifications of that theft, Pemex, a corrupt institution. It doesn't operate well, in part, because it is the victim of theft and in part because it is being backed up by the U.S. Government.

Ranked right after Pemex is the People's Republic of China, whose state-owned enterprises are granted generous taxpayer-backed financing for purchases they could fund through their own Communist government.

Say what you want about China, about U.S.-China relations on trade, about military issues related to China, whatever national security issues we might be concerned about with China, but I don't know many people—in fact, I don't know anyone outside of this town—who think the U.S. Government should be propping up China, should be giving up money for the Export-Import Bank, or otherwise, to China. That is not our job. That is not the role of the U.S. taxpayer, who works hard every day to earn money which then might be sent to a Communist government in China.

The reauthorization even includes provisions instructing the Export-Import Bank to pretend it is helping

Americans to compete against China at the same time it is sending that very government billions of dollars.

Then there is the extension of the Brand USA Act—a 7-year reauthorization of a government-chartered non-profit Brand USA—to use tens of millions of Federal dollars to advertise for tourism.

To top things off, a last-minute tax extender's deal was added to the package late Monday night, diverting billions of dollars on central economic planning and picking winners and losers in the marketplace. Over the next 10 years, this package provides about \$2.7 billion in tax benefits through programs that use the Tax Code to incentivize businesses to invest in government-selected neighborhoods, seeking to control the flow of investment instead of relying on the free market to make those decisions, and it includes naked handouts to cronyist special interests.

For example, it spends over \$2.1 billion for subsidies in the energy sector—not energy generally but to specific winners within the energy industry that this small handful of purported leaders in Congress have decided would benefit from the hard-working taxpayer dollars that would be doled out.

The bill, among other things, engages in awarding \$113 million for coal production on Indian land, \$331 million for facilities to refuel alternative fuel vehicles, and \$1.5 billion for biodiesel and renewable diesel tax credits, for instance. As if the Federal Government weren't already mired sufficiently in this area, this bill devotes even more.

Beyond these, it hands out \$187 million in writeoffs for owners of motor sport entertainment complexes, \$18 million in tax breaks for the production of movies and TV shows, and \$3 million in tax credits for the purchasers of two-wheeled, plug-in electric vehicles, just to name a few examples.

Not only that, but it features new levels of absurdity too. This deal actually includes a special interest bailout to make up for the failures of a faulty pension plan, while, at the same time, authorizing another pension plan to follow in its same footsteps.

Mr. President, I ask unanimous consent to speak for an additional 3 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. LEE. Congress authorized a group of coal miners' multiemployer pension plans under problematic rules, allowing them to underfund the plans by over 70 percent, but all the while, those pensions still promised their workers full benefits, setting up unreasonable expectations for their return on investment. Inevitably, they have not made up the shortfall, and now the taxpayers are being asked to bail them out.

In the very same bill in which we are bailing out the coal miners' pensions, we are authorizing a select group of

community newspapers—not all newspapers and not all media enterprises; just a select group of handpicked community newspapers—to follow the same practice, allowing them, once again, to underfund their workers' pensions while again promising them a full return on benefits.

With this bill, we are rubberstamping the expectation that employers are free to raid their workers' promised retirement benefits for their own short-term gain and setting the precedent that the government will reward this bad practice by bailing them out when that inevitably becomes a problem.

This bill, however, does include some good measures that I support, like repealing the medical device tax, fixing a tax provision that would unfairly subject churches to more taxes, and making retirement account reforms that allow Americans to access these funds in times of a particular need.

Sadly, I, like many of our colleagues, will be forced to vote against these measures because they have been lumped into this massive, stinking package where the only choice we have is a binary one. We have no option to vote for the things we like. This is wrong. There is no finite cap on our ability to debate these things other than the artificial ones we have created rather deliberately within this body, and that is wrong.

The thing about these omnibuses is they put us in a take-it-or-leave-it position. We were given no choice but to support or oppose the whole thing, good and bad measures alike. Unfortunately, just like every other episode in this squalid saga—I call this one omnibus 2—this one, too, will come to a predictable, sad, sorry ending. Congress will pass the mess, indulging in a process, substance, and long-term result that are all an affront to the viewers, because at the end of the day, the audience members are real live victims. We can do better. We can, we must, and we will.

I yield the floor.

The PRESIDING OFFICER. The Senator from Vermont.

Mr. LEAHY. Mr. President, I am pleased to be here with my good friend the chairman of the Appropriations Committee, Senator SHELBY from Alabama. We worked hard on this bill, he as chairman and I as vice chairman. We reached a bipartisan, bicameral agreement that will fund the Federal Government in fiscal year 2020.

The agreement rejects some devastating and shortsighted cuts proposed by the President. It makes historic investments in the American people and working families. It fully implements the bipartisan budget agreement and allows us to invest an additional \$27 billion in nondefense programs to benefit our Nation's children, improve our educational institutions, protect our environment, combat the opioid crisis, promote and grow our economy, invest in our infrastructure, and protect our elections. There is a lot in here.

There are 12 appropriations bills put into 2 minibuses. The first, we refer to as the domestic minibus bill. That is a strong bipartisan bill that makes real and historic investments in the American people and our communities.

It rejects anti-science and know-nothingism proposals by making record-level investments in science and research programs. We all know that you have to invest in science and research, and you cannot turn this on and off year by year. We have to think long term.

We also have to invest in our children's education. We have increases in programs with proven success, such as Head Start, the child care and development block grant, child nutrition programs, 21st-century learning grants, Pell grants, and others.

For the third year in a row, it continues the historic level of funding to combat opioids that we began in fiscal year 2018. This funding is critical for State and local governments because they are at the frontlines of this battle.

The agreement provides over \$5 billion more than the President's budget to protect national parks and public lands and fund critical environmental protection and conservation programs. These national parks are an important part of our heritage. The Presiding Officer has some of the most beautiful ones in the country in his State, but all of our national parks are beautiful. I think about the brilliance of people like President Theodore Roosevelt who said: Let's preserve them.

Even though the administration denies that climate change exists, the agreement includes significant resources to combat this threat in the new fiscal year.

It rejects the President's proposal to totally eliminate key Federal affordable housing and economic development programs.

For the first time in decades, Congress has come together to fund \$25 million for gun violence research by the Centers for Disease Control and the NIH. That is a significant step to combat the gun violence epidemic and rash of school shootings facing our Nation.

It is a good bill. It is certainly going to improve the lives of Vermonters. It improves the lives of millions of Americans in all the States. It provides support for working families and supports and promotes our economy. In a few moments, we are going to vote on the motion to invoke cloture on this bill, and I will urge an "aye" vote.

The second package of bills, we refer to as the national security minibus bill. It is critical funding to support our troops, invest in our military, and protect our Nation from ongoing threats, both foreign and domestic.

Importantly, it includes \$425 million for election security grants. While the administration has not requested anything, I heard from secretaries of state—Republicans and Democrats alike—throughout the country, includ-

ing our own, Jim Condos of Vermont, of the need for these election security grants. It is a matter of national security to preserve our democracy, and we have to maintain full faith in our elections.

We also fund the constitutionally mandated 2020 Decennial Census. That is in the U.S. Constitution. It not only determines congressional apportionment, but it also is relied on to distribute \$900 billion in Federal funds. We have to have a fair and accurate count, and the money provided in this bill will help us achieve that.

We have significant investments to fight crime and terrorism, implement criminal justice reforms, combat violence against women, and keep communities safe.

We also have funding for the Department of Homeland Security.

I would note that we have one area that has been a lightning rod in both Chambers. We tried to get a bill that would receive the required number of votes to pass. The reason it has been difficult is because of the President's insistence that we waste taxpayer money on an ineffective and foolish wall on the southern border. We all want secure borders. A wall that can be easily cut with a \$100 power saw you can buy at a local hardware store is not security, and we worry about the cruel and ineffective immigration policies of the Trump Administration.

Last year, the President plunged us into a 35-day government shutdown when Congress refused to fund his anti-immigration agenda. That cost the taxpayers of this country billions of dollars that could have been spent on better things. But we reached a resolution. Again, I compliment Senator SHELBY and Congresswomen LOWEY and GRANGER because we met for hours in my office and worked our way through that.

In this bill, the President will receive \$1.375 billion for barriers on the southern border, which is what he would have received if we had a continuing resolution and far less than the \$8.6 billion he requested, \$5 billion of which would have come from the Department of Homeland Security.

I would have preferred no funding for the wall. President Trump's wall will negatively impact communities in which it is built, rob people of their property—in some cases, ranches and farmland that have been in families for generations—and destroy critical habitat on the border. But the Republicans were clear: They would not support a bill that contained zero for the wall. They stood with the President on the wall, as they seem to do time after time.

I am disappointed that we did not further restrict the President's ability to steal money from our troops to pay for the wall. If the President decides to once again steal money from our troops and their families for the wall, he will have to answer in court and to the American people. Our position on

this is clear: It is wrong. No one should interpret silence in this bill or the domestic minibus on this issue as condoning the President's actions or as an agreement that what he has done is lawful. It simply reflects a sad political reality that the Republican Party refuses to stand up to this President and protect the Congress's exclusive power of the purse and clarify the law.

One court has already correctly concluded that the President's raid on military construction money was unlawful. That conclusion is based on a long-standing provision of appropriations law, section 739 of the financial services bill, that prevents the administration from increasing funds for a program or activity requested in the budget above and beyond what was provided in an appropriations act. This provision is included again in the underlying bill, and we believe it was correctly interpreted.

We denied the President's request to increase the number of ICE detention beds to 54,000. This request was cruel and unjustified. Instead, we provided funding to support the same level of beds as fiscal year 2019. There is no need for a higher number.

President Trump is misusing ICE detention facilities for the mass incarceration of asylum seekers and immigrants who have no criminal history and pose no threat to our communities. There are more effective, less expensive, and more humane ways to enforce our immigration laws while immigrants go through judicial proceedings. That is why I fought for and secured a significant increase in alternatives to detention, like the Family Case Management Program.

I also fought to include restrictions on the President's ability to increase the bed number by transferring money from other accounts. But again, Republicans stood with the President and refused to negotiate on this issue, and those critical reforms were not included.

Not every part of the DHS bill is controversial, however. The bill provides critical funding for the Coast Guard to support their missions to keep our country safe. It provides an increase for the Transportation Security Administration, which ensures our safety and security at our Nation's busy airports, and it provides increased funding for FEMA whose mission is critical for communities struggling to recover in the wake of natural disasters.

While I do not agree with everything included in this bill, on balance, the security minibus provides funding important to keep our Nation safe, to support our troops, to improve election security, and ensure an accurate count for the Census. Later today, we will turn to this bill, and I urge an aye vote.

I do thank Chairman SHELBY for his hard work in negotiating the bills. The hours were long. We didn't always agree. We had a lot of weekends and evenings that we worked quietly out of



sight of the press and everything else, but knowing that we can take each other's word, we worked in good faith to reach a resolution on difficult matters. He made compromises necessary to get us a deal, as did I. And I thank my friend Senator SHELBY for his leadership on the Appropriations Committee.

I say this as Dean of the Senate and as somebody who has served with almost 20 percent of all the Senators in this country's history—I thank him for his friendship.

I thank the Appropriations Committee staff on both sides of the aisle. I might go home at 9 or 10 o'clock at night; they are still there until 1 or 2 o'clock in the morning. They are hard-working, and there were sleepless nights. We could not have done this without them.

Obviously, I thank my full committee staff—Charles Kieffer, Chanda Betourney, Jessica Berry, Jay Tilton, and Hannah Chauvin—for their work, as well as Shannon Hines, Jonathan Graffeo, and David Adkins on Senator SHELBY's staff. I thank all the subcommittee. It is a long list, and I ask unanimous consent the entire list be printed in the RECORD.

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

VICE CHAIRMAN LEAHY LIST FOR SENATE AMENDMENT TO H.R. 1158 (CONSOLIDATED APPROPRIATIONS ACT, 2020) AND H.R. 1865 (FURTHER CONSOLIDATED APPROPRIATIONS ACT, 2020) STAFF FOR THE RECORD

Charles E. Kieffer, Chanda Betourney, Jay Tilton, Jessica Berry, Hannah Chauvin, Shannon Hines, Jonathan Graffeo, David Adkins, Margaret Pritchard, Dianne Nellor, Adrienne Wojciechowski, Teri Curtin, Bob Ross, Morgan Ulmer, Patrick Carroll, Elizabeth Dent, Anna Lanier Fischer, Jean Toal Eisen, Jennifer Eskra, Blaise Sheridan, Elisabeth Coats, Hamilton Bloom, Amber Beck, Allen Cutler, Matt Womble, Sydney Crawford, Erik Raven, Brigid Kolish, Rob Leonard, John Lucio, Andy Vanlandingham, Mike Clementi, Colleen Gaydos, Katy Hagan, Chris Hall, Hanz Heinrichs, Kate Kaufer, Rachel Littleton, Jacqui Russell, Jeremiah Van Aiken, Doug Clapp, Chris Hanson, Kathleen Williams, Tyler Owens, Jen Armstrong, Adam DeMella, Meyer Seligman, Molly Marsh, Ellen Murray, Diana Gourlay Hamilton, Reeves Hart, Andrew Newton, Brian Daner, Sophie Sando, Scott Nance, Chip Walgren, Drenan Dudley, Peter Babb, Chris Cook, Justin Harper, Thompson Moore, Kamela White, Christian Lee, Rachael Taylor, Ryan Hunt, Melissa Zimmerman, Faisal Amin, Emy Lesofski, Lucas Agnew, Nona McCoy, Alex Keenan, Mark Laisch, Kelly Brown, Kathryn Toomajian, Meghan Mott, Laura Friedel, Michael Gentile, Ashley Palmer, Jeff Reczek, Sarah Boliek, Alley Adcock, Michelle Dominguez, Jason McMahon, Patrick Magnuson, Jennifer Bastin, Joanne Hoff, Tim Rieser, Alex Carnes, Kali Farahmand, Paul Grove, Katherine Jackson, Sarita Vanka, Adam Yezerski, Dabney Hegg, Jessi Axe, Christina Monroe, Virginia Flores, Clare Doherty, Gus Maples, Rajat Mathur, LaShawnda Smith, Jason Woolwine, Courtney Young, Valerie Hutton, Elmer Myles, Penny Myles, Karin Thames, Robert Putnam, Clint Trocchio, Christy Greene, Blair Taylor, Jenny Winkler, Hong Nguyen, Christy Greene, George Castro.

Mr. LEAHY. I have often said that we Senators are merely constitutional impediments to the staff who do such great work, and I applaud them all on both sides of the aisle.

I yield the floor to my distinguished chairman.

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

Mr. SHELBY. Mr. President, I ask unanimous consent that I be allowed to finish my remarks prior to the vote.

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

Mr. SHELBY. Mr. President, just a few weeks ago right here, Congress passed a continuing resolution to fund the government through December 20. At that time, few if any of us predicted that we would pass all 12 appropriations bills in such a small window of time. Yet today we are poised to do just that in a few minutes.

Bipartisan cooperation has made this possible. Chairwoman LOWEY and Ranking Member GRANGER on the House side and my friend Vice Chairman LEAHY and I on the Senate side worked together to change things. I believe that the four of us have shown once again that, if given the opportunity, we will find a bipartisan path forward to get the job done. It is very important that we do this.

I would be remiss right now if I did not recognize all members of the Appropriations Committees, Democrats and Republicans, committees on both sides of the aisle and the Capitol, our subcommittee chairs, our ranking members in particulars, and, of course, our staff. We would not be here without their diligence and willingness to work night and day with very little sleep.

I thank the leaders on both sides, Senator MCCONNELL and Senator SCHUMER.

I especially want to take a moment here to acknowledge the role played by the Secretary of the Treasury, Secretary Mnuchin, in these negotiations on behalf of the administration. Together, everybody negotiated the budget agreement that paved the way for these bills, and they helped guide them down the stretch. Secretary Mnuchin in particular has been a voice of reason and a driving force in our ability to get to yes, and we should be grateful for that.

I believe these bills are good bills that my colleagues can be proud to support. I do not have time here today to go into all the particulars of such a complex piece of legislation, but I want to hit a few high points as I see them. First—always first to me—is America's military, our national security, the security of our Nation. Defense spending here has increased by \$22 billion over the previous year. Our men and women in uniform will receive the largest pay increase in 10 years at 3.1 percent, which they deserve. Our veterans can rest assured that they will get the healthcare they earned and deserve through the funding of the VA MIS-

SION Act. These are victories for America and for the American people.

Turning to Homeland Security, which is very important, as well, \$1.375 billion is provided for the border wall system, and the President will have some greater flexibility on where he can build along the southern border. Not only that, but the President retains critical transfer authorities that will allow him to devote additional resources to border security and immigration enforcement. Again, the objective here and, I believe, the outcome is to make America strong.

The last thing that I will mention before wrapping up is that these bills will maintain all legacy policy riders to protect life and the Second Amendment. These provisions have long been foundational to the strength of America and I am proud to assure my colleagues that we can carry them forward.

All in all, these bills accommodate countless Members' priorities on both sides of the aisle. I want to thank all of my colleagues, again, for the input they provided at the outset of this process.

I also want to take a moment to thank my chief of staff and the staff director of the Appropriations Committee, Shannon Hines, and her staff for all the work they have done, as well as Senator LEAHY's staff, working together. As we approach the finish line, I ask for their support. As the clock winds down, let's come together and do what seemed so unlikely just a month ago—to fund the entire Federal Government before the Christmas break.

Before I yield the floor, I want to quickly thank, again, all of the staff for their hard work and dedication to make this happen today. Without them, it wouldn't happen and we know this. They have worked tirelessly on our behalf and on behalf of the American people, and we should all be grateful for their efforts.

I yield the floor.

#### CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1865, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes.

Mitch McConnell, Susan M. Collins, Richard Burr, David Perdue, Pat Roberts, John Cornyn, Shelley Moore Capito, John Thune, John Boozman, Rob Portman, Richard C. Shelby, Roy Blunt, Jerry Moran, John Hoeven, Roger F. Wicker, Thom Tillis, Lisa Murkowski

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

The question is, Is it the sense of the Senate that debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1865, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the opening of the National Law Enforcement Museum in the District of Columbia, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from Arkansas (Mr. COTTON) and the Senator from Georgia (Mr. ISAKSON).

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

The yeas and nays resulted—yeas 71, nays 21, as follows:

[Rollcall Vote No. 413 Leg.]

#### YEAS—71

Alexander	Grassley	Reed
Baldwin	Hassan	Roberts
Bennet	Heinrich	Romney
Blumenthal	Hirono	Rosen
Blunt	Hoeven	Rounds
Boozman	Hyde-Smith	Rubio
Brown	Jones	Schatz
Burr	Kaine	Schumer
Cantwell	Kennedy	Shaheen
Capito	King	Shelby
Cardin	Leahy	Sinema
Casey	Manchin	Smith
Collins	Markey	Stabenow
Coons	McConnell	Sullivan
Cornyn	McSally	Tester
Cortez Masto	Menendez	Thune
Cramer	Merkley	Tillis
Crapo	Moran	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Whitehouse
Feinstein	Murray	Wicker
Fischer	Perdue	Wyden
Gardner	Peters	Young
Graham	Portman	

#### NAYS—21

Barrasso	Enzi	Lee
Blackburn	Ernst	Paul
Braun	Gillibrand	Risch
Carper	Hawley	Sasse
Cassidy	Inhofe	Scott (FL)
Cruz	Johnson	Scott (SC)
Daines	Lankford	Toomey

#### NOT VOTING—8

Booker	Isakson	Udall
Cotton	Klobuchar	Warren
Harris	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 71, the nays are 21.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The motion to refer fails.

The Senator from Vermont.

Mr. LEAHY. Mr. President, I want to thank everybody for joining Senator SHELBY and I on this vote. It is going to help us move forward, and, as I said in my earlier remarks, Republicans and Democrats came together and worked

extraordinarily hard on these appropriations bills, and it shows what can be done when we work together. I think the vote here is an indication of that.

If nobody is seeking recognition, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### PALLONE-THUNE TELEPHONE ROBOCALL ABUSE CRIMINAL ENFORCEMENT AND DETERRENCE ACT

Mr. THUNE. Mr. President, today the Senate is taking the final step to send much-needed legislation to protect consumers from robocalls to the President's desk. I think we had hoped that this would be able to be passed with a couple of other bills coming out of the Commerce, Science, and Transportation Committee. I think the chairman of the committee, Senator WICKER, will address those later: the data mapping bill and the secure communications bill that deals with ensuring that we protect our technology from harmful elements—Huawei and those sorts of things. I would hope that we could get those cleared at some point, too.

Today, we want to proceed with the robocall bill.

I will just start by saying that illegal robocalls have flooded Americans' phones to the point where many folks don't want to answer their phones at all. In fact, a recent report found that only 47 percent of calls Americans receive are actually answered. This means consumers aren't answering legitimate calls that could be alerting you of fraud on your credit card, notifying you that your flight has been canceled, or reminding you of an upcoming medical appointment—all calls that are important to consumers.

It is clear that no one is immune to these annoying and potentially dangerous calls. Scammers use these calls to successfully prey on vulnerable populations, especially elderly Americans, and they target the kind of personal information that can be used to steal your money or your identity. When scammers are successful, the consequences for their victims can be devastating.

While there are laws and fines in place right now to prevent scam artists for preying on Americans through the telephone, these measures have been insufficient. When I served as chairman of the Commerce Committee, I subpoenaed the mass robocaller Adrian Abramovich to testify about his operation. His testimony made it clear that robocall scammers simply build the current fines into the cost of doing business.

On top of this, the Federal Communications Commission's enforcement efforts are hampered by a tight time window for pursuing violators. That is why, earlier this year, I introduced the legislation before us today, the Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, or the TRACED Act, with my fellow Commerce Committee member, Senator MARKEY. The TRACED Act provides tools to discourage illegal robocalls, protect consumers, and crack down on offenders. It expands the window in which the FCC can pursue intentional scammers and levy fines from 1 year to 4 years.

The legislation also requires telephone service providers to adopt call verification technologies that would help prevent illegal robocalls from reaching consumers in the first place. The TRACED Act also recognizes the importance of legitimate calls and ensures important calls like emergency public safety calls are not wrongly blocked.

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

It directs the Federal Communications Commission to convene a working group to address the problem of illegal robocalls being made to hospitals.

Mr. President, I am very pleased that the TRACED Act received bipartisan support in both houses of Congress. I am especially grateful to Senator MARKEY for partnering with me on this legislation, and I appreciate Chairman WICKER and Ranking Member CANTWELL for quickly advancing this legislation through the Commerce Committee this year.

I also appreciate the work of our House colleagues, Representatives PALLONE, WALDEN, DOYLE, and LATTA, for their work on advancing the TRACED Act through the House. I am also very pleased this bill has attracted tremendous support from State governments and industry and consumer groups.

While the TRACED Act won't prevent all illegal robocalling, it is a big step in the right direction. As The Washington Post editorial board recently stated, the TRACED "is what good, old-fashioned legislating looks like." I could not agree more. No process is perfect, but today, I am excited that the Senate will be sending the TRACED Act to the President's desk.

Before I close, Mr. President, I would like to quickly thank several staff members whose efforts helped get us here today. In my office, I appreciate the work of Alex Sachtjen, Lauren

Greenwood, Jessica McBride, and Nick Rossi. I would also like to extend my thanks to Dan Ball, Olivia Trusty, John Keast, and Crystal Tully on Chairman WICKER's team, who worked tirelessly to help develop and advance this legislation.

As I mentioned before, I appreciate the great work of Senator MARKEY, his partnership on this bill, and I want to thank the work of Daniel Greene, Joey Wender, and Bennett Butler on his staff. This truly was, Mr. President, a team effort, so I thank you.

I look forward to the President's signature on the TRACED Act in the near future, and I hope that, as this bill gets implemented, it will once again be safe to answer your phone in this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, thank you. This is a big day for consumers in the United States, and I want to begin first by thanking my friend, Senator THUNE, for his tremendous partnership on this legislation and the issue that we are discussing today, robocalls. That is because there are no blue robocalls. There are no red robocalls. There are only despised robocalls. That is what is bringing this Chamber together today. So I thank Senator THUNE for his great leadership.

I thank Senator WICKER and Senator CANTWELL for helping us to navigate this political pathway. Today is a big day. The daily deluge of robocalls that Americans experience is more than a nuisance in 2019. It is a consumer protection crisis. Today, the U.S. Senate is sending Americans a holiday gift on everyone's list: stopping the plague of robocalls. Americans across the country face an epidemic of illegal and fraudulent robocalls bombarding their phones.

While their telephones were once a reliable means of communications, they have been turned against us. They are now mechanisms for scammers and fraudsters who wish to cheat and to defraud. The numbers are staggering. In 2019, consumers have received an estimated 54 billion robocalls. That is 6 billion more than 2018, and we still have 2 more weeks to go. The year isn't even over. In November alone, an estimated 5 billion robocalls were made to Americans. That is 167 million robocalls per day. That is 7 million robocalls an hour. That is 2,000 every second in our country. In the time it takes me to make these remarks, 10,000 robocalls will have been placed across this country.

In 2019, already almost 600 million robocalls have been placed to my constituents in Massachusetts. Enough is enough. The reality is that we no longer have confidence in our phones. Our phones have become tools for fraud, for scams, for harassment mechanisms by which those with bad intent can access our homes, our purses, or even our pockets at any time. Caller ID is not trusted. Important calls go un-

answered. Innocent Americans are defrauded. Our seniors in particular are targeted.

Years ago, scammers needed expensive, sophisticated equipment to robocall and robotext consumers en masse. Today, they just need a smartphone to target thousands of phones an hour at relatively little expense, and readily available software permits them to spoof their numbers, which means their true caller ID is, in fact, concealed from the person picking up the phone. These new technologies allow illegal robocalls to conduct fraud anonymously, both depriving Federal regulators and consumers the ability to identify and to punish the culprit.

Today, the U.S. Senate is putting robocall relief in sight. I have been proud again to partner with Senator THUNE on the Telephone Robocall Abuse Criminal Enforcement and Deterrence Act, or TRACED Act for short. We introduced it earlier this year; today is the culmination of that work in partnership with the House of Representatives. Stopping robocalls requires a simple formula, which we have included in the TRACED Act: 1, authentication; 2, blocking; 3, enforcement.

First, this bill requires carriers to adopt call authentication technologies so they can verify that incoming calls are legitimate before they reach consumers' phones. This will be mandatory for phone carriers. Second, the Federal Communications Commission will require phone companies to block unverified calls at no charge to consumers. Third, we will increase from 1 year to 4 years the time for the Federal Communications Commission to pursue penalties for robocallers that intentionally violate the rules. This is a recipe for success. That is what our TRACED Act does.

At the same time, this bill also ensures that emergency public safety calls still go through. The bill we will vote on today has enormous support across the country: 54 State and Territory attorneys general, all commissioners at the Federal Communications Commission, and the Federal Trade Commission. Major industry associations and meeting consumer groups endorse the legislation and agree that the TRACED Act is an essential weapon in combating the rise of illegal, fraudulent robocalls.

This robocall legislation is a political Halley's Comet. It is something we can all gather around and learn from. The robocalls we receive every day are neither Democrat, nor Republican. They are a universal menace. They impact the elderly, the young, the small business owner, and the student. Our grandparents and neighbors, our teachers and our coworkers today, no one is spared from this consumer protection pandemic.

Senator THUNE and my efforts would not have been possible without the great work of groups like the National Consumer Law Center, AARP, Con-

sumer Reports, Consumer Federation of America, Consumer Action, the National Association of Attorneys General, USTelecom, CTIA, NTCA, and so many more groups. These groups join the chorus of countless Americans who raised their voices and called on Congress to pass this bipartisan common-sense legislation, and we thank you.

What I would like to do, as well as Senator THUNE, is to thank my staff, Joey Wender, who is sitting out here on the floor with me right now; and Bennett Butler, right over my shoulder; and Daniel Greene, who worked on it; for Alex Sachtjen, Daniel Ball, Olivia Trusty, Nick Rossi, Crystal Tully, from the majority staff, all partnered to make today possible. I just want to say, again, we can't thank Alex Sachtjen enough for all the work that was done.

I thank Senator THUNE, and I thank the entire Senate for their support for this legislation.

I yield the floor.

The PRESIDING OFFICER. The Senator from South Dakota.

Mr. THUNE. Mr. President, I appreciate that. I thank the Senator from Massachusetts. He and his staff were tremendous in working on this. As I said before, it is nice when we have an opportunity to work in a bipartisan way on something that is this meaningful in people's lives. This has a tremendous impact on the daily life of Americans who are bombarded, in many cases, not just with annoying nuisance calls, but also with calls that are very predatory and particularly when it comes to some of our vulnerable populations.

Mr. President, notwithstanding rule XII, I ask unanimous consent that the Chair lay before the Senate the message to accompany S. 151.

The Presiding Officer laid before the Senate the following message from the House of Representatives:

Resolved, That the bill from the Senate (S. 151) entitled "An Act to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes", do pass with an amendment.

#### MOTION TO CONCUR

Mr. THUNE. Mr. President, I move to concur in the House amendment, and I know of no further debate on the motion.

The PRESIDING OFFICER. Is there further debate on the motion to concur?

If not, the question is on agreeing to the motion.

The motion was agreed to.

Mr. THUNE. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

#### ORDER OF PROCEDURE

Mr. THUNE. Mr. President, I would ask unanimous consent that this be separate from the discussion that we are now having, but I would ask unanimous consent that at 12 p.m. today,

postcloture time on the motion to concur in the House amendment to the Senate amendment to H.R. 1865 expire; the other pending motions and amendments be withdrawn; and Senator ENZI or his designee be recognized to raise a budget point of order, followed by Senator SHELBY or his designee to make a motion to waive the budget point of order; finally, if the motion to waive is agreed to, the Senate vote on the motion to concur in the House amendment to the Senate amendment to H.R. 1865 with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

I recognize the Senator from Wyoming.

Mr. ENZI. Reserving the right to object.

Does that mean I won't get to give the comments before we vote? There has to be some comments about the point of order. Looking at the clock, the number of people waiting, it looks like I am being cut off of that time.

Would that be a correct interpretation?

Mr. THUNE. I would say my view here is that the gentleman from Wyoming wants to explain his point of order. There is no objection to allowing him to do that.

Mr. ENZI. Then I have no objection.

Mr. THUNE. Thank you.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

The PRESIDING OFFICER. I recognize the Senator from Mississippi.

Mr. WICKER. Mr. President, the time is fleeting.

The distinguished Republican whip is correct. We had hoped that the robocall bill could be included with unanimous consent with two other very important pieces of legislation—one being the Broadband DATA Act, S. 1822, which is designed to tell the FCC: Go back. Get the maps right. Show us where we have coverage and where we do not have coverage. We are making great progress with that. I do believe we will get that bill passed in just a moment.

The other issue is the Huawei data security act. I understand we are going to have some trouble with that. Let me talk briefly before I make my unanimous consent request.

China is up to no good with their government-controlled companies, Huawei and ZTE. They are required by Chinese law to do the bidding of the Chinese Communist dictatorship, and that means using their equipment to spy on Americans.

This is an undisputed fact, and it is recognized not only by Americans but also by other countries, our allies, which are taking steps to protect themselves. Japan, Australia, New Zealand have already begun the process of removing this dangerous ZTE and Huawei equipment from their networks.

We have legislation we thought was going to be included in this three-bill

package, H.R. 4998, to authorize this in the United States.

Earlier this year, the President signed an Executive order declaring a national emergency—and I agree with the President—because of the dangerous effects of keeping Chinese equipment in our Nation's critical infrastructure. Given these threats, we have an opportunity today to remove this Huawei and ZTE equipment from American telecommunication networks so we can protect Americans.

We are going to have some trouble with that on the unanimous consent request. I think with the broadband DATA Act we will not.

(Mrs. FISCHER assumed the Chair.)

## BROADBAND DEPLOYMENT ACCURACY AND TECHNOLOGICAL AVAILABILITY ACT

Mr. WICKER. Madam President, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 328, S. 1822.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1822) 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.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Commerce, Science, and Transportation, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Broadband Deployment Accuracy and Technological Availability Act" or the "Broadband DATA Act".*

### SEC. 2. DEFINITIONS.

*In this Act:*

(1) **BROADBAND INTERNET ACCESS SERVICE.**—The term "broadband internet access service" has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

(2) **BROADBAND MAP.**—The term "Broadband Map" means the map created by the Commission under section 3(c)(1)(A).

(3) **CELL EDGE PROBABILITY.**—The term "cell edge probability" means the likelihood that the minimum threshold download and upload speeds with respect to broadband internet access service will be met or exceeded at a distance from a base station that is intended to indicate the ultimate edge of the coverage area of a cell.

(4) **CELL LOADING.**—The term "cell loading" means the percentage of the available air interface resources of a base station that are used by consumers with respect to broadband internet access service.

(5) **CLUTTER.**—The term "clutter" means a natural or man-made surface feature that affects the propagation of a signal from a base station.

(6) **COMMISSION.**—The term "Commission" means the Federal Communications Commission.

(7) **FABRIC.**—The term "Fabric" means the Broadband Serviceable Location Fabric established under section 3(b)(1)(B).

(8) **FORM 477.**—The term "Form 477" means Form 477 of the Commission relating to local telephone competition and broadband reporting.

(9) **INDIAN TRIBE.**—The term "Indian Tribe" has the meaning given the term "Indian tribe" in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

(10) **MOBILITY FUND PHASE II.**—The term "Mobility Fund Phase II" means the second phase of the proceeding to provide universal service support from the Mobility Fund (WC Docket No. 10-90; WT Docket No. 10-208).

(11) **PROPAGATION MODEL.**—The term "propagation model" means a mathematical formulation for the characterization of radio wave propagation as a function of frequency, distance, and other conditions.

(12) **PROVIDER.**—The term "provider" means a provider of fixed or mobile broadband internet access service.

(13) **SHAPEFILE.**—The term "shapefile" means a digital storage format containing geospatial or location-based data and attribute information—

(A) regarding the availability of broadband internet access service; and

(B) that can be viewed, edited, and mapped in geographic information system software.

(14) **STANDARD BROADBAND INSTALLATION.**—The term "standard broadband installation"—

(A) means the initiation by a provider of new fixed broadband internet access service with no charges or delays attributable to the extension of the network of the provider; and

(B) includes the initiation of fixed broadband internet access service through routine installation that can be completed not later than 10 business days after the date on which the service request is submitted.

### SEC. 3. BROADBAND MAPS.

(a) **RULES.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this Act, the Commission shall issue final rules that shall—

(A) allow for the collection by the Commission of accurate and granular data, not less frequently than biannually—

(i) relating to the availability of terrestrial fixed, fixed wireless, satellite, and mobile broadband internet access service; and

(ii) that the Commission shall use to compile the maps created under subsection (c)(1) (referred to in this section as "coverage maps"), which the Commission shall make publicly available; and

(B) establish—

(i) processes through which the Commission can verify the accuracy of data submitted under subsection (b)(2);

(ii) processes and procedures through which the Commission, and, as necessary, other entities or persons submitting information under this Act, can protect the security, privacy, and confidentiality of—

(I) information contained in the Fabric;

(II) the dataset created under subsection (b)(1) supporting the Fabric; and

(III) the data submitted under subsection (b)(2);

(iv) the challenge process described in subsection (b)(5); and

(v) the process described in section 5(b).

(2) **OTHER DATA.**—In issuing the rules under paragraph (1), the Commission shall develop a process through which the Commission can collect verified data for use in the coverage maps from—

(A) State, local, and Tribal governmental entities that are primarily responsible for mapping or tracking broadband internet access service coverage for a State, unit of local government, or Indian Tribe, as applicable;

(B) third parties, if the Commission determines that it is in the public interest to use such data in—

(i) the development of the coverage maps; or

(ii) the verification of data submitted under subsection (b); and

(C) other Federal agencies.

(3) **UPDATES.**—The Commission shall revise the rules issued under paragraph (1) to—

(A) reflect changes in technology;

(B) ensure the accuracy of propagation models, as further provided in subsection (b)(3); and

(C) improve the usefulness of the coverage maps.

(b) **CONTENT OF RULES.**—

(1) **ESTABLISHMENT OF A SERVICEABLE LOCATION FABRIC REGARDING FIXED BROADBAND.**—

(A) **DATASET.**—

(i) **IN GENERAL.**—The Commission shall create a common dataset of all locations in the United States where fixed broadband internet access service can be installed, as determined by the Commission.

(ii) **CONTRACTING.**—

(I) **IN GENERAL.**—Subject to subclauses (II) and (III), the Commission may contract with an entity with expertise with respect to geographic information systems (referred to in this subsection as “GIS”) to create and maintain the dataset under clause (i).

(II) **APPLICATION OF THE FEDERAL ACQUISITION REGULATION.**—A contract into which the Commission enters under subclause (I) shall in all respects comply with applicable provisions of the Federal Acquisition Regulation.

(III) **LIMITATIONS.**—With respect to a contract into which the Commission enters under subclause (I)—

(aa) the entity with which the Commission contracts shall be selected through a competitive bid process that is transparent and open; and

(bb) the contract shall be for a term of not longer than 5 years, after which the Commission may enter into a new contract—

(AA) with an entity, and for the purposes, described in subclause (I); and

(BB) that complies with the requirements under subclause (II) and this subclause.

(B) **FABRIC.**—The rules issued by the Commission under subsection (a)(1) shall establish the Broadband Serviceable Location Fabric, which shall—

(i) contain geocoded information for each location identified under subparagraph (A)(i);

(ii) serve as the foundation upon which all data relating to the availability of fixed broadband internet access service collected under paragraph (2)(A) shall be reported and overlaid;

(iii) be compatible with commonly used GIS software; and

(iv) at a minimum, be updated annually by the Commission.

(C) **IMPLEMENTATION PRIORITY.**—The Commission shall prioritize implementing the Fabric for rural and insular areas of the United States.

(2) **COLLECTION OF INFORMATION.**—The rules issued by the Commission under subsection (a)(1) shall include uniform standards for the reporting of broadband internet access service data that the Commission shall collect—

(A) from each provider of terrestrial fixed, fixed wireless, or satellite broadband internet access service, which shall include data that—

(i) documents the areas where the provider—

(I) has actually built out the broadband network infrastructure of the provider such that the provider is able to provide that service; and

(II) could provide that service, as determined by identifying where the provider is capable of performing a standard broadband installation, if applicable;

(ii) includes information regarding download and upload speeds, at various thresholds established by the Commission, and, if applicable, latency with respect to broadband internet access service that the provider makes available;

(iii) can be georeferenced to the GIS data in the Fabric;

(iv) the provider shall report as—

(I) with respect to providers of fixed wireless broadband internet access service—

(aa) propagation maps and propagation model details that—

(AA) satisfy standards that are similar to those applicable to providers of mobile broadband internet access service under subparagraph (B) with respect to propagation maps and propagation model details, taking into account material differences between fixed wireless and mobile broadband internet access service; and

(BB) reflect the speeds and latency of the service provided by the provider; or

(bb) a list of addresses or locations that constitute the service area of the provider, except that the Commission—

(AA) may only permit, and not require, a provider to report the data using that means of reporting; and

(BB) in the rules issued under subsection (a)(1), shall provide a method for using that means of reporting with respect to Tribal areas; and

(II) with respect to providers of terrestrial fixed and satellite broadband internet access service—

(aa) polygon shapefiles; or

(bb) a list of addresses or locations that constitute the service area of the provider, except that the Commission—

(AA) may only permit, and not require, a provider to report the data using that means of reporting; and

(BB) in the rules issued under subsection (a)(1), shall provide a method for using that means of reporting with respect to Tribal areas; and

(v) the Commission determines is appropriate with respect to certain technologies in order to ensure that the Broadband Map is granular and accurate; and

(B) from each provider of mobile broadband internet access service, which shall include propagation maps, and the propagation models on which those maps are based, that indicate the current (as of the date on which the information is collected) fourth generation Long-Term Evolution (commonly referred to as “4G LTE”) mobile broadband internet access service coverage of the provider, which shall—

(i) take into consideration the effect of clutter; and

(ii) satisfy—

(I) the requirements of having—

(aa) a download speed of 5 megabits per second and an upload speed of 1 megabit per second with a cell edge probability of not less than 90 percent; and

(bb) cell loading of 50 percent; and

(II) any other parameter that the Commission determines to be necessary to create a map under subsection (c)(1)(C) that is more precise than the map produced as a result of the submissions under the Mobility Fund Phase II information collection.

(3) **UPDATE OF REPORTING STANDARDS FOR MOBILE BROADBAND INTERNET ACCESS SERVICE.**—For the purposes of paragraph (2)(B), if the Commission determines that the reporting standards under that paragraph are insufficient to collect accurate propagation maps and propagation model details with respect to future generations of mobile broadband internet access service technologies, the Commission shall immediately commence a rule making to adopt new reporting standards with respect to those technologies that—

(A) shall be the functional equivalent of the standards required under paragraph (2)(B); and

(B) allow for the collection of propagation maps and propagation model details that are as accurate and granular as, or more accurate and granular than, the maps and model details collected by the Commission under paragraph (2)(B).

(4) **CERTIFICATION AND VERIFICATION.**—With respect to a provider that submits information to the Commission under paragraph (2)—

(A) the provider shall include in each submission a certification from a corporate officer of the provider that the officer has examined the

information contained in the submission and that, to the best of the officer's actual knowledge, information, and belief, all statements of fact contained in the submission are true and correct; and

(B) the Commission shall verify the accuracy and reliability of the information in accordance with measures established by the Commission.

(5) **CHALLENGE PROCESS.**—

(A) **IN GENERAL.**—In the rules issued under subsection (a), and subject to subparagraph (B), the Commission shall establish a user-friendly challenge process through which consumers, State, local, and Tribal governmental entities, and other entities may submit coverage data to the Commission to challenge the accuracy of—

(i) the coverage maps;

(ii) any information submitted by a provider regarding the availability of broadband internet access service; or

(iii) the information included in the Fabric.

(B) **CONSIDERATIONS; VERIFICATION; RESPONSE TO CHALLENGES.**—In establishing the challenge process required under subparagraph (A), the Commission shall—

(i) consider—

(I) the types of information that an entity submitting a challenge should provide to the Commission in support of the challenge;

(II) the appropriate level of granularity for the information described in subclause (I);

(III) the need to mitigate the time and expense incurred by, and the administrative burdens placed on, entities in—

(aa) challenging the accuracy of a coverage map; and

(bb) responding to challenges described in item (aa); and

(IV) the costs to consumers and providers resulting from a misallocation of funds because of a reliance on outdated or otherwise inaccurate information in the coverage maps;

(ii) include a process for verifying the data submitted through the challenge process in order to ensure the reliability of that data;

(iii) allow providers to respond to challenges submitted through the challenge process; and

(iv) develop an online mechanism, which—

(I) shall be integrated into the coverage maps; and

(II) allows for an entity described in subparagraph (A) to submit a challenge under the challenge process.

(C) **USE OF CHALLENGES.**—The rules issued to establish the challenge process under subparagraph (A) shall include—

(i) a process for the speedy resolution of challenges; and

(ii) a process for the regular and expeditious updating of the coverage maps as challenges are resolved.

(6) **REFORM OF FORM 477 PROCESS.**—

(A) **IN GENERAL.**—Not later than 180 days after the date on which the rules issued under subsection (a) take effect, the Commission shall—

(i) reform the Form 477 broadband deployment service availability collection process of the Commission to make the process consistent with this Act and the rules issued under this Act; and

(ii) remove duplicative reporting requirements and procedures regarding the deployment of broadband internet access service that, as of that date, are in effect.

(B) **CONTINUED COLLECTION AND REPORTING.**—On and after the date on which the Commission carries out subparagraph (A), the Commission shall continue to collect and publicly report subscription data that the Commission collected through the Form 477 broadband deployment service availability process, as in effect on July 1, 2019.

(c) **MAPS.**—The Commission shall—

(I) create—

(A) the Broadband Map, which shall depict—

(i) the extent of the availability of broadband internet access service in the United States, without regard to whether that service is fixed

broadband internet access service or mobile broadband internet access service, which shall be based on data collected by the Commission from all providers; and

(ii) the areas of the United States that remain unserved by providers;

(B) a map that depicts the availability of fixed broadband internet access service, which shall be based on data collected by the Commission from providers under subsection (b)(2)(A); and

(C) a map that depicts the availability of mobile broadband internet access service, which shall be based on data collected by the Commission from providers under subsection (b)(2)(B);

(2) use the maps created under paragraph (1)—

(A) to determine the areas in which terrestrial fixed, fixed wireless, mobile, and satellite broadband internet access service is and is not available; and

(B) when making any new award of funding with respect to the deployment of broadband internet access service;

(3) update the maps created under paragraph (1) not less frequently than biannually using the most recent data collected from providers under subsection (b)(2);

(4) establish a process requiring the Department of Agriculture and the National Telecommunications and Information Administration to consult the maps created under paragraph (1) when, as of the date on which the process is established or on any future date, distributing funds relating to the deployment of broadband internet access service under any program administered by the Rural Utilities Service or the Administration, respectively; and

(5) establish a process to make the data collected under subsection (b)(2) available to the National Telecommunications and Information Administration.

#### SEC. 4. ENFORCEMENT.

(a) *IN GENERAL.*—It shall be unlawful for a person or entity to willfully and knowingly, or recklessly, submit information or data under this Act that is materially inaccurate or incomplete with respect to the availability of broadband internet access service.

(b) *VIOLATIONS.*—A violation of this Act shall be treated as a violation of the Communications Act of 1934 (47 U.S.C. 151 et seq.), and the Commission shall enforce this Act in the same manner, by the same means, and with the same jurisdiction, powers, and duties as though all applicable terms and provisions of that Act were incorporated into and made a part of this Act.

#### SEC. 5. IMPROVING DATA ACCURACY.

(a) *AUDITS.*—The Commission shall conduct regular audits of information submitted to the Commission by providers under section 3(b)(2) to ensure that the providers are complying with this Act.

(b) *CROWDSOURCING.*—

(1) *IN GENERAL.*—The Commission shall develop a process through which persons in the United States may submit specific information about the deployment and availability of broadband internet access service in the United States so that the information may be used to verify and supplement information provided by providers of broadband internet access service for inclusion in the maps created under section 3(c)(1).

(2) *COLLABORATION.*—As part of the efforts of the Commission to facilitate the ability of persons to submit information under paragraph (1), the Commission shall issue guidance and other information as appropriate to ensure that the information submitted is uniform and consistent with the data submitted by providers under section 3(b)(2).

(c) *TECHNICAL ASSISTANCE TO INDIAN TRIBES.*—

(1) *IN GENERAL.*—Subject to paragraph (2), the Commission shall hold workshops for Tribal governments in each of the 12 Bureau of Indian Affairs regions to provide technical assistance

with the collection and submission of data under section 3(a)(2).

(2) *ANNUAL REVIEW.*—Each year, the Commission, in consultation with Indian Tribes, shall review the need for continued workshops required under paragraph (1).

(d) *TECHNICAL ASSISTANCE TO SMALL SERVICE PROVIDERS.*—The Commission shall establish a process through which a provider that has fewer than 100,000 active broadband internet access service connections may request and receive assistance from the Commission with respect to geographic information system data processing to ensure that the provider is able to comply with the requirements under section 3(b) in a timely and accurate manner.

#### SEC. 6. COST.

(a) *IN GENERAL.*—Beginning with the first full fiscal year after the date of enactment of this Act, the Commission shall include in the budget submission of the Commission to the President under sections 1105(a) and 1108 of title 31, United States Code, amounts sufficient to ensure the proper and continued functioning of the responsibilities of the Commission under this Act.

(b) *COST OF FABRIC.*—

(1) *USF.*—The Commission may not use funds from the universal service programs of the Commission established under section 254 of the Communications Act of 1934 (47 U.S.C. 254), and the regulations issued under that section, to pay for any costs associated with this Act.

(2) *OTHER FUNDS.*—The Commission may recover costs associated with this Act under section 9 of the Communications Act of 1934 (47 U.S.C. 159) to the extent provided for in an appropriation Act, as required under subsection (a) of that section.

#### SEC. 7. OTHER PROVISIONS.

(a) *OMB.*—Notwithstanding any other provision of law, the initial rule making required under section 3(a)(1) shall be exempt from review by the Office of Management and Budget.

(b) *PRA.*—Chapter 35 of title 44, United States Code (commonly known as the “Paperwork Reduction Act”), shall not apply to the initial rule making required under section 3(a)(1).

(c) *EXECUTION OF RESPONSIBILITIES.*—Except as provided in section 3(b)(1)(A)(ii), the Commission—

(1) including the offices of the Commission, shall carry out the responsibilities assigned to the Commission under this Act; and

(2) may not delegate any of the responsibilities assigned to the Commission under this Act to any third party, including the Universal Service Administrative Company.

(d) *REPORTING.*—Each fiscal year, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that summarizes the implementation of this Act and associated enforcement activities conducted during the previous fiscal year.

Mr. WICKER. Madam President, I ask unanimous consent that the committee-reported amendment be withdrawn; that the Wicker substitute amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The committee-reported amendment was withdrawn.

The amendment (No. 1268), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute.)

(The amendment is printed in today’s RECORD under “Text of Amendments.”)

The bill (S. 1822), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

UNANIMOUS CONSENT REQUEST—H.R. 4998

Mr. WICKER. Madam President, with regard to the so-called “Rip and Replace Act” that would facilitate the United States joining our allies and protecting us, notwithstanding rule XXII, I ask unanimous consent that the Senate proceed to the immediate consideration of H.R. 4998, which was received from the House; that the bill be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. LEE. Madam President.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, reserving the right to object, this is clearly an effort to push through last-minute changes on a single bill.

In my view, these changes are reckless, unnecessary, and unwise, and in any event they were made without debate by Members of this body and specifically contrary to the manner in which this very same legislation was reported out of the Senate Commerce Committee.

I am glad to see the passage of a couple of pieces of legislation just now, including the TRACED Act, which will help us fight damaging robocalls. This is good legislation. I am also supportive of S. 1822, the Broadband DATA Act, which will require much needed updates to our broadband maps. These are good pieces of legislation. I am glad they are passed.

I am also very supportive of the legislation that is the subject of the immediate unanimous consent request; that is, the Commerce Committee’s reported version of S. 1625, the United States 5G Leadership Act.

This is an important bill. It would help us identify Huawei equipment posing an espionage risk in the United States. It will ban the use of Universal Service Fund dollars to purchase the equipment and help reimburse small companies for the costs associated with ripping and replacing vulnerable equipment.

This is an important bill, and it received careful consideration during the Senate Commerce Committee’s markup on July 24, 2019.

The version of this bill that passed the committee was supported unanimously by Democrats and Republicans on both sides of the aisle. That version required \$700 million to be set aside in a fund to help reimburse companies for Huawei equipment replacements. The bill specified that the source of this funding was to come from the proceeds of spectrum auctions. This was a smart and good and carefully tailored pay-for that did not add to our out-of-control Federal spending.



As currently written, the bill contains a reference to a reimbursement fund and assumes there will be reimbursements, but the bill does not specify how much funding is allocated, nor does it specify the source of these funds. I can only assume this means the House and Senate Appropriations Committees will default to authorizing new funds rather than using the smart pay-for that the Senate Commerce Committee unanimously and wisely agreed to in July.

For these reasons, I object.

The PRESIDING OFFICER. The objection is heard.

Mr. LEE. Madam President.

The PRESIDING OFFICER. The Senator from Utah.

UNANIMOUS CONSENT REQUEST—S. 1625

Mr. LEE. Madam President, notwithstanding rule XXII, I ask unanimous consent that the Commerce Committee be discharged from further consideration of S. 1625 and the Senate proceed to its immediate consideration. I ask unanimous consent that the amendments ordered reported by the Commerce Committee be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Mr. WICKER. Reserving the right to object.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Madam President, the Senator, my good friend from Utah, has asked unanimous consent that we pass the version of the bill I authored. Ordinarily, I would very much appreciate that. The problem with his request is that in this Congress, it prevents us from acting today to get to this ZTE and Huawei problem. We have a solution, and we need to get started on it.

Let me also make the point that some things are worth paying for, and protecting Americans, protecting our electronic system, our broadband communications from the Chinese-owned Huawei and ZTE is worth paying for.

What my unanimous consent request would have done, had the Senator not objected, is we would have passed the bill and leave the issue of how we fund it to another day. Perhaps the appropriators would have decided to appropriate money for it. Had they done so, they would have operated within the budget caps, as the Appropriations Committee has done, and found room, found some offsets, and paid for it that way.

The proposal I made, that was objected to by my friend from Utah, would also have left open the possibility of having a pay-for by the sale of some spectrum.

I regret that the Senator is objecting based on how we will pay for this very needed expenditure down the road. So I am compelled to object to my good friend's unanimous consent request.

The PRESIDING OFFICER. Objection is heard.

Mr. LEE. Madam President.

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, where I come from in Utah, \$700 million is a lot of money. Seven hundred million dollars is something we ought to worry about where we are going to get it.

It is not unreasonable for us to request that the House of Representatives agree to the language we unanimously, on a bipartisan basis, passed out of the Senate Commerce Committee.

In my mind, it is unfortunate that we are allowing the House of Representatives' unreasonable, unwarranted demand—a demand the chairman of the Commerce Committee himself acknowledges is one they shouldn't object to—to rule the day and prevent this legislation from becoming law.

The PRESIDING OFFICER. The Senator from Wisconsin.

Ms. BALDWIN. Madam President, I ask unanimous consent to speak for up to 6 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

TRIBUTE TO BILL MURAT

Ms. BALDWIN. Madam President, I rise today with great pride to recognize and honor my chief of staff and dear friend Bill Murat, who will retire at the end of this year after 21 years of working in Congress.

It is a rare thing in Washington to work side by side with the same person for more than 20 years.

So on the eve of your retirement, Bill, I want to share a few words about how much you have meant to me and the countless others you have encountered during your long and storied career.

Bill Murat is a proud son of Stevens Point, WI. He graduated from high school and college there, earned his GD from UW Law School and his MBA from Columbia University.

Civically engaged since his youth, he served as district attorney for Portage County, WI, prior to his election to the Wisconsin State Assembly in 1994. It was there that Bill and I developed a friendship as colleagues in the Wisconsin State Assembly in the 1990s. I found him to be earnest, hard-working, a brilliant strategist, and lovely storyteller. He also knew when to add good humor or a note of levity.

I remember fondly one night, during a midnight session of the assembly, when Bill and I and a few of our Republican colleagues were on the floor waiting for a vote while many of our colleagues were still in their respective caucuses trying to hash out an agreement on an issue. Being a big fan of Broadway, Bill was reflecting on how this moment felt like a particular song from the musical "Oklahoma." There, on the floor of the Wisconsin State Assembly, while in recess in the wee hours, on a bipartisan basis, he broke

out in song, singing: "The farmer and the cowman should be friends." Because this is a speech about Bill Murat, this will not be the last time I mention show tunes.

After I was elected to the House of Representatives, Bill came to work with me, first, as my district director and then, starting in 2001, as my chief of staff. Bill's steady hand of leadership has helped me weather the storms Washington brings and stay focused on what matters most—the people we serve in Wisconsin.

I remember the days after September 11, 2001. It was chaotic, weighty, and, frankly, a scary time in Washington and across our Nation. I had to get back to Wisconsin, but planes were still grounded. So Bill walked into my office and simply said: "Need a ride?" So, together, we made that 14-hour trip home from Washington, DC, to Madison, WI, noting the American flags that were hung from nearly every highway bridge we passed under and considering the gravity of the new world we were seeing emerge.

Bill has been by my side for the highs and the lows of my time in Congress. I am so proud of what we have done together, working to do right by the people of Wisconsin and to pass on to the next generation a country that is more equal, not less. His generosity of spirit extends to every constituent in Wisconsin, every colleague in Congress, and every staffer who has worked for him. His door is always open, and he has been a mentor to so many people who have worked in the Baldwin offices over the years.

In fact, I know there are several former staff members of mine who have Bill to thank for their love of Broadway, since he used to host "Better Living through Show Tunes" as evening staff events. To be honest, I am still jealous that these show tune nights always happened after "wheels up" and I was headed home to Wisconsin.

On a more serious note, Bill is a fierce advocate and ardent supporter of our Team Tammy family. He has led by example, encouraging young people to pursue their passions, doling out career advice to those who need it and listening to the concerns of others, whether they are a Senate employee or a Wisconsinite looking for some assistance.

Bill has spent over three decades working on behalf of the great State of Wisconsin. He and I have accomplished much together. I would not be here today without him, and I am grateful for his friendship. I thank him from the bottom of my heart for the years of service, and I wish him the most fabulous retirement.

APPROPRIATIONS

Mr. LANKFORD. Madam President, very shortly, the Senate will vote on the motion to concur in the House amendment to the Senate amendment to accompany H.R. 1865, Further Consolidated Appropriations Act. As part of this appropriations package, a

version of my bill, the Promoting Security and Justice for Victims of Terrorism Act of 2019, is included in section 903. This bipartisan bill seeks to restore U.S. court jurisdiction over the Palestinian Authority, PA/Palestine Liberation Organization, PLO, while promoting U.S. foreign policy interests in the Middle East through the resumption of U.S. security assistance to PA security forces. It is a testament to the hard work of my Democratic and Republican colleagues in this Chamber that we are about to take up this important legislation.

In 1992, Congress passed the Anti-Terrorism Act, ATA. This law, as well as future amending legislation, sought to deter and defeat international terrorism by giving American citizens who are victims of terrorism overseas the power to sue perpetrators in U.S. court. I was privileged to work with the original ATA's author, Senator GRASSLEY, in drafting the Promoting Security and Justice for Victims of Terrorism Act of 2019.

What our bill—also sponsored by Senators DUCKWORTH, COONS, BLUMENTHAL, and RUBIO—does is strike a balance between Congress's desire to provide a path forward for American victims of terror to have their day in court and the toleration by the Members of this body to allow the PA/PLO to conduct a very narrow scope of activities on U.S. soil—such as activities pertaining to official business at the United Nations, engagements with U.S. officials necessary to our national interest, and legal expenses related to adjudicating or resolving claims filed in U.S. courts—without consenting to personal jurisdiction in civil ATA cases. This delicate balance is supported by a bipartisan coalition of Members of Congress, the executive branch, and American victims of international terrorism and their families.

For 25 years, the Federal courts struck this balance by holding that the PLO's and PA's presence and activities in the United States subject them to jurisdiction in our courts unless they can demonstrate that their offices in the United States deal exclusively with the official business of the United Nations and that their activities in this country are commensurate with their special diplomatic need for being present here.

The courts correctly held that the PLO's and PA's fundraising and public relations activities such as press releases and public appearances, whether characterized as diplomatic public speaking or proselytizing, are not essential to their diplomatic functions at the United Nations Headquarters. The bill codifies the distinction recognized in these cases while giving the PLO and PA a clear choice. Unless they limit their presence to official business with the United Nations and their U.S. activities commensurate with their special diplomatic need to be in the United States, they will be consenting to personal jurisdiction in ATA cases.

In this regard, the exception in the language for “ancillary” activities is intended to permit only essential support or services that are absolutely necessary to facilitate the conduct of diplomatic activities expressly exempted in the bill.

By applying the bill to any case pending on or after August 30, 2016, we are making clear Congress's intent that courts have the power to restore jurisdiction in cases previously dismissed for lack of jurisdiction after years of litigation. It is to be liberally construed to carry out the purposes of Congress to provide relief for victims of terrorism, and it specifies Congress's intent to enable victims to pursue justice without being subjected to repetitive, unnecessary, or protracted litigation, which would just reopen the pain that many Americans have already suffered through.

As the Congress finishes its final week of the first session of the 116th Congress, I look forward to voting in favor of this important legislation and urge my colleagues to do the same.

Mr. GRASSLEY. Madam President, in October the Senate Judiciary Committee marked up and passed S. 2132, the Promoting Security and Justice for Victims of Terrorism Act of 2019. I am happy to say that after further good faith negotiations among key stakeholders within and outside of Congress, a version of the bill is included in the appropriations package the Senate will soon consider.

I am proud to be a lead cosponsor of this bipartisan bill and to have helped lead it through the Judiciary Committee. Senator LANKFORD, who introduced this legislation, has tirelessly worked to get it across the finish line in the Senate. From day one of this effort, American victims of terrorism have had a tremendous ally in the Senator from Oklahoma and his staff, and I thank him for his leadership.

Earlier today, Senator LANKFORD discussed parts of this bipartisan legislation in greater detail. I would like to associate myself with his remarks.

I am also very grateful to Senators DUCKWORTH, RUBIO, BLUMENTHAL, and COONS for their support and work on behalf of victims.

It is not easy to find common ground here in the Senate, but there is one issue where we should all agree: Those who aid or carry out terrorist attacks overseas that kill or injure Americans should be held fully accountable in our justice system.

For over 25 years, the Anti-Terrorism Act of 1992, ATA, which I authored and Congress unanimously passed, has empowered American victims of international terrorism to bring lawsuits in Federal courts to vindicate their rights and obtain compensation for their injuries—providing some semblance of justice.

Equally important, these lawsuits disrupt and deter the financial support of terrorist organizations. By cutting terrorists' financial lifelines, the ATA

is a key part of the U.S. arsenal in fighting terrorism and protecting American citizens.

The 1992 law removed the jurisdictional hurdles that had for so long frustrated or outright prevented American victims' ability to seek justice in U.S. courts for attacks committed overseas. Congress passed the ATA in the wake of international terrorist attacks, including the Palestine Liberation Front's 1985 killing of Leon Klinghoffer, a Jewish American aboard the *Achille Lauro* cruise ship.

For 25 years the law worked as intended. The Palestine Liberation Organization, PLO, and Palestinian Authority themselves were repeatedly held to account in U.S. courts and paid a price for terrorist attacks that harmed or killed Americans. But starting in 2015, lower court decisions made it impossible for American victims injured abroad to hold sponsors of international terrorism accountable in our own courts. These decisions nullified the fundamental purpose of the ATA—to protect Americans wherever in the world they may be—and disrespected Congress's power to protect U.S. citizens and U.S. interests.

Last year, I introduced the bipartisan Anti-Terrorism Clarification Act of 2018, ATCA, in direct response to those court decisions, including *Sokolow v. PLO* in the second Circuit and *Livnat v. Palestinian Authority* in the DC Circuit. Congress passed the ATCA—once again, without objection—to restore jurisdiction and thereby finally secure justice for victims.

The ATCA expressed a clear principle: If the PLO and Palestinian Authority continued to maintain any office or facility in the United States, or accepted taxpayer-funded U.S. assistance, they would be answerable in our courts for perpetrating or supporting terrorism that harmed or killed Americans. The bipartisan bill was considered through regular order as a standalone bill, with markups in both Chambers, passed Congress without objection, and was signed into law by President Trump in October of 2018.

Shortly thereafter, instead of facing justice in our courts, the Palestinian Authority rejected all U.S.-backed humanitarian assistance provided to the West Bank and Gaza. In its zeal to dodge legal responsibility, the Palestinian Authority even prevented nongovernmental organization, NGO, from receiving U.S. assistance.

The Palestinian Authority's strategically overbroad interpretation of the ATCA harmed the very people it claims to represent on the international stage.

After inexcusable objections and delays—which I previously outlined on the Senate floor—the State Department finally began to constructively work with me and my colleagues to improve upon the ATCA, respond to the Palestinian Authority's actions, and finally remove the jurisdictional hurdles imposed on American victims by flawed court decisions.

The Promoting Security and Justice for Victims of Terrorism Act of 2019 is the product of those negotiations and enables victims of terrorism to vindicate their rights in U.S. courts. It also responds directly to the Palestinian Authority's shameful blocking of security assistance and humanitarian services. This bill marks a rare compromise reached by American victims of terrorism and the State Department.

I hope it in some way also sets a new precedent for our own State Department to continue working on behalf of and never again at odds with American victims.

During the bill's markup this past October, Senator COONS offered an amendment that I cosponsored to add another important means of securing jurisdiction in our courts over the PLO and Palestinian Authority: If they pay terrorists or families of terrorists who injured or killed Americans, then that reprehensible conduct will be grounds for jurisdiction in ATA cases. This is a sound addition to the bill to support the United States' global fight against terrorism, as reflected in years of legislation—most recently the Taylor Force Act. The PLO and Palestinian Authority's "pay to slay" policies are nothing short of an incitement for further acts of terrorism. Connecting these payments to jurisdiction in ATA cases is perhaps the least Congress should do to further discourage such conduct and protect Americans abroad.

The bill also sends a clear signal that Congress intends to empower courts to restore jurisdiction in cases previously dismissed.

The American principle that everyone deserves meaningful access to justice is as old as the Constitution itself. This bipartisan bill will reopen the courthouse doors to American victims and their families. I am grateful for its inclusion in the appropriations measure that the Senate will soon consider.

Once again, I want to thank Senator LANKFORD for his leadership and tireless work these past several months on behalf of American victims of terrorism.

Finally, I also want to thank Chairman GRAHAM for making this bill a priority in the Judiciary Committee. I now urge all of my colleagues' support for this important and bipartisan measure.

Ms. COLLINS. Madam President, I rise today in support of the fiscal year 2020 Appropriations bill for the Departments of Transportation, Housing and Urban Development, and Related Agencies. This bill is included in the appropriations package that is before this Chamber.

Let me begin my remarks by thanking Chairman SHELBY and Vice Chairman LEAHY for their bipartisan leadership in successfully finishing the conference and advancing all of these appropriations bills to the Senate floor.

I also want to acknowledge the hard work and strong commitment of my friend and colleague Senator JACK

REED, the ranking member of the T-HUD Subcommittee. We have worked closely together in negotiating this bill and have crafted a truly bipartisan product.

The fiscal year 2020 transportation and housing appropriations bill provides \$74.3 billion to continue to improve our Nation's infrastructure and maintain HUD rental assistance for low-income seniors, homeless youths, and other vulnerable populations. This year, we once again faced the funding challenge of rising rental costs across the country and a reduction in the receipts from the Federal Housing Administration that are used to offset some of the spending in this bill.

However, we were successful in maintaining many of the Senate priorities in the final bill. For example, the bill provides \$1 billion for the highly effective and popular BUILD grant program, which has provided \$205 million in critical infrastructure improvements in Maine since 2009. In addition, the bill includes \$1.15 billion for bridge repair and rehabilitation, with a focus on those States with the greatest needs. The need for additional bridge funding is clear across the country and was highlighted in my home State of Maine by grant awards for projects such as the Station 46 Bridge and the Sarah Mildred Long Bridge.

The infrastructure funding in this bill not only addresses the transportation challenges we face but also creates jobs and economic growth in each and every one of our homes. The American Society of Civil Engineers' most recent report card from 2017 shows that America's infrastructure remains in poor condition with a grade of D+. This poor rating is not only detrimental for the movement of people and goods but also harmful from a safety perspective.

I am also particularly proud of the \$300 million for the third National Security Multi-Mission Vessel which will serve as the new training vessel for Maine Maritime Academy. The new NSMV will play a critical role in training the next generation of U.S. mariners. This new ship will ensure that cadets receive the training hours they need to graduate and join the workforce in the merchant marine, Navy, and Coast Guard.

Another important issue, particularly to Senator REED and me, is reducing lead paint in homes. That is of particular health concern to families with children under the age of 6. The bill provides \$290 million to combat lead hazards, a historic level of funding. Lead paint hazards are a significant concern for Maine families, as 57 percent of our housing stock was constructed prior to 1978, the year lead-based paint was banned. These grants will help communities protect children from the harmful lifelong effects of lead poisoning.

Finally, I do want to mention that the bill provides additional funding for the FAA's aviation safety programs in light of two Boeing crashes. This fund-

ing ensures that the agency has the necessary staff and training, as well as safety data reporting systems going forward. Our Committee remains focused on this issue to ensure that we maintain the Nation's safest airspace.

I appreciate the opportunity to present this important legislation to the Chamber. As we begin debate on the Transportation-HUD bill, I urge my colleagues to support the investments in this bill that benefit our communities all across this Nation and the families, veterans, children, and our seniors that rely on these programs.

Ms. COLLINS. Madam President, I rise today as a member of the Defense Appropriations Subcommittee to express my support for this appropriations bill and to highlight a number of important provisions for both our national security and the State of Maine.

I would first like to thank Chairman SHELBY and Ranking Member DURBIN, as well as Vice-Chairman LEAHY, for their work and leadership on the committee and their willingness to come together to complete what is a strong, bipartisan final bill.

The bipartisan work of the Defense Subcommittee is vitally important to ensure our men and women in uniform are able to fight and defend our Nation as well as deter potential adversaries. It also ensures our DOD civilians have the resources they need to support those servicemembers and keep our ships, planes, and vehicles at the ready.

The bill before us today supports a military pay increase of 3.1 percent—the largest in a decade. It also recognizes the value of our civilian workforce by also supporting an average pay increase of 3.1 percent for DOD civilians.

The bill recognizes the necessity of building and maintaining a strong Navy. It provides nearly \$24 billion for new Navy battle force ships, including more than \$5 billion for three DDG-51 destroyers. Looking ahead to next year, it also provides an additional \$390 million above the amount requested in the President's budget request for DDG-51 advanced procurement. This demonstrates Congress's intent that the Department sustain an aggressive growth rate for large surface combatants in fiscal year 2021 and beyond.

In Maine, we are very proud of the role that Bath Iron Works plays in contributing to our national security, building the finest ships in our fleet. This bill includes \$130 million to invest in our Nation's large surface combatant industrial base, ensuring Bath Iron Works can efficiently design and build our Navy's fleet long into the future.

BIW is known throughout the Navy for the high-quality of the ships they build, with many Sailors using our motto that "Bath Built is Best Built." BIW employs the finest shipbuilders, engineers, and designers in the world, and this bill rightly recognizes the great value that these tried-and-tested warships bring to the Navy.

This bill supports our nation's public shipyards, which are truly the backbone of our Navy's submarine fleet. It funds our Navy's maintenance activities, ensuring workers at Portsmouth Naval Shipyard and other shipyards can carry out their work keeping our Nation's submarines at sea.

The bill also makes clear that the Navy should continue to invest in the very successful apprenticeship programs at our public shipyards—which has been incredibly successful at PNSY—as well as work to address the availability of Virginia-class submarine materials at our shipyards.

This bill makes critical investments in research and development programs, which are being carried out in partnership with research institutions, including the University of Maine. These programs include producing jet fuel from Maine's forest biomass; developing hybrid composite structures for the Navy; and funding for DOD to utilize UMaine's new 3D printer, the largest in the world, for cutting-edge defense research and rapid prototyping.

This bill invests in fifth-generation aircraft we need to deter Russia and China by funding 98 F-35 aircraft 20 more than initially requested by the Department. These advanced, stealthy jets are key to dominating the skies, and I am proud of Pratt and Whitney's contributions to the program through its construction of the F135 engine at its facility in North Berwick, ME. Additionally, the bill procures six CH-53K Heavy Lift helicopters for the Marine Corps. The rotating drive shafts are a critical moment of the aircraft and are produced at Hunting Dearborn's facility in Fryeburg, ME.

The National Guard provides our country with both a strategic and operational reserve which has proven itself time and time again. I applaud the bill's inclusion of \$1.3 billion to the National Guard and Reserve equipment account to help modernize our Reserve forces. It also notes the critical capability that the National Guard provides to State governments in DOD's cyber defense mission and urges the Department to ensure there are cyber capabilities within the Guard in every State.

Mr. President, I look forward to working with my colleagues to pass this important legislation.

Mr. VAN HOLLEN. Madam President, I rise to express my concerns with H.R. 158, the appropriations package to fund the Department of Defense, the Census Bureau, the Department of Justice, NASA, the Treasury, and the Department of Homeland Security.

As a representative of many Federal employees in the State of Maryland and a member of the Appropriations Committee, I take the responsibility of funding the government extremely seriously. The decisions we make in the appropriations bills govern the operations of the Federal Government and its programs to serve the American people, keep them safe, and foster opportunity.

I have also been deeply disturbed by this Administration's efforts to disregard the appropriations bills that Congress has passed and the President has signed by transferring funds from one account to another and, in some cases, failing to spend duly appropriated dollars in a timely fashion. In order to assert Congress's authority to make the laws that the administration must faithfully execute, I have advocated for greater transparency through disclosure of the apportionment documents used by the Office of Management and Budget to plan spending schedules among agencies and for restrictions on the administration's authority to transfer funds between programs. We have seen that this President does not care about, congressional intent and will flout the law to use American taxpayer money build a border wall that he said Mexico would pay for. The funds appropriated by Congress cannot be not be allowed to be taken away and redirected on the whim of a President. So I am disappointed that this bill does not include meaningful restrictions on transfer authority.

It also does not include House language to require disclosure of apportionment documents—language that is similar to an amendment I offered that was passed on a bipartisan basis as part of a bill in the Budget Committee. I appreciate the hard-won provisions in the bill to bolster efforts to oversee and correct abuses in this administration's disgraceful detention policy that has separated children from their parents and funding for alternatives to detention family case management. The bill rightfully rejects the President's request to increase his ICE and Border Patrol forces and prohibits border fencing in environmentally sensitive areas. But I remain deeply concerned that the President still can—and judging by past actions, likely will—transfer resources to support his damaging agenda.

I am pleased that this bill provides a well-deserved 3.1 percent pay increase for Federal employees who serve our Nation admirably every day. I am a cosponsor of the legislation to do that and glad that it has been included in this bill. However, I am concerned that the bill does not include House-passed language to counter the President's Executive orders that undermine Federal employee collective bargaining and have resulted in a number of anti-worker contracts. Federal employees are prohibited from bargaining on wages and benefits, so they focus their efforts on improving the operations of their offices. We should not impede their efforts to establish better working conditions, protect the civil service from political reprisals, and arbitrate disputes between management and the rank-and-file. I will continue to fight for fair treatment of Federal workforce.

I appreciate the willingness of Chairman SHELBY and Vice Chairman LEAHY to work with me and with Congress-

woman ELEANOR HOLMES NORTON to provide the District of Columbia with funding to cover past inauguration and Fourth of July expenses. But I am deeply disappointed that the bill continues to include shameful political policy riders for the District of Columbia that place restrictions on how the District spends its own money. The U.S. Congress should stop acting like we run the city of Washington, DC. Elected officials from the District should be able to enact laws that address the needs of their constituents without Congress looking over their shoulder. As I stated during our full committee markup of the Financial Services and General Government Appropriations bill, we must remove these restrictions—which none of us would accept for our own States.

Despite my reservations about the bill, it does include funding for many important programs. It fully funds the First Step Act to implement needed criminal justice reform, rejects the President's request to eliminate the Legal Services Corporation, and includes resources for law enforcement to address crime and fight opioid and drug trafficking. It fully funds the Census, a constitutionally mandated effort to count everyone in the United States and ensure that every community receives the resources it needs. It rejects the President's cuts to a number of important programs at NASA Goddard in Maryland, including the PACE Program, W-FIRST, and carbon monitoring. These programs are essential to our understanding of the universe and to own world and have been on the Trump chopping block year after year. I will continue to fight to make sure they are adequately funded. It fully funds the James Webb Space Telescope, supports RESTORE-L, and increases the base budget for Earth Science. NOAA and NIST, which are also headquartered in Maryland, will receive modest increases instead of the Administration's proposed cuts. The bill also includes important funding for defense installations in Maryland. This funding, coupled with the National Defense Authorization Act, which I was proud to support and which included a military pay increase and for the first time paid parental leave for federal employees, will ensure that the men and women of the military will receive benefits they deserve. Finally, the bill rejects the President's request to eliminate the Economic Development Administration and preserves funding for cooperative agreements between the Minority Business Development Agency and Minority Business Development Centers—three of which serve Maryland.

I recognize that no bill is perfect and that appropriations bills require compromise. I respect the work that Chairman SHELBY, Vice Chairman LEAHY, and their staffs have put into this legislation and am grateful for their willingness to work with me on many Maryland priorities. However, I believe

that we must take steps to assert Congress's role in the appropriations process in the face of a President who is willing to disregard the laws we pass—and he signs—to further his individual agenda. Because this bill does not restrict the President's ability to flout Congress's stated intent, I regret that I cannot vote for it.

#### ALTERNATIVE FUEL MIXTURE CREDIT

Mr. GRASSLEY. Madam President, I ask unanimous consent to engage in a colloquy with Finance Committee Ranking Member WYDEN to discuss a tax provision included in the spending package currently before the Senate.

The tax title in this bill contains an important clarification to the alternative fuel mixture tax credit under section 6426(e). This credit is intended to promote the use of nontraditional fuels, such as compressed natural gas and biomass-based fuels, for transportation and other purposes. Unfortunately, some in the oil industry have sought to turn this credit on its head by claiming the credit for ordinary gasoline based on the amount of butane mixed in. Ranking Member WYDEN, is it correct that every gallon of gasoline produced in the United States includes some amount of butane?

Mr. WYDEN. That is correct. All gasoline includes butane and, as far as I am aware, always has. Adding butane during the gasoline refining process is simply how gasoline is produced. The idea that Congress intended oil companies to benefit from a credit intended to reduce our dependence on traditional gasoline by rewarding them for making traditional gasoline doesn't pass the commonsense test. This is why the Internal Revenue Service has correctly denied such claims. However, the oil industry is litigating this issue in the hopes of winning a nearly \$50 billion windfall for producing gasoline the same way they have for a century. Mr. Chairman, am I correct that Congress never intended for gasoline to qualify for this credit based on its butane content?

Mr. GRASSLEY. I can assure the Senator that it was never Congress's intent for gasoline to qualify for this tax credit. I was chairman of the Senate Finance Committee when the alternative fuel mixture credit was enacted in 2005 as part of a surface transportation bill. During that time, there was great interest in reducing our dependence on foreign oil and traditional fuels. The alternative fuel mixture credit was added to reduce that dependence, not to provide a handout to large oil and gas companies. The fact is, if anyone had thought oil companies could qualify for this credit they already engaged in, the credit would never have been enacted. Not only would I have objected on policy grounds, but the Joint Committee on Taxation's revenue score associated with the provision would have been so

large that its passage wouldn't have been feasible. What is more, if we had intended for butane mixed with gasoline to qualify when the credit was enacted in 2005, I don't understand why industry waited more than 10 years to start claiming the credit for doing what they have been doing for more than a century, as you point out.

Mr. WYDEN. Thank you for that background, Mr. Chairman. I agree with you that it is clear that the benefit some in the oil and gas industry are seeking from this provision is illegitimate. However, given the significant amount of taxpayer dollars at stake should these companies somehow prevail in litigation, it is also important for Congress to provide clarity in this area, to protect the public purse. The tax package under consideration in the spending bill addresses this by amending the alternative fuel mixture credit to more explicitly deny the credit for butane mixed with gasoline, consistent congressional intent. This clarification is effective for any claims filed on or after January 8, 2018, when the IRS issued a formal revenue ruling putting taxpayers on notice that a mixture of butane and gasoline does not qualify for the credit. However, this does not mean we agree that such mixtures prior to January 8, 2018, qualify for the credit, and, in fact, we are of the opinion that they do not. Do you agree Mr. Chairman?

Mr. GRASSLEY. I do agree. The IRS got the law correct when it issued Revenue Ruling 2018-2, and our clarification makes clear that it is our intent for the IRS interpretation of the law to be controlling for all claims. This is the basis of the "no inference" language in the bill that states: "Nothing contained in this subsection or the amendments made by this subsection shall be construed to create any inference as to a change in law or guidance in effect prior to enactment of this subsection."

I thank the ranking member for engaging in this colloquy to discuss this important issue and the clarification included in the pending appropriations bill.

Ms. BALDWIN. I yield the floor.

The PRESIDING OFFICER. The Senator from Wyoming.

#### POINT OF ORDER

Mr. ENZI. Madam President, I rise to raise a point of order on the Further Consolidated Appropriations Act of 2020, which provides funding for eight appropriations subcommittees and includes numerous tax and healthcare provisions and other new legislation called "authorizations." That is code for bills that haven't been debated on the Senate floor. These are Christmas presents for everyone, all put on the Federal credit card, which is overspent already.

This legislation was unveiled Monday afternoon and totals more than 1,800 pages, and here we are on Thursday, with just hours to go before a government shutdown, being asked to vote on

a bill that has not been subject to amendment or debate and that the Congressional Budget Office tells us will increase deficits by more than \$400 billion over the next 10 years. Actually, by the time you add in interest costs to this debt, it is half a trillion in 10 years and \$2.1 trillion on 20 years. That is according to the Committee for Responsible Federal Budget, which added in that interest. They added it up. So that will be half a trillion dollars of new overspending in one vote, and what makes it so expensive is that we are trying to do something here to buy everybody's vote.

This bill completely bypassed regular order and violates nearly all the Senate self-imposed budget rules with its billions of dollars in giveaways and tax policy changes. We are legislating on funding bills. Legislation is supposed to be scrutinized differently, especially if they pay out real money.

I will remind my colleagues that our national debt stands at just over \$23 trillion, and the Congressional Budget Office tells us that the Federal deficits are already on track to exceed \$1 trillion this year and every year thereafter. That is besides this \$2.1 trillion add-on.

We should be talking about how to address the budgetary mess we are in, not pressing the gas on an unsustainable fiscal trajectory, which is exactly what this bill does. We are making promises that can't be fulfilled.

Now, some people will mention the Tax Cuts and Jobs Act, but I need to emphasize and remind you that that boosted the economy. It created jobs, it increased wages, and it is bringing in more revenue than ever before—ever before. But we are spending it faster than it is coming in. So it is not a revenue problem. It is a spending problem.

Now, rather than an aberration, busting has become commonplace. This is the second time this week that I have come to the floor to raise a point of order against legislation that violates the budget. But to be fair, from a budget perspective, this bill is exponentially worse than the Defense authorization bill we considered earlier this year. It is at least 50 times worse.

I oppose this legislation. I oppose adding to the already massive debt burden being placed on future generations.

The pending measure, the House amendment to the Senate amendment to H.R. 1865, the Further Consolidated Appropriations Act of 2020, would cause a deficit increase of more than \$5 billion in each of the four consecutive 10-year periods beginning in fiscal year 2030. This increase violates section 3101 of the 2016 budget resolution. Therefore, I raise a point of order under section 3101(b) of S. Con. Res. 11, the concurrent resolution on the budget for fiscal year 2016.

I have been here long enough to know that you will now hear a list of wonderful things that are on this bill. You will not hear how to pay for all of these Christmas presents.

I yield the floor.

The PRESIDING OFFICER. The Senator from Alabama.

#### VOTE ON MOTION TO WAIVE

Mr. SHELBY. Madam President, pursuant to section 904 of the Congressional Budget Act of 1974 and the waiver provisions of applicable budget resolutions, I move to waive all applicable sections of that act and applicable budget resolutions for purposes of consideration of the message to accompany H.R. 1865, and I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be.

The yeas and nays are ordered.

Under the previous order, the motion to concur with the amendment is withdrawn.

The question is on agreeing to the motion to waive.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

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

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

The result was announced—yeas 64, nays 30, as follows:

#### [Rollcall Vote No. 414 Leg.]

##### YEAS—64

Alexander	Grassley	Reed
Baldwin	Hassan	Roberts
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Rounds
Blunt	Hoeven	Rubio
Boozman	Hyde-Smith	Schatz
Brown	Jones	Schumer
Burr	Kaine	Shaheen
Cantwell	King	Shelby
Capito	Leahy	Sinema
Cardin	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Thune
Coons	McSally	Tillis
Cortez Masto	Menendez	Udall
Cramer	Merkley	Van Hollen
Crapo	Moran	Warner
Duckworth	Murkowski	Wicker
Durbin	Murphy	Wyden
Feinstein	Murray	Young
Gardner	Peters	
Graham	Portman	

##### NAYS—30

Barrasso	Ernst	Perdue
Blackburn	Fischer	Risch
Braun	Gillibrand	Romney
Carper	Hawley	Sasse
Cassidy	Inhofe	Scott (FL)
Cornyn	Johnson	Scott (SC)
Cotton	Kennedy	Sullivan
Cruz	Lankford	Tester
Daines	Lee	Toomey
Enzi	Paul	Whitehouse

##### NOT VOTING—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The PRESIDING OFFICER. On this vote, the yeas are 64, the nays are 30.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

#### VOTE ON MOTION TO CONCUR

The question is on agreeing to the motion to concur.

Mr. ROUNDS. 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 Georgia (Mr. ISAKSON).

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

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

The result was announced—yeas 71, nays 23, as follows:

#### [Rollcall Vote No. 415 Leg.]

##### YEAS—71

Alexander	Grassley	Roberts
Baldwin	Hassan	Romney
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Rounds
Blunt	Hoeven	Rubio
Boozman	Hyde-Smith	Schatz
Brown	Jones	Schumer
Burr	Kaine	Shaheen
Cantwell	King	Shelby
Capito	Leahy	Sinema
Cardin	Manchin	Smith
Casey	Markey	Stabenow
Collins	McConnell	Sullivan
Coons	McSally	Tester
Cortez Masto	Menendez	Thune
Cramer	Merkley	Tillis
Crapo	Moran	Udall
Duckworth	Murkowski	Van Hollen
Durbin	Murphy	Warner
Ernst	Murray	Whitehouse
Feinstein	Perdue	Wicker
Fischer	Peters	Wyden
Gardner	Portman	Young
Graham	Reed	

##### NAYS—23

Barrasso	Daines	Lee
Blackburn	Enzi	Paul
Braun	Gillibrand	Risch
Carper	Hawley	Sasse
Cassidy	Inhofe	Scott (FL)
Cornyn	Johnson	Scott (SC)
Cotton	Kennedy	Toomey
Cruz	Lankford	

##### NOT VOTING—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The motion was agreed to.

The PRESIDING OFFICER. The Senator from Pennsylvania.

#### ORDER OF BUSINESS

Mr. TOOMEY. Mr. President, I ask unanimous consent that notwithstanding rule XXII, the Senate proceed to executive session and resume consideration of the Singhal nomination; further, that at 1:45 p.m., the Senate proceed to vote on the confirmations of the nominations under the previous order.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The legislative clerk read the nomination of Anuraag Singhal, of Florida, to be United States District Judge for the Southern District of Florida.

The PRESIDING OFFICER. The Senator from Hawaii.

#### UNANIMOUS CONSENT REQUEST—S. 3104

Mr. SCHATZ. As if in legislative session, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from the further consideration of S. 3104, the Federal Employee Parental Leave Technical Correction Act, and the Senate proceed to its immediate consideration. I further ask that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER. Is there objection?

The Senator from Pennsylvania.

Mr. TOOMEY. Reserving the right to object, let me explain what is going on here.

My colleague from Hawaii has an amendment that he would like to make to the NDAA legislation that we passed recently. It has been described by our Democratic colleagues as a technical correction.

Well, I have a technical correction that I would like to have considered as well. So I think we have a good solution where we can both get the technical corrections we would like. We have been waiting on mine for 2 years, but the good news is that we have broad bipartisan support for mine. Every Republican Senator supports it, and 13 Democrats are cosponsors of my legislation to make this technical correction. If my math is right, that means 66 Senators support doing this. There is huge bipartisan support in the House. So I would say let's fix both problems. The fix that I have in mind is to fix a drafting error from our tax reform bill from 2 years ago, and specifically, it would be to restore the ability of people who make leasehold improvements to fully expense that at the time it occurs.

That was always the intent. Nobody disputes that that was the intent, but because of a drafting error, when someone makes a leasehold improvement, not only are they unable to expense it in the year in which it incurs, but they have to depreciate it over 39 years, the exact opposite of our intention. This is a huge problem for restaurants and retailers generally, and every one of our States has how many retailers, how many restaurants that are adversely affected today by this technical error, and it is having an economic impact.

This category of business investment is the only category that has declined over the last year. It was down almost



4 percent in the third quarter. That is because of the adverse tax treatment. That is not good for any of us. It is not good for the United States. It is not good for our States. In the omnibus bill that we just passed, we had all kinds of tax provisions—\$427 billion, actually, worth of tax provisions announced at 2 in the morning on Tuesday, by the way.

It has things, including a resurrection of a special tax rule that was supposed to die in 2017. We are going to send checks to people for what they did in 2018, which will have no impact whatsoever, obviously, on changing incentives since it is the past. We did that. We reversed a deal that was struck in 2015 to phase out expensive renewable energy credits. We made two changes to the tax reform of 2017, but we weren't able to include the technical fix that 66 Senators want that would cost zero.

What we were told by our Democratic colleagues is that, if you want to do that, there is a price you have to pay. The price would be tens of billions of dollars of increases in refundable tax credits. That is checks being sent to people who don't pay taxes. Ranking Member of the Finance Committee, Senator WYDEN, said just this week: "Democrats have long said the Republicans need to negotiate on broader issues if they want to fix all the mistakes in their tax giveaway." In other words, there has to be a price.

Well, if I were adopting the approach of my Democratic colleagues—and when my colleague from Hawaii comes down and makes this request—I could say, Well, you need to come up with \$50 billion worth of Republican priorities, maybe \$50 billion worth of capital gain tax cuts, or \$50 billion in reduction in some kind of mandatory spending or something. That is what I would do if I were taking the exact same approach that our Democratic colleagues took.

I am not going to do that. I am going to suggest that we both get what we are after here, and the American people get the benefit. Here is what I am going to do. I am going to modify the unanimous consent request. The way I am going to do that is to take the bill advocated by the Senator from Hawaii, drop it into a legislative vehicle, add the technical fix that I and 66 Senators support—and, by the way, 297 House Members have cosponsored the companion legislation, including 145 Democrat House Members—I am going to put them together in an otherwise empty legislative vehicle so that we can do both. When we pass it here in the Senate by unanimous consent in just a moment, if we do, then the House would virtually be assured of passage, since 297 House Members have cosponsored this legislation.

Mr. President, my suggestion is we modify this unanimous consent request so that the Senator from Hawaii gets the provision that he wants and I get the provision that 66 Senators want.

UNANIMOUS CONSENT REQUEST—H.R. 748

Mr. President, I ask unanimous consent that the Senator modify his request so that the Senate proceed to the immediate consideration of Calendar No. 157, H.R. 748. I further ask unanimous consent that the Toomey amendment at the desk be considered and agreed to, the bill, as amended, be considered read a third time and passed, and that the motions to reconsider be considered made and laid upon the table.

THE PRESIDING OFFICER. Does the Senator so modify his request?

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

Let's get clear about what is happening here. The first thing is we did something momentous as a group. We, on a bipartisan basis, decided to provide paid parental leave of 12 weeks for the Federal workforce—2.1 million Federal workers—so that individuals who are new parents don't have to make that impossible choice between receiving a paycheck and being a new dad or a new mom. Now, this is catching us up with the rest of the world. The rest of the industrialized world understands that this isn't just a humane thing to do for families. This is the right way to manage the workforce because you get higher productivity; you get better morale; and you get lower turnover. This is a smart thing to do.

There were 2.1 million people covered by this momentous change of Federal policy agreed upon over the last 48 hours on a bipartisan basis. There was a technical problem, and so the following Federal employees are not going to be covered unless we make this technical fix: employees of the DC courts, public defenders, Presidential appointees, FAA, and CSA employees, and article I judges. Everybody else is going to get 12 weeks of paid parental leave, except for these people. We can solve that today.

That is what my unanimous consent request is all about. What the Senator from Pennsylvania has decided to do is take a hostage and say, These are the only Federal employees who are not going to get this benefit because of a technical and drafting error because I didn't get something totally unrelated that has to do with a tax bill that was passed on purely partisan lines in a hurry, written primarily by lobbyists in the middle of the night.

Now, I do not mind entertaining a change to the Tax Code to deal with this question of how you expense the renovation of restaurants and retail operations, but I think Senator WYDEN is exactly right. I guess the Senator from Pennsylvania thought this was a talking point on the Republican side. Heaven forbid if there should be a negotiation. Heaven forbid something that is as important to the Republicans that is as a result of their screw-up and would cost tens of billions of dollars would not be given away for free.

The argument being made is, hey, technical for technical. This is an ac-

tual technical fix. This is a bill we just enacted in the last 48 hours. I am not even sure if the President has signed it yet, but it is about to be enacted into law, and nobody is arguing that we should not cover some small portion of the Federal workforce.

Nobody is arguing that was the legislative intent. Nobody is arguing that is public policy. What the Senator from Pennsylvania is saying, If I don't get my thing, then these people don't get the help that they deserve. These people, by happenstance of a drafting error, don't get paid parental leave. Now, this has human consequences.

I object to the Senator's modification of my unanimous consent request, and I am deeply disappointed that we can't fix this simple thing. I am happy to work with the Senator from Pennsylvania on a quick fix. I think we will get there at some point next year, but this has to be part of a broader bipartisan deal, and he knows that.

This is going to cost tens of billions of dollars, and no one gives tens of billions of dollars for nothing. Everything of that magnitude has to be negotiated on a bipartisan, bicameral basis. That is not what he is trying to do. He is trying to say because we made a technical error that was monumentally wrong and, as a result of the flawed process, why don't we trade technical fixes. This is a relatively small technical fix, and he wants to trade it for a massive technical fix that is now 2 years old.

The only thing I would say is this may be small in the context of how we operate in the U.S. Senate. It is not small if you work for the FAA and you are a new dad. It is not small if you are an article I judge and you are a new mom. It is not small for these people who deserve paid parental leave like every other Federal employee will get soon.

THE PRESIDING OFFICER. The objection is heard to the modification.

Is there an objection to the original request?

The Senator from Pennsylvania.

Mr. TOOMEY. Mr. President, I am kind of shocked by what I just heard, that I am characterized as taking a hostage. Let's just be very clear. I am the Senator on the floor who is proposing that both Senators get their way, that the outcome works for both sides. This is a Democratic priority. Some Republicans support it; some don't. It is a Democratic priority on a mistake that was made, and I am suggesting let's fix it.

Let's take the opportunity to also fix something that 66 Senators have supported. They cosponsored it. There is even broader support—much broader in the House where it is massive. I do not know what is more reasonable than a very broadly bipartisan technical fix that scores at zero and helps every single community in America and tying that with an opportunity to do something that is a very high priority for my colleague from Hawaii.

Since my colleague from Hawaii refuses to allow us both to be able to accomplish this, I am going to have to hope that we can do it another time, and I will object to his request.

The PRESIDING OFFICER. The objection is heard.

The Senator from Oklahoma.

DECEMBER 19

Mr. INHOFE. Mr. President, on another subject, even though I am very close to this subject in that I chaired the Armed Services Committee, and that is where all of this really began, I do want to mention one thing about what happened this morning. I think our leader over here, Mr. McCONNELL, did a superb job. He made it very clear on the impeachment that took place last night. It is something that has not happened before. It is the first time it has happened, in that there is no impeachable offense, and it is nonetheless, I think, all driven by hatred. When you stop to think, here it is right before Christmas, and the hatred that is driving that, it is wrong.

I want to mention something that is significant, that you haven't thought of, I say to the Presiding Officer. That is, this 153rd day of the year is very significant. That is December 19. People have not stopped to realize the significant things that have happened on December 19 throughout our history and the history of the world, going all the way back to December 19, at 11:54, Henry II became King of England. We haven't really thought about the fact what does that mean to us today, but we will before long.

In 1843, December 19, again, Charles Dickens wrote "A Christmas Carol." It is the most watched, listened to, and sung event every Christmas.

In 1932, December 19, the British Broadcasting Corporation, the BBC, began transmitting overseas. That was the beginning of a whole new world of knowledge and understanding.

In 1950, December 19, NATO named General Dwight D. Eisenhower as supreme commander of the Western European defense forces.

Then in 1972, December 19, Apollo 17, the last of the Apollo moon landings returned to earth.

December 19 of 1984—I remember this well because I was in Hong Kong when this happened—that was when China signed an accord returning Hong Kong to the Chinese sovereignty. A lot of people thought it was good at the time to accept people from Hong Kong. I was there, and look what has happened now after all these years. I would have to say that hysteria has continued to this day.

Then, in 1998, December 19, the U.S. President Bill Clinton was impeached. I was there at that one, too. We have something to compare it with now, but that was December 19, 1998.

The event that is more significant by a landslide is what happened on December 19, 1959. On December 19, 1959, my wife Kay and I got married. That makes this the 60th anniversary of our

wedding. Just look at all the beauty that has followed us, 20 kids and grandkids. All of that in that 60-year period of time.

What I want to say is the beautiful life that we are still having together—and I would like to say at this point that Kay, after 60 years, is still loving, and I wish you a happy anniversary; and to everyone out there as you celebrate the birth of Jesus, Merry Christmas, and God bless you.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

NOMINATION OF STEPHANIE DAWKINS DAVIS

Mr. PETERS. Mr. President, I rise today in support of Judge Stephanie Dawkins Davis for the U.S. District Court for the Eastern District of Michigan.

I had the honor of introducing Judge Dawkins Davis at the Senate Judiciary Committee hearing more than 6 months ago. As I told the members of the committee, Judge Dawkins Davis is a highly respected member of the Michigan legal community, and she will serve our State well as a district court judge.

Judge Dawkins Davis has been an exemplary public servant who has worked hard and honorably to serve the people of Michigan. She has earned the respect of colleagues across the State and has garnered numerous awards throughout her career.

She began her career as a civil defense attorney at Dickinson Wright and later joined the Office of the U.S. Attorney for the Eastern District of Michigan, prosecuting cases at both the trial and appellate levels. She also spent time as a deputy unit chief of the Controlled Substances Unit and as a high intensity drug trafficking area liaison.

Her successful work led to her appointment as executive assistant U.S. attorney, and after that, she became a magistrate judge for the Eastern District and was selected to serve at the Flint Federal courthouse.

Judge Dawkins Davis is a qualified jurist. The American Bar Association unanimously rated her as "well qualified." She was also the first African-American woman nominated by President Trump for a Federal judgeship.

I am proud to recognize Judge Dawkins Davis for her many accomplishments and for the diverse voice and perspective she will bring to the bench.

This seat has been vacant since October 26, 2016; that is more than 3 years. It is past time that the Senate consider Judge Dawkins Davis's nomination, and I am glad it is finally happening today.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

VOTE ON SINGHAL NOMINATION

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

Mr. MORAN. 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 Georgia (Mr. ISAKSON) and the Senator from Kansas (Mr. ROBERTS).

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

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

The result was announced—yeas 76, nays 17, as follows:

[Rollcall Vote No. 416 Ex.]

YEAS—76

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

NAYS—17

Baldwin	Markey	Stabenow
Bennet	Merkley	Udall
Cantwell	Murray	Van Hollen
Gillibrand	Schatz	Whitehouse
Heinrich	Schumer	Wyden
Hirono	Smith	

NOT VOTING—7

Booker	Klobuchar	Warren
Harris	Roberts	
Isakson	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. McCONNELL. Mr. President, I just cut off a Member of our own side because they didn't get here in time. That is to underscore that by popular demand, everybody wants these times to be kept, and that is what we intend to do.

I ask unanimous consent that the votes in this series be 10 minutes in length.

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

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Karen Spencer Marston, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

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

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from North Carolina (Mr. BURR) and the Senator from Georgia (Mr. ISAKSON).

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

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

The result was announced— yeas 87, nays 6, as follows:

[Rollcall Vote No. 417 Ex.]

#### YEAS—87

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

#### NAYS—6

Gillibrand	Merkley	Smith
Markey	Schumer	Wyden

#### NOT VOTING—7

Booker	Isakson	Warren
Burr	Klobuchar	
Harris	Sanders	

The nomination was confirmed.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Daniel Mack Traynor, of North Dakota, to be United States District Judge for the District of North Dakota.

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

Mrs. MURRAY. 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) and the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Virginia (Mr. WARNER), 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 51, nays 41, as follows:

[Rollcall Vote No. 418 Ex.]

#### YEAS—51

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

#### NAYS—41

Baldwin	Hassan	Reed
Bennet	Heinrich	Rosen
Blumenthal	Hirono	Schatz
Brown	Jones	Schumer
Cantwell	Kaine	Shaheen
Cardin	King	Sinema
Carper	Leahy	Stabenow
Casey	Manchin	Smith
Coons	Markey	Stabenow
Cortez Masto	Menendez	Tester
Cotton	Merkley	Udall
Cramer	Murphy	Van Hollen
Crapo	Murray	Whitehouse
Cruz	Peters	Wyden

#### NOT VOTING—8

Booker	Isakson	Warner
Burr	Klobuchar	Warren P
Harris	Sanders	

The nomination was confirmed.

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Jodi W. Dishman, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

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

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), the Senator from Virginia (Mr. WARNER), 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 75, nays 17, as follows:

[Rollcall Vote No. 419 Ex.]

#### YEAS—75

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

#### NAYS—17

Baldwin	Markey	Smith
Blumenthal	Menendez	Stabenow
Cantwell	Merkley	Udall
Gillibrand	Murray	Van Hollen
Heinrich	Schatz	Wyden
Hirono	Schumer	

#### NOT VOTING—8

Booker	Isakson	Warner
Burr	Klobuchar	Warren
Harris	Sanders	

The nomination was confirmed.

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination John M. Gallagher, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

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

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

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

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

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

The result was announced—yeas 83, nays 9, as follows:

[Rollcall Vote No. 420 Ex.]

#### YEAS—83

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

#### NAYS—9

Bennet	Markey	Schumer
Cantwell	Merkley	Stabenow
Gillibrand	Murray	Wyden

#### NOT VOTING—8

Booker	Isakson	Warner
Burr	Klobuchar	Warren
Harris	Sanders	

The nomination was confirmed.

#### EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Bernard Maurice Jones II, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

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

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

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

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

The result was announced—yeas 91, nays 3, as follows:

[Rollcall Vote No. 421 Ex.]

#### YEAS—91

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

#### NAYS—3

Gillibrand	Markey	Schumer
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#### NOT VOTING—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The nomination was confirmed.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER (Mr. BRAUN). The clerk will report the next nomination.

The senior assistant bill clerk read the nomination of Mary Kay Vyskocil, of New York, to be United States District Judge for the Southern District of New York.

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

Mrs. MURRAY. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

Mr. DURBIN. I announce that the Senator from New Jersey (Mr. BOOKER), the Senator from California (Mr. HARRIS), the Senator from Minnesota (Mr. 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 91, nays 3, as follows:

[Rollcall Vote No. 422 Ex.]

#### YEAS—91

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

#### NAYS—3

Gillibrand	Heinrich	Markey
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#### NOT VOTING—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The nomination was confirmed.

#### EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Kea Whetzal Riggs, of New Mexico, to be United States District Judge for the District of New Mexico.

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

Mrs. MURRAY. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Georgia (Mr. ISAKSON).

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

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

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

[Rollcall Vote No. 423 Ex.]

YEAS—94

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

NOT VOTING—6

Booker	Isakson	Sanders
Harris	Klobuchar	Warren

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

UNANIMOUS CONSENT AGREEMENTS—EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the cloture motion with respect to Executive Calendar No. 550 be withdrawn.

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

Mr. MCCONNELL. I further ask unanimous consent that following disposition of the Davis nomination, the Senate resume consideration of the Biegun nomination and vote on confirmation of the nomination; finally, if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

UNANIMOUS CONSENT AGREEMENT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that following the disposition of the Biegun nomination, the Senate proceed to legislative session and resume consideration of the House message to accompany H.R. 1158; that if cloture is invoked on the motion to concur in the House amendment to the Senate amendment to H.R. 1158, the postcloture time be expired, the other pending motions and amendments be withdrawn, and the Senate vote on adoption of the motion to concur in the House amendment to the Senate amendment to H.R. 1158 with no intervening action or debate.

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

EXECUTIVE CALENDAR

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

The legislative clerk read the nomination of Robert J. Colville, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Mr. CRUZ. 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 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 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 66, nays 27, as follows:

[Rollcall Vote No. 424 Ex.]

YEAS—66

Alexander	Grassley	Peters
Baldwin	Hassan	Portman
Bennet	Heinrich	Reed
Blumenthal	Hirono	Roberts
Blunt	Hyde-Smith	Rosen
Brown	Johnson	Schatz
Burr	Jones	Schumer
Cantwell	Kaine	Scott (FL)
Cardin	Kennedy	Shaheen
Carper	King	Shelby
Casey	Leahy	Sinema
Cassidy	Manchin	Smith
Collins	Markey	Stabenow
Coons	McConnell	Tester
Cornyn	McSally	Toomey
Cortez Masto	Menendez	Udall
Crapo	Merkley	Van Hollen
Duckworth	Moran	Warner
Durbin	Murkowski	Whitehouse
Feinstein	Murphy	Wicker
Gillibrand	Murray	Wyden
Graham	Perdue	Young

NAYS—27

Barrasso	Enzi	Risch
Blackburn	Ernst	Romney
Boozman	Fischer	Rounds
Braun	Gardner	Rubio
Capito	Hawley	Sasse
Cotton	Hoeven	Scott (SC)
Cramer	Inhofe	Sullivan
Cruz	Lankford	Thune
Daines	Lee	Tillis

NOT VOTING—7

Booker	Klobuchar	Warren
Harris	Paul	
Isakson	Sanders	

The nomination was confirmed.

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Lewis J. Liman, of New York, to be United States District Judge for the Southern District of New York.

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

Mr. MANCHIN. Mr. President, I ask for 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 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 California (Ms. HARRIS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 64, nays 29, as follows:

[Rollcall Vote No. 425 Ex.]

YEAS—64

Alexander	Hassan	Roberts
Baldwin	Heinrich	Rosen
Bennet	Hirono	Schatz
Blumenthal	Hyde-Smith	Schumer
Blunt	Jones	Scott (FL)
Brown	Kaine	Shaheen
Burr	King	Shelby
Cantwell	Leahy	Sinema
Cardin	Manchin	Smith
Carper	Markey	Stabenow
Casey	McConnell	Tester
Collins	McSally	Tillis
Coons	Menendez	Toomey
Cornyn	Merkley	Udall
Cortez Masto	Moran	Van Hollen
Duckworth	Murkowski	Warner
Durbin	Murphy	Whitehouse
Enzi	Murray	Wicker
Feinstein	Perdue	Wyden
Gillibrand	Peters	Young
Graham	Portman	
Grassley	Reed	

NAYS—29

Barrasso	Daines	Lee
Blackburn	Ernst	Risch
Boozman	Fischer	Romney
Braun	Gardner	Rounds
Capito	Hawley	Rubio
Cassidy	Hoeven	Sasse
Cotton	Inhofe	Scott (SC)
Cramer	Johnson	Sullivan
Crapo	Kennedy	Thune
Cruz	Lankford	

NOT VOTING—7

Booker	Klobuchar	Warren
Harris	Paul	
Isakson	Sanders	

The nomination was confirmed.

EXECUTIVE CALENDAR

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

The bill clerk read the nomination of Gary Richard Brown, of New York, to be United States District Judge for the Eastern District of New York.

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

The nomination was confirmed.

EXECUTIVE CALENDAR

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

The bill clerk read the nomination of Stephanie Dawkins Davis, of Michigan, to be United States District Judge for the Eastern District of Michigan.

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

The nomination was confirmed.

#### EXECUTIVE CALENDAR

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

The bill clerk read the nomination of Stephen E. Biegun, of Michigan, to be Deputy Secretary of State.

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

Mr. CARDIN. 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 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 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 90, nays 3, as follows:

[Rollcall Vote No. 426 Ex.]

#### YEAS—90

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

#### NAYS—3

Gillibrand	Hirono	Markey
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#### NOT VOTING—7

Booker	Klobuchar	Warren
Harris	Paul	
Isakson	Sanders	

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.

#### LEGISLATIVE SESSION

#### DHS CYBER INCIDENT RESPONSE TEAMS ACT OF 2019

The PRESIDING OFFICER. The Senate will now resume legislative session.

The Senate resumed consideration of the House message to H.R. 1158, a bill to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes.

Pending:

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill.

McConnell motion to concur in the amendment of the House to the amendment of the Senate to the bill, with McConnell Amendment No. 1263 (to the House amendment to the Senate amendment), to change the enactment date.

McConnell Amendment No. 1264 (to Amendment No. 1263), of a perfecting nature.

McConnell motion to refer the message of the House on the bill to the Committee on Appropriations, with instructions, McConnell Amendment No. 1265, to change the enactment date.

McConnell Amendment No. 1266 (the instructions (Amendment No. 1265) of the motion to refer), of a perfecting nature.

McConnell Amendment No. 1267 (to Amendment No. 1266), of a perfecting nature.

#### CLOTURE MOTION

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

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to concur in the House amendment to the Senate amendment to H.R. 1158, a bill to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes.

Mitch McConnell, Susan M. Collins, Richard Burr, David Perdue, Pat Roberts, John Cornyn, Shelley Moore Capito, John Thune, John Boozman, Rob Portman, Richard C. Shelby, Roy Blunt, Jerry Moran, John Hoeven, Roger F. Wicker, Thom Tillis, Lisa Murkowski.

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

The question is, Is it the sense of the Senate that the debate on the motion

to concur in the House amendment to the Senate amendment to H.R. 1158, a bill (H.R. 1158) entitled "An Act to authorize cyber incident response teams at the Department of Homeland Security, and for other purposes," shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from 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 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 or change their vote?

The result was announced—yeas 77, nays 16, as follows:

[Rollcall Vote No. 427 Leg.]

#### YEAS—77

Alexander	Gardner	Reed
Baldwin	Graham	Risch
Barrasso	Grassley	Roberts
Bennet	Hassan	Romney
Blumenthal	Heinrich	Rosen
Blunt	Hirono	Rounds
Boozman	Hoeven	Rubio
Brown	Hyde-Smith	Sasse
Burr	Inhofe	Schatz
Cantwell	Jones	Scott (FL)
Capito	Kaine	Scott (SC)
Cardin	Kennedy	Shaheen
Casey	King	Shelby
Collins	Lankford	Sinema
Coons	Leahy	Smith
Cornyn	Manchin	Stabenow
Cortez Masto	McConnell	Sullivan
Cotton	McSally	Tester
Cramer	Menendez	Thune
Crapo	Moran	Tillis
Daines	Murkowski	Udall
Duckworth	Murphy	Warner
Durbin	Murray	Whitehouse
Enzi	Perdue	Wicker
Feinstein	Peters	Young
Fischer	Portman	

#### NAYS—16

Blackburn	Gillibrand	Schumer
Braun	Hawley	Toomey
Carper	Johnson	Van Hollen
Cassidy	Lee	Wyden
Cruz	Markey	
Ernst	Merkley	

#### NOT VOTING—7

Booker	Klobuchar	Warren
Harris	Paul	
Isakson	Sanders	

The PRESIDING OFFICER. On this vote, the yeas are 77, the nays are 16.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

Under the previous order, cloture having been invoked on the motion to concur, the other pending motions are withdrawn.

#### VOTE ON MOTION TO CONCUR

The question occurs on agreeing to the motion to concur.

Ms. ERNST. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?



There appears to be a sufficient second.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Carolina (Mr. BURR), 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 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 result was announced—yeas 81, nays 11, as follows:

[Rollcall Vote No. 428 Leg.]

#### YEAS—81

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

#### NAYS—11

Braun	Hawley	Schumer
Carper	Lee	Van Hollen
Cruz	Markey	Wyden
Gillibrand	Merkley	

#### NOT VOTING—8

Booker	Isakson	Sanders
Burr	Klobuchar	Warren
Harris	Paul	

The motion was agreed to.

The PRESIDING OFFICER. The Senator from South Dakota.

#### DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 1158

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 81, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 81) directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 1158.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. THUNE. Mr. President, I ask unanimous consent that the concurrent resolution be agreed to and the motion 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 concurrent resolution (H. Con. Res. 81) was agreed to.

#### DIRECTING THE CLERK OF THE HOUSE OF REPRESENTATIVES TO MAKE A CORRECTION IN THE ENROLLMENT OF H.R. 1865

Mr. THUNE. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of H. Con. Res. 82, which was received from the House.

The PRESIDING OFFICER. The clerk will report the concurrent resolution by title.

The senior assistant legislative clerk read as follows:

A concurrent resolution (H. Con. Res. 82) directing the clerk of the House of Representatives to make a correction in the enrollment of H.R. 1865.

The PRESIDING OFFICER. Is there an objection to proceeding to the measure?

There being no objection, the Senate proceeded to consider the concurrent resolution.

Mr. THUNE. Mr. President, I ask unanimous consent the concurrent resolution be agreed to and the motion 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 concurrent resolution (H. Con. Res. 82) was agreed to.

#### MORNING BUSINESS

Mr. THUNE. Mr. President, I ask unanimous consent 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 MIKE RUST

Mr. MCCONNELL. Mr. President, it is with gratitude that I pay tribute today to Mike Rust, a leading advocate for positive healthcare outcomes in Kentucky. With a long list of accomplishments and two dozen years as president of the Kentucky Hospital Association, Mike has certainly earned a relaxing and enjoyable retirement. Communities throughout our Commonwealth have benefited from Mike's leadership, and I would like to join them today in honoring his impressive career.

Before coming to Kentucky, Mike worked in senior positions at hospitals

in West Virginia and with the Florida Hospital Association. Taking the impressive skills he developed throughout his career, Mike joined the KHA in 1996 as its third president. Mike and his team support the work of each and every one of Kentucky's 120-plus hospitals to enhance healthcare services in both rural and urban communities across the Commonwealth.

In addition to its advocacy work, the KHA under Mike's leadership offers critical services to its membership, including research, education, and support for patient safety and quality care. Patients and hospitals in our State will continue to benefit from Mike's great work for many years to come. Through his achievements on behalf of Kentucky's hospitals and their patients, Mike has earned the respect of his peers in our Commonwealth and across the Nation.

On a personal note, I have enjoyed partnering with Mike in my work in the Senate to support Kentucky families and communities. Just recently, the KHA supported my effort to raise the nationwide minimum purchase age for tobacco products from 18 to 21. His counsel was also particularly beneficial in our fight against the passage of Obamacare, which the KHA rightly opposed. My staff and I will miss Mike's collaboration on many important Kentucky priorities, but I am confident the organization he dedicated so much of his life to will continue building upon his legacy.

As Mike reaches this milestone, I would like to thank him for his leadership on behalf of hospitals and families across the Commonwealth. I share my best wishes with Mike and his family for many years of relaxation and enjoyment together. Finally, I hope my Senate colleagues will join me in congratulating Mike Rust for a long career of distinguished advocacy and service to Kentucky.

#### TRIBUTE TO COACH SCOTT SATTERFIELD

Mr. MCCONNELL. Mr. President, it was a year ago this month that my alma mater, the University of Louisville, hired Scott Satterfield as its new football coach. The Cardinals convinced Scott to leave his head coaching job at Appalachian State University and take over Louisville's program. Today, it is a real pleasure for me to celebrate the good decision he made and to congratulate Coach Scott Satterfield for earning the title of "2019 Atlantic Coast Conference Football Coach of the Year."

When he first walked into Louisville's locker room as head coach, Scott faced a daunting task. The Cardinals ended their previous season with only two wins, leaving the team disappointed and the fans less than enthusiastic. Critics predicted another lackluster year for the Cardinals, and a pre-season poll anticipated a repeat last-place finish in the division.

Well, anyone who made those predictions clearly didn't know Scott. They didn't understand the effect he could have on UofL's program and its student-athletes in hardly any time at all. Now, 1 year into the Satterfield-era, the University of Louisville Cardinals have won seven games, placed second in their division, and the team is on the way to the Music City Bowl. And when they take the field in Nashville, the Cardinals will be led by their award-winning and expectations-beating head coach.

It is a great privilege for a longtime Cards fan like myself to pay tribute to Coach Satterfield and his many accomplishments. He set out to change the program's culture, to restore the team's confidence, and to unite the players, coaches, and fans together around a shared purpose. Overcoming a challenging schedule took vision and grit, which are qualities Scott possesses in great measure.

Coach Satterfield has made fall Saturdays—or should I say “Satterdays”—in Louisville a whole lot of fun. Igniting an explosive offense, including 2019 All-ACC first team honorees Tutu Atwell and Mekhi Becton, the Cardinals averaged more than 440 yards per game. The defense stepped up too—often when it mattered most—and helped add a couple of quality wins to the Cardinals' resume.

Scott began this season determined to prove that this team could live up to its greatest potential. Along with Louisville's other top-notch coaches, he is helping to restore UofL's pride. And after only a single season, he is already making history. As the first UofL coach to ever be named “ACC Coach of the Year,” Scott has shown that he not only has what it takes to compete at the highest levels of college football but that he is also ready to lead his team, our university, and the city to victory.

So I would like to congratulate Coach Scott Satterfield for receiving this well-deserved honor and to thank him for providing some extraordinary football to watch this season. I hope my Senate colleagues will join me in paying tribute to Scott as he prepares to finish strong in Nashville at the end of the month. I for one, look forward to cheering on my Cards.

#### TRIBUTE TO NICOLAAS BUDDE

Mr. THUNE. Mr. President, I rise to pay tribute to a longtime member of my staff, Nicolaas Budde, who is departing my office after 15 years of service.

Nic has been my systems administrator, responsible for keeping all of the technology in my personal and leadership Senate offices here in Washington and in our three State offices in good working order, among many other things.

Needless to say, a key part of the job description for a systems administrator is the ability to be extremely

patient with those of us who may not be as up to speed on the technology available to us. And I would say that there are very few people who are as patient and kind as Nic.

From fixing a recalcitrant printer to setting up a new, high-tech studio for the Senate Republican conference, Nic always does what can often be frustrating and time-consuming work with a cheerful smile and a reassuring word. He comes to work every single day with a sunny and enthusiastic attitude, and he doesn't accept anything less than the best when it comes to serving South Dakotans and our fellow Americans.

Nic grew up in Harrisburg, SD, and worked on both of my Senate campaigns as systems administrator while he was in college at Dakota State University in Madison, SD. For those who may not know, Dakota State University is the “high-tech” college in our State, and students who graduate from DSU often go on to prestigious jobs at technology companies and the like. Nic could have done any of those jobs, but instead he chose to dedicate his career to serving here in the Senate.

Nic is very involved in the Senate community, often vetting new technologies and participating in pilot projects and working groups regarding the use of technology in the Senate. Nic manages my official website, and during his tenure the site has earned several Mouse Awards from the non-partisan Congressional Management Foundation, including a Gold Mouse Award. Our website is a critical part of our efforts to keep constituents informed about the work we do on their behalf, and I am grateful to Nic for all the work he has done to make our site a helpful resource for South Dakotans.

Before I came to my current leadership position as majority whip, I was head of the Senate Republican Conference, and Nic was a key part of the conference team. While we were there, Nic managed a complex and highly technical project to upgrade the technological infrastructure of the office, an important but often unsung part of our ability to get our conference's message out to the nation.

Nic is currently managing a similarly difficult project at the Senate Republican Conference, setting up a new, high-tech studio that will greatly expand our technological and communications capabilities in that office. This is incredibly important work, and Nic has done all of this while at the same time putting out fires in my whip office and in the personal office whenever the phones go down or someone's email isn't working—and always with a smile and a great deal of patience.

I want to thank Nic for his service and also thank his wife Jackie and his children, Ella and Frederick, for letting us have their husband and dad for these many years.

Thankfully, Nic won't be going far. He will just be down the hall continuing his work at the Senate Repub-

lican Conference, where all of my colleagues will get the benefit of his expertise.

Nic, thank you again for your many years of service, your cheerfulness, your kindness, your hard work, and most importantly, your patience.

We wish you the very best for the future.

#### RECOGNIZING WGN-TV

Mr. DURBIN. Mr. President, we find ourselves in the usual December doldrums. We are somewhere between the end of the baseball season and the beginning of spring training. It is a time to reflect and a time to dream.

A familiar offseason refrain from many die-hard Chicago Cubs fans is, “Wait ‘til next year” or “next season will be different.” Well, next season will indeed be different as Cubs fans will not, in the immortal words of Steve Goodman, be able to “catch it all on WGN.” Chicago Cubs baseball is moving to the new Marquee Sports Network. I want to take a moment to honor WGN's long-standing commitment to unsurpassed sports coverage and their historic partnership with the Cubs.

I think it is safe to say that, for the most part, Cubs fans are an optimistic bunch. We have endured some very tough seasons and the longest championship drought in Major League Baseball. Of course, in 2016, the Cubs rewarded their fans with a World Series championship, the first in more than a century. Throughout much of that century, fans could count on watching their favorite team on “Chicago's Very Own,” WGN-TV. In fact, for 72 years, WGN helped spread the thrills of Cubs baseball through player milestones, including Mr. Cub Ernie Banks' 500th homerun, pennant races, October baseball, and more than a few lean years.

The Cubs game on April 23, 1948, wasn't a particularly memorable one. They lost 1-0 to the rival St. Louis Cardinals. History was made not on the field but in the broadcast booth as WGN-TV aired its first Cubs game and set in motion the longest baseball-TV relationship in baseball history. Since then, WGN-TV has aired 7,115 Cubs games, reaching fans across the country and around the globe.

It was a great risk for the Cubs to start airing all their games on television. What if people stopped going to games and only watched from home? After all, WGN-TV made it feel like you were at the game. The Zoomar lens brought long shots and close-ups into focus as a television cameraman swung quickly from views of the whole diamond to close-ups of batting, pitching, and action in the bullpen. But the gamble was worth it. The Cubs drew 1.2 million fans to Wrigley Field in 1948, despite losing 90 games that season.

It became a tradition for kids to come home after school to watch the Cubs on WGN. Hall of famers Ernie Banks, Billy Williams, Ron Santo,

Fergie Jenkins, Andre Dawson, Ryne Sandberg, and a host of Cubs stars became household names to fans across the country. Many a big leaguer today will tell stories about watching the Cubs on WGN-TV and dreaming of playing at Wrigley Field.

Generations of fans grew up knowing the sights and sounds of WGN-TV's Jack Brickhouse yelling, "Hey-hey!" or Harry Caray's "Holy cow!" and his famous rendition of "Take Me Out to the Ball Game." Both of these hall of famers informed, entertained, and thrilled us for decades with their play-by-play. They dazzled in the booth even when the action on the field fell a bit short. WGN legendary producer/director Arne Harris was behind the scenes from the 1960s through 2001, bringing us baseball history from Wrigley Field. A distinguished list of announcers also graced the WGN-TV broadcast booth including Milo Hamilton, Lou Boudreau, Vince Lloyd, and Lloyd Pettit. Today, Len Kasper and Jim Deshaies faithfully continue that tradition and are our trusted guides to Cubs baseball. They will continue, along with WGN-TV director of production and author Bob Vorwald, on the new network in 2020.

I want to take this opportunity to thank WGN-TV president general manager Paul Rennie and all the good people at WGN who brought us the sights and sounds of the Cubs and the Friendly Confines for 72 years.

In addition to those already mentioned, we acknowledge longtime sports editor Jack Rosenberg, who routinely pulled off the impossible in support of the telecast; directors Chris Erskine, Jack Jacobson, Bill Lotzer, Skip Ellison, and Marc Brady; and videographer Joe Pausback. My friend, Shaun Sheehan, was WGN's ambassador to Washington and to the Congress for nearly three decades. And countless assistant directors, technical directors, camera operators, audio engineers, video shaders, and sales, business, and station executives, including Jim Tianis, Frank Leone, Mike Aiello, Scott Jones, Steve Casey, Mike Clay, Mark Stencel, Marty Wilke, Errol Gerber, Marissa Rudman, Jake Fendley, Mark Boe, Jeff Shaw, Ward Quaal, Joe Loughlin, Dennis FitzSimons, Peter Walker, John Vitanovec, Tom Ehlmann, Greg Easterly, Jim Dowdle, Sheldon Cooper, Jim Zerwekh, Bob Ramsey, Tom Boyd, and Terry "Whitey" Pearson truly made Cubs baseball on WGN-TV special.

As Bob Vorwald said just before the final games on WGN, "We want to tip our hat to Jack Brickhouse and Harry Caray and all the people that have announced and the thousands of men and women that have worked on the games. But, the best way to do that is by having a great telecast. That's always

been our mission, and it's important that we uphold that to the very end."

As WGN-TV and all the people who made Chicago Cubs baseball telecasts possible sign off, let me join the countless fans in thanking them for creating an American standard of broadcasting excellence.

#### BUDGET ENFORCEMENT LEVELS FOR FISCAL YEAR 2020

Mr. ENZI. Mr. President, section 251 of the Balanced Budget and Emergency Deficit Control Act of 1985, BBEDCA, establishes statutory limits on discretionary spending and allows for various adjustments to those limits. In addition, sections 302 and 314(a) of the Congressional Budget Act of 1974 allow the chairman of the Budget Committee to establish and make revisions to allocations, aggregates, and levels consistent with those adjustments.

The Senate will soon consider two measures: the House amendment to the Senate amendment to H.R. 1158, the Consolidated Appropriations Act, 2020, and the House amendment to the Senate amendment to H.R. 1865, the Further Consolidated Appropriations Act, 2020. These measures contain spending that qualifies for cap adjustments under current law.

The Consolidated Appropriations Act, 2020 includes multiple instances of cap adjustment eligible spending. The measure includes \$70,855 million in spending designated as being for overseas contingency operations, OCO, funding pursuant to section 251(b)(2)(A)(ii) of BBEDCA. This budget authority, all of which falls into the revised security category, would result in \$40,336 million in outlays in fiscal year 2020. The measure further includes \$17,503 million in spending designated for disaster relief pursuant to section 251(b)(2)(D) of BBEDCA. This budget authority, all of which falls into the revised nonsecurity category, would result in \$984 million in outlays. The measure also includes \$1,771 million in revised security category budget authority that is designated as an emergency pursuant to section 251(b)(2)(A)(i) of BBEDCA. CBO estimates that this budget authority, as well as other emergency designated changes, would increase net outlays by \$914 million this fiscal year.

The Consolidated Appropriations Act, 2020, also includes \$2,500 million in nonsecurity budget authority that is designated as being for the periodic U.S. Census pursuant to section 251(b)(2)(G) of BBEDCA. CBO estimates that this budget authority will result in \$1,800 million in outlays in fiscal year 2020. Earlier this year, I made an adjustment to accommodate funding in this amount for this purpose and reaffirm those funds for use for this measure.

The Further Consolidated Appropriations Act, 2020 also includes multiple instances of cap adjustment eligible spending. The measure includes \$8,645 million in spending designated as being for OCO funding pursuant to section 251(b)(2)(A)(ii) of BBEDCA. This budget authority, \$645 million of which falls into the revised security category and \$8,000 million falls into the revised nonsecurity category, would result in \$2,327 million in outlays in fiscal year 2020. The measure includes \$1,842 million in spending designated for program integrity pursuant to section 251(b)(2)(B), section 251(b)(2)(C), and section 251(b)(2)(E) of BBEDCA. This budget authority, all of which falls into the revised nonsecurity category, would result in \$1,481 million in outlays. The measure also includes \$6,764 million in revised nonsecurity category budget authority that is designated as an emergency pursuant to section 251(b)(2)(A)(i) of BBEDCA. CBO estimates that this budget authority, as well as other emergency designated changes, would increase net outlays by \$1,705 million this fiscal year.

The Further Consolidated Appropriations Act, 2020 also includes \$2,250 million in nonsecurity discretionary budget authority for wildfire suppression operations pursuant to section 251(b)(2)(F) of BBEDCA. This budget authority and its associated outlays of \$2,250 million qualify for an adjustment under the law. Earlier this year, I made an adjustment to accommodate funding in this amount for this purpose and reaffirm those funds for use for this measure. As such, I am revising the budget authority and outlay allocations to the Committee on Appropriations by increasing revised nonsecurity budget authority by \$27,880 million, revised security budget authority by \$79,500 million, and general outlays by \$47,747 million in fiscal year 2020. Further, I am increasing the budgetary aggregate for fiscal year 2020 by \$107,126 million in budget authority and \$47,534 million in outlays.

I ask unanimous consent that this notice and the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

REVISION TO BUDGETARY AGGREGATES	
(Pursuant to Sections 311 and 314(a) of the Congressional Budget Act of 1974)	
\$ in millions	2020
Current Spending Aggregates:	
Budget Authority .....	3,708,996
Outlays .....	3,685,541
Adjustments:	
Budget Authority .....	107,126
Outlays .....	47,534
Revised Spending Aggregates:	
Budget Authority .....	3,816,122
Outlays .....	3,733,075

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2020  
(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

\$s in millions							2020
Current Allocation:							
Revised Security Discretionary Budget Authority .....							666,500
Revised Nonsecurity Category Discretionary Budget Authority .....							626,258
General Purpose Outlays .....							1,368,429
Adjustments:							
Revised Security Discretionary Budget Authority .....							79,500
Revised Nonsecurity Category Discretionary Budget Authority .....							27,880
General Purpose Outlays .....							47,747
Revised Allocation:							
Revised Security Discretionary Budget Authority .....							746,000
Revised Nonsecurity Category Discretionary Budget Authority .....							654,138
General Purpose Outlays .....							1,416,176

Memorandum: Detail of Adjustments Made Above	OCO	Program Integrity	Disaster Relief	Emergency	Wildfire Suppression	U.S. Census	Total
Revised Security Discretionary Budget Authority .....	71,500	0	0	8,000	0	0	79,500
Revised Nonsecurity Category Discretionary Budget Authority .....	8,000	1,842	17,503	535	0	0	27,880
General Purpose Outlays .....	42,663	1,481	984	2,619	0	0	47,747

JUDICIAL NOMINATIONS

Mr. BENNET. Mr. President, I rise to discuss the President's nominees for the Federal bench. I strongly believe that women should be in charge of their own healthcare decisions. Family planning choices are deeply personal, and women should be free to make the choice that is right for them, their family, faith, personal beliefs, or medical needs. As States like Alabama, Georgia, and others attempt to roll back women's access to reproductive healthcare, it is more important than ever that we work together to protect this right.

Unfortunately, too many of President Trump's nominees to the Federal courts hold beliefs that fail to respect long-settled precedent on women's healthcare. For example, the Senate recently voted to confirm Sarah Pitlyk to a Federal district court. As an attorney, she defended Iowa's unconstitutional ban on abortions at 6 weeks. Pitlyk has also worked to defend the Trump administration's Title X gag rule, which prohibits healthcare providers who receive this critical funding from discussing the full range of family planning options with their patients. And finally, she lacked any meaningful trial experience. It is no wonder the American Bar Association found that she was unqualified to serve on the district court.

Despite *Roe v. Wade* being the law of the land, too many of President Trump's nominees have actively sought to undermine the rights of women to control their own reproductive health choices. Their amicus briefs, legal writings, and arguments demonstrate a hostility towards women's rights that are incompatible with the role of a Federal judge.

I will continue to evaluate President Trump's judicial nominees based on their stances on women's reproductive health and remain committed to voting for nominees who have a strong record on upholding constitutionally protected reproductive healthcare rights. Accordingly, had I been present in the Senate, I would have voted against the nominations of Michael Park to serve on the U.S. Court of Appeals for the Second Circuit, Dan Collins to the U.S.

Court of Appeals for the Ninth Circuit, Peter Phipps to the U.S. Court of Appeals for the Third Circuit, Wendy Williams Berger to the U.S. District Court for the Middle District of Florida, Brian Buescher to the U.S. District Court for the District of Nebraska, Michael Liburdi to the U.S. District Court for the District of Arizona, Sean Jordan to the U.S. District Court for the Eastern District of Texas, Brantley Starr to the U.S. District Court for the Northern District of Texas, Jeffrey Vincent Brown to the U.S. District Court for the Southern District of Texas, and William Shaw Stickman IV to the U.S. District Court for the Western District of Pennsylvania, Stephen Menashi to serve on the Second Circuit Court of Appeals and Lawrence VanDyke to serve on the Ninth Circuit Court of Appeals.

Moving forward, it is my hope that the President will nominate individuals who respect women's healthcare decisions.

BORDER SECURITY

Mr. INHOFE. Mr. President, after visiting our southern border countless times, most recently in August when I toured the Mexican side of the border with their deployed National Guard units, I know that we face a dire situation that is only improving because of the aggressive action taken by President Trump. As he and I both know, more needs to be done. Securing our border is vital to national security.

In our discussions with the Mexican Government following my recent trip, they expressed strong support for doing work on their southern border to stem the tide of illegal immigrants from other nations in Central America. Accordingly, I am proud to introduce the Mirador-Calakmul Basin Maya Security & Conservation Partnership Act, which will provide critical resources to the region to supplement the efforts made by the Government of Mexico to secure its own southern border. These resources will be critical because increased insecurity and lack of economic opportunity in this region are drivers of emigration from Guatemala and Mexico to the United States as

local communities face pressure to participate in deforestation, logging, narcotics trafficking and other illicit activities. It is in the best interest for the national security of the United States to support political stability, reduced migration, reduction of poverty, and enhanced economic development around the basin in Guatemala and Mexico.

The Mirador Basin features beautiful Mayan ruins with networks of pyramids, palaces, and ancient cities that many consider to be the eighth wonder of the world, and I would agree. I used to fly my plane over the Mirador Basin, and I have seen the magnificent structures with my own eyes. My legislation will support efforts made by the Department of the Interior, the Department of State, the Mexican Government the Guatemalan Government and various universities and research institutions to secure this region and ensure future generations are afforded the same opportunity to see these magnificent Mayan ruins.

One of the most important things we can do to secure this region is support the local communities surrounding the Mirador Basin by providing economic opportunity and ensuring that this community receives direct economic benefit. If the members of the local community are able to find work in the region, it will greatly reduce the incentive to attempt the arduous journey to illegally immigrate to the United States.

Mr. President, it is critical that we secure our southern border. Border security is national security. It is just that simple. There are many proposals targeting this issue, and I support many of them—including building the wall. This additional legislation is a targeted approach, and I thank Senators UDALL and RISCH for joining me in this initiative.

VOTE EXPLANATION

Mr. TOOMEY. Mr. President, on the motion to invoke cloture on the House amendment to the Senate Amendment to H.R. 1158, the Consolidated Appropriations Act, vote No. 427, I had intended to be recorded as voting no.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the Record.)

#### VOTE EXPLANATION

• Ms. HARRIS. Mr. President. I was absent, but had I been present, I would have voted no on rollcall vote No. 401, the motion to invoke cloture on Executive Calendar No. 382, Matthew Walden McFarland, of Ohio, to be United States District Judge for the Southern District of Ohio.

Mr. President. I was absent, but had I been present, I would have voted no on rollcall Vote No. 402, the confirmation of Executive Calendar No. 382, Matthew Walden McFarland, of Ohio, to be United States District Judge for the Southern District of Ohio.

Mr. President. I was absent, but had I been present, I would have voted no on rollcall Vote No. 403, the motion to invoke cloture on Executive Calendar No. 465, Anuraag Singhal, of Florida, to be United States District Judge for the Southern District of Florida.

Mr. President. I was absent, but had I been present, I would have voted no on rollcall Vote No. 404, the motion to invoke cloture on Executive Calendar No. 466, Karen Spencer Marston, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Mr. President. I was absent, but had I been present, I would have voted no on rollcall Vote No. 405, the motion to invoke cloture on Executive Calendar No. 480, Daniel Mack Traynor, of North Dakota, to be United States District Judge for the District of North Dakota.

Mr. President. I was absent, but had I been present, I would have voted no on rollcall Vote No. 406, the motion to invoke cloture on Executive Calendar No. 481, Jodi W. Dishman, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

Mr. President. I was absent, but had I been present, I would have voted no on rollcall Vote No. 407, the motion to invoke cloture on Executive Calendar No. 490, John M. Gallagher, of Pennsylvania, to be United States District Judge for the Eastern District of Pennsylvania.

Mr. President. I was absent, but had I been present, I would have voted no on rollcall Vote No. 408, the motion to invoke cloture on Executive Calendar No. 536, Bernard Maurice Jones II, of Oklahoma, to be United States District Judge for the Western District of Oklahoma.

Mr. President. I was absent, but had I been present, I would have voted no on rollcall Vote No. 409, the motion to invoke cloture on Executive Calendar No. 354, Mary Kay Vyskocil, of New York, to be United States District Judge for the Southern District of New York.

Mr. President. I was absent, but had I been present, I would have voted yes on rollcall Vote No. 410, the motion to

invoke cloture on Executive Calendar No. 383, Kea Whetzal Riggs, of New Mexico, to be United States District Judge for the District of New Mexico.

Mr. President. I was absent, but had I been present, I would have voted yes on rollcall Vote No. 412, the motion to invoke cloture on Executive Calendar No. 357, Stephanie Dawkins Davis, of Michigan, to be United States District Judge for the Eastern District of Michigan.●

#### H.R. 1865

Mr. VAN HOLLEN. Mr. President, today the Senate passed H.R. 1865, one of two appropriations packages needed to fund the Federal Government for fiscal year 2020.

Eight appropriations bills are part of this consolidated appropriations bill—eight bills that fund programs which impact every part of our lives—and I am pleased that we have made several strong steps to better serve the American people.

For Maryland and the Chesapeake Bay, the bill provides a historic level of funding for EPA's Chesapeake Bay program and continued funding for the dredging needs of the Port of Baltimore. In addition, the bill provides funding for the Army Corps of Engineers to resume oyster restoration work in the bay. These are hard-fought wins, and I appreciate the work of those in the Maryland and Chesapeake Bay delegations to help get this done.

After years of Republican opposition, this bill finally funds critical gun violence research at the Centers for Disease Control. Gun violence is an epidemic, and we should be engaging our best minds to find solutions to keep the American people safe. I am also pleased that the bill includes funding for the CDC to research sexual abuse prevention and for the Agency for Healthcare Research Quality to support diagnostic error research—issues I have worked on in the Appropriations Committee. The bill also includes important increases for medical research at the National Institutes of Health and delivers funding to implement the Childhood Cancer STAR Act.

H.R. 1865 includes a funding increase for the Infant and Early Childhood Mental Health Program, which helps develop, maintain, or enhance infant and early childhood mental health promotion, intervention, and treatment programs for children at risk of developing, showing early signs of, or having been diagnosed with mental illness. The bill also includes funding to continue the National Adoption Competency Mental Health Training Initiative, which helps child welfare and mental health workers better understand and address the mental health needs of children, youth, and their families moving toward or having achieved permanency through adoption or guardianship.

I am also very pleased that the bill continues the Federal funding commit-

ment to WMATA. I, along with Senator CARDIN and our colleagues from Virginia have introduced a WMATA reauthorization bill that would authorize an additional 10 years of Federal funding. WMATA is the Nation's transit system, and maintaining our Federal support is essential for the local economy and for the people who live and work here. Given the significant Federal ridership, it is incumbent on us to ensure the Federal Government pay its fair share.

The bill fully funds a housing mobility demonstration project that Senator YOUNG and I have worked to develop. I look forward to the results of the program as we look to expand housing vouchers and give families a safe and stable place from which to build their futures. The bill also funds the community development block grant and HOME Partnership Program, two crucial economic development programs that were eliminated in the President's budget.

I am pleased that the bill rejected a number of the President's cuts to education and actually boosts funds for afterschool and student support programs. It increases funding for title I and IDEA, two foundational programs that help students in underserved areas and those with disabilities have the resources they need to get a good education. The bill expands access to early education by increasing funds for the child care and development block grant and provides more K-12 wraparound services with boosts to the Full Service Community Schools and Promise Neighborhoods Programs. The bill increases the Pell grant and continues funding for Senators to pay their interns—an initiative I have worked closely on with Senators MURPHY, SCHATZ, COLLINS, and MURKOWSKI.

While the bill is mostly focused on domestic policy, I appreciate the inclusion of language I authored to hold Saudi Arabia to the "gold standard" section 123 agreement as a condition for Export-Import Bank financing for U.S. nuclear exports. We should not be transferring sensitive nuclear technology to Saudi Arabia without the establishment of strong nonproliferation guardrails. I am also pleased that the bill retains my provisions to sanction foreign government officials responsible for the detention of American citizens and locally employed staff of U.S. diplomatic missions, urges the Indian Government to reverse course in Kashmir, bans the sale of arms to Turkish President Erdogan's bodyguards, and mandates comprehensive oversight of the administration's travel ban and refugee resettlement policies. In addition, this legislation provides critical humanitarian and development assistance for our partners and allies around the world, despite President Trump's repeated attempts to cut the foreign assistance budget dramatically.

Importantly, H.R. 1865 includes a 10-year reauthorization of the Patient-

Centered Outcomes Research Institute, PCORI. When PCORI was first created, there was broad agreement about the critical need for comparative effectiveness research, CER. The CER research being done through PCORI is helping to generate more personalized, more reliable research that is directly relevant to individual patients and doctors. There are significant evidence gaps about what medical treatments and services are most clinically effective and for whom. We need more information, and that information must quickly get into the hands of patients and providers so they can make better-informed decisions about their health care. PCORI-funded research is helping to fill that gap, and I am pleased that this bill will allow it to continue for another decade.

The bill also includes important policy improvements contained in the PCORI Reauthorization Act, S. 2897, legislation I introduced with Senators WARNER, CASSIDY, and CAPITO. H.R. 1865 will ensure that PCORI-funded research is designed to take into account and capture the full range of clinical and patient-centered outcomes, including the potential burdens and economic impacts of various medical treatments, items, and services like out-of-pocket costs and nonmedical costs to patients and families. Additionally, it adds a requirement that the Government Accountability Office report on any barriers that researchers funded by PCORI have encountered in conducting studies or clinical trials, including challenges covering the cost of any medical treatments, services, and items.

I am, however, disappointed that this bill eliminates Medicare's contribution to the PCORI Trust Fund. Medicare beneficiaries benefit greatly from PCORI-funded research. This includes a number of projects that have focused on helping older adults and their caregivers make better-informed decisions about their health care options, as well as research on diseases and conditions that disproportionately impact beneficiaries. I am concerned that divesting Medicare dollars sends a signal to PCORI that Congress is not interested in this critical research continuing to be funded. I am pleased that this bill increases the mandatory appropriation to help make up for the loss of Medicare funds, but Congress must maintain this investment over the full length of the authorization.

I am pleased that H.R. 1865 includes a number of other bills that I am proud to cosponsor, including the CREATES Act, the Patient Access to Cellular Transplant Act, and the Protecting Beneficiary Access to Complex Rehabilitation Technology Act.

While I support much of this bill, I am deeply troubled by some of its provisions.

I have serious concerns about parts of the tax extenders provisions of the package. It is unfortunate that following on the heels of a tax cut for wealthy households and big corpora-

tions that increased the national debt by nearly \$2 trillion, the tax changes in this bill increase deficits by a further \$426 billion. While I support some of the changes, we should have paid for them by scaling back wasteful tax breaks for those at the very top. And some of them represent additional giveaways to industry without sufficient benefit for everyday Americans. Moreover, I am extremely disappointed that the tax extenders package did not include tax measures for energy storage, solar energy, offshore wind, and electric vehicles. This represents a lost opportunity to take even small steps to address the climate crisis, and I urge my colleagues to address these clean energy tax measures early next year.

I am disappointed that the bill drops House language preventing the Department of Agriculture from physically relocating the Economic Research Service, ERS, and National Institute of Food & Agriculture, NIFA, outside of the National Capital Region. The relocation and reorganization will impact the quality and breadth of the work these agencies support and perform—work that is critical to informing and supporting U.S. agriculture, food security, and rural development. I appreciate that the bill includes no additional funding for the move, and I hope that the Secretary of Agriculture will with us in Congress to repair the damage that this relocation scheme has done.

While I do have concerns about aspects of this bill, I believe it supports critical health, education, and infrastructure needs. I appreciate the hard work of Senators SHELBY and LEAHY and their staffs in crafting the bill and their support for many priorities I have pushed for on behalf of my constituents in Maryland. It is an honor to serve on the Appropriations Committee, and I look forward to continuing our work to responsibly fund the government and its services for the American people in the coming fiscal year.

#### NATIONAL DEFENSE AUTHORIZATION ACT

Mr. VAN HOLLEN. Mr. President, I rise to speak on the National Defense Authorization Act for Fiscal Year 2020.

The National Defense Authorization Act conference agreement provides crucial resources to our Armed Forces and our national defense, including a pay increase for our men and women in uniform. I am proud that the Congress was able to come together on a bipartisan basis to pass this legislation to support our servicemembers, strengthen our national security, and invest in critical projects in my home State of Maryland.

While I have serious reservations about a number of items included in this legislation and am particularly disappointed by the exclusion of important priorities like the DETER Act to prevent Russian interference in our elections, I believe that, on balance,

this NDAA will strengthen our national security. For that reason, I voted in favor of it.

With this bill, the Federal Government will now provide 12 weeks of paid parental leave to its workforce. We have been fighting for years to provide paid family and medical leave to workers throughout the country. Now the Federal Government will finally start to lead by example. Paid leave will reduce employee turnover costs for the Federal Government and help agencies continue to recruit and retain top-notch talent into the civil service. I was proud to help secure this, and we need to keep fighting until all workers around the Nation receive paid family and medical leave benefits.

The NDAA also repeals the military widow's tax. Currently, military widows and widowers who qualify for the VA's dependency and indemnity compensation are forced to take a dollar-for-dollar offset from the DOD Survivors Benefits Plan benefit, even though their retired spouses elected to pay into the program. No other Federal surviving spouse is required to forfeit his or her Federal annuity because military service caused his or her sponsor's death. This is fundamentally unjust. In September, I met with a constituent and military widow who was subjected to this offset after the loss of her husband. Hearing her story hardened my resolve to ensure that we got this done this year, and I am proud of the Congress for coming together to repeal this offset.

Critically, this legislation also includes the Otto Warmbier North Korea Nuclear Sanctions and Enforcement Act, which I introduced with Senator TOOMEY. This legislation offers foreign banks and firms a stark choice: continue business with North Korea or maintain access to the U.S. financial system. Within 120 days of enactment of the law, this legislation mandates sanctions on the foreign banks and companies that facilitate illicit financial transactions for the Democratic People's Republic of Korea. North Korea continues to perfect its ballistic missile capabilities and produce more fissile material for nuclear weapons. Our aim is to cut off North Korea's remaining access to the international financial system and create the leverage necessary for serious nuclear negotiations to achieve the goal of the denuclearization of the Korean Peninsula.

The NDAA also includes bipartisan legislation that tracks the provision Senator GRAHAM and I included in Senate Foreign Operations appropriations bills over the years to prohibit the transfer of the F-35 Joint Strike Fighter to Turkey until President Erdogan relinquishes the Russian S-400 air and missile defense system. Turkey has recently started testing the S-400 missile system, and they have said the system will be operational early next year. The administration must not only continue blocking the transfer of the F-



35s, but—as Senator GRAHAM and I indicated in a recent letter to Secretary Pompeo—it has a legal duty to impose economic sanctions on Turkey.

The NDAA also includes a version of a bill Senator COTTON and I introduced to prevent the President from removing Chinese telecommunications giant Huawei from the Commerce Department's Entity List without certifying to Congress that it is complying with U.S. laws and the administration has mitigated the threat Huawei poses to our national security. While I was disappointed that our original bill was watered down, the final version is still better than the status quo.

This bill also includes a number of measures I introduced to ensure that we give proper recognition to Americans who have bravely served our country in combat. One of them is Col. Charles McGee. Colonel McGee, a distinguished Tuskegee Airman who recently celebrated his 100th birthday, is a living aviation legend and an American hero. From World War II to Korea, Colonel McGee flew more combat missions than any other pilot in the service of his country. The first African American to command a stateside Air Force wing and base, this Marylander's service to our Nation is truly remarkable. That is why I worked with the Air Force and introduced legislation to authorize the honorary promotion of Colonel McGee to brigadier general. And today, on a bipartisan basis, the Congress has authorized this honor. Colonel McGee makes all Marylanders proud and reminds us all of what it means to serve.

The conference report also includes the bipartisan World War I Valor Medals Review Act, which I introduced with Senator BLUNT. This legislation directs the Department of Defense to review the service records of minority service members who fought during World War I and who may have been passed over for the Medal of Honor because of their race or ethnicity. Many of these individuals have never received proper recognition for their acts of valor.

Take, for example, William Butler of Salisbury, MD. In 1916 he was living in Harlem, where he enlisted in the New York National Guard. His regiment landed in France on Jan. 1, 1918. Sargent Butler received the Distinguished Service Cross and the French Croix de Guerre for his bravery in rescuing several members of his regiment from their German captors. Sargent Butler killed 10 Germans, took a German prisoner, freed all the American prisoners, and brought them back to safety. He returned home to a hero's welcome. The Baltimore Afro-American called him "Maryland's Greatest Hero." The New York Tribune called him a "hero among heroes." He and the rest of the Harlem Hellfighters marched through New York City. Upon his return to Maryland, his small community gave him a gold watch as a token of their respect and appreciation. But despite a

recommendation for the Medal of Honor, he never received it. In 1947, after losing the ability to work, he took his own life. He was buried at Arlington—with a typo on his tombstone.

The living descendants of these veterans deserve to know that their government, despite its past failings, recognizes their heroism. I am very proud of the Congress for coming together to honor those who chose to serve their country, even at a time when their country did not treat them as equal citizens. In doing so we demonstrate that it is never too late to right a historical wrong.

I would also like to commend the Valor Medals Review Task Force, jointly established by the United States Foundation for the Commemoration of the World Wars and the George S. Robb Centre for the Study of the Great War, which has worked tirelessly to identify World War I veteran service records for this review. I applaud the NDAA conferees for encouraging the Secretaries of the military departments to consult with the Valor Medals Review Task Force to identify those service records that warrant further review to determine whether such veteran should be recommended for an upgrade to the Medal of Honor for valor.

The NDAA also addresses serious concerns with the oversight of privatized military housing. Over the past year, I have engaged with leaders at Fort Meade and Aberdeen Proving Ground as they have addressed woefully inadequate maintenance by private housing contractors. The NDAA includes key provisions of the Ensuring Safe Housing for Our Military Act, of which I am a cosponsor. This includes withholding payment of the basic allowance for housing under certain circumstances, the creation of a Tenant Bill of Rights and the position of Chief Housing Officer, a uniform code of basic standards for privatized military housing, and access for tenants to an online work order system, among other improvements.

Lastly, I am pleased that the bill includes language requiring congressional notification and a 120-day waiting period before the President gives notice of his intent to withdraw from the New START and Open Skies treaties.

While I am pleased with many of the provisions included in this bill and voted for its passage, I do have significant reservations.

First, the unchecked growth in the defense budget is unsustainable, and the continued use of the overseas contingency operations budget to fund elements of the Pentagon's regular base budget activities with war funds is a blatant abuse of the budget process. We have a duty to ensure the readiness of our forces, and I support efforts to rebuild our Armed Forces after years of costly overseas engagements. But massive spending increases without clear strategic direction do not make us

safer, and the use of off-budget accounts to boost Pentagon spending is a disservice to our children and grandchildren, who will pay for these spending increases regardless of whether or not they are properly accounted for today. Especially in a post-Budget Control Act environment, where we are not constrained by artificial caps, we need to be thoughtful about our spending choices, recognize that every dollar spent on defense is a dollar not spent on health care, education, workforce training, and other critical areas of need. And we need to use OCO in a responsible manner consistent with its original purpose, and not as an off-budget slush fund.

Second, I am extremely disappointed by the Congress's failure to act to prohibit U.S. military support for the Saudi-led war in Yemen. This brutal war has raged for more than 4 years. Thousands have lost their lives in this conflict. Millions are displaced from their homes. The cycle of desperation, destruction, and death continues unabated. Earlier this year, Congress voted to end U.S. support for the war in Yemen—legislation that President Trump vetoed. The refusal of Republicans to address this issue as part of the NDAA is shameful.

Third, this legislation supports the President's effort to spend \$1.3 trillion dollars on nuclear weapons. It contains no prohibition on fielding low-yield nuclear warheads on submarine-launched ballistic missiles, near-full funding for research and development on INF-range missiles, near-full funding to build new ICBMs and associated warheads, and full funding to retain the B83 megaton gravity bomb, which the Obama administration had intended to retire as part of its modernization efforts. And while it affirms the benefits of legally-binding verifiable limits on Russian strategic nuclear forces, it does not explicitly endorse the extension of New START. This, like so much else in this bill, is a missed opportunity. Senator YOUNG and I have introduced bipartisan legislation urging a 5 year extension of the New START agreement, and the Senate should pass it expeditiously.

Fourth, Republicans blocked a provision in the House NDAA that prevented the President from waging a war with Iran without an explicit authorization from the Congress. President Trump's Iran strategy has been blind unilateral escalation with no end goal. That is why his actions have produced exactly the opposite result of what his so-called "maximum pressure" campaign intended. President Trump has dismembered the multilateral coalition that forged the Iran deal. He has frayed our alliances in Europe and empowered our adversaries. All the while, the administration has raised the specter of a possible military intervention with Iran. By blocking this provision, Republicans are enabling the President to subvert Congress's constitutional prerogative with respect to decisions of war.

Finally, Majority Leader McCONNELL blocked the inclusion the bipartisan DETER Act, which I introduced with Senator RUBIO to deter future Russian interference in U.S. Federal elections. The DETER Act sends a clear message to Russian President Putin or any other foreign adversary: If you attack American elections, you will face severe consequences. Leader McCONNELL blocked this measure from the NDAA, even though the Senate unanimously passed a resolution in the fall instructing the NDAA conferees to support its inclusion. In addition, Republican leadership removed a related provision in the House-passed NDAA imposing sanctions on Russian sovereign debt in response to interference in U.S. elections.

Leader McCONNELL's decision to block the DETER Act and the House sanctions on Russian sovereign debt effectively green-lights Russian interference in future U.S. elections. It is a gift to Russian President Vladimir Putin and a subversion of the clear desire expressed by both Chambers of Congress to hold Russia accountable for future interference. It reinforces Putin's belief that the costs of attacking our democracy are low and the rewards are great. It is a dereliction of his duty, as a representative of the people, to protect our Nation from foreign adversaries. I will continue fighting for the passage of the DETER Act. The next national election is less than a year away, and we must make clear to Putin that Russia will pay a steep price if they interfere in another election.

While I am strongly opposed to some of the provisions in this bill and disappointed by the omission of others, I believe that, on balance, the NDAA will strengthen our national security and advance other important national priorities. For that reason, I voted in support of final passage.

#### TRIBUTE TO JOHNNY ISAKSON

Mr. UDALL. Mr. President, I rise to pay tribute to Senator JOHNNY ISAKSON from the great State of Georgia. I, like all of my colleagues in the Senate, am saddened by his retirement. His departure leaves a big hole in this Chamber that may never be truly filled.

JOHNNY is a Senator's Senator. He embodies the best qualities of a public servant. He is smart, hard-working, determined, effective. He is humble, not at all self-important, and never seeks attention for himself. He has integrity. He is a man of his word.

He is known throughout the Senate as ready to reach across the aisle to seek bipartisan solutions—one of the main reasons he is so effective. As he put it during his farewell speech on the Senate floor, "I tell you, I am big on bipartisanship." JOHNNY encourages us to take his lead and listen to and work with the other side. We all can learn from his example.

JOHNNY is kind. His heart is big. He always has a smile or greeting for the

Senate custodians, Capitol police, cafeteria workers, Senate pages. He always has the time to be kind to others.

JOHNNY is Georgian through and through and loves his State and its people. He has served them for 45 years—in both State houses and both Congressional Chambers—and is now Georgia's most senior elected official. JOHNNY is as beloved by the people of his State as he is in the Senate—and for good reason. He has worked to build Georgia's economy, its rural communities, its international trade, its harbors, the Centers for Disease Control and Prevention in Atlanta, and on and on.

But JOHNNY is not only a champion for his State, he is a champion for the Nation, and he gets things done for our country. JOHNNY's legislative fingerprints are everywhere. From protecting workers' pensions, to fighting childhood hunger, to increasing affordable housing so families have a roof over their heads, to helping people with disabilities, to making sure children with rare diseases get their medications, to getting treatment for victims of the opioid crisis—JOHNNY has been working for the American people because he cares deeply and genuinely about humanity. It is not show for JOHNNY. You see what you get. He is the real deal.

It is important to thank JOHNNY for his extraordinary work on behalf of veterans. He is a veteran himself, having served 6 years in the Georgia Air National Guard after college, and veterans have no stronger champion than JOHNNY. As chair of the Senate Veterans' Affairs Committee, he shepherded an amazing 57 bills through the Senate. He helped extend the GI bill so that veterans aren't met with an arbitrary cutoff to take advantage of their educational benefits. He made sure veterans have access to community- and home-based health services. And his signature VA Mission legislation ensures that healthcare for veterans is more responsive and more effective.

As I said, JOHNNY's heart is big, and he welcomes all people. Atlanta hosted the 1996 summer Olympics. Cobb County is a suburban county of Atlanta and was set to host some preliminary Olympic events. But the Cobb County Commission had passed an anti-gay, discriminatory resolution. At that time, JOHNNY was a Cobb County Republican, serving in the State senate. It might not have been the most popular position in his county, but he urged the County Commission to rescind the resolution.

One of JOHNNY's best friends is civil rights icon JOHN LEWIS. On February 25, 1996, Representative LEWIS introduced JOHNNY as the newest member of Georgia's congressional delegation, and on November 19, 2019, he gave JOHNNY a warm farewell, explaining to the House that "when JOHNNY served in the House of Representatives, we always found a way to come together, and we continued that tradition when he was elected to the Senate. . . . We always found a

way to get along and to do the good work the people deserved. Time and time again, he stood with us, he worked with us to uplift African Americans in the State of Georgia, to recognize individuals like Dr. Martin Luther King, Jr., and Jackie Robinson, natives of Georgia." At the end of the tribute, Representative LEWIS called JOHNNY his "brother," and they gave each other a long embrace.

During his farewell speech, JOHNNY said:

We still have some people in the United States of America who will play the hate card. We have some politicians who will dance around the issue of hate. They will not use the buzz words, but they will get awful close to it. They did it in Charlottesville. . . . We have to stand up to the evils of society today. If we don't do it, nobody will.

JOHNNY has stood up for over four decades for what he believes in. We will miss his honesty, his integrity, and his fine character. Jill and I wish JOHNNY and Dianne, their three children, and eight grandchildren the very best. Enjoy life. And we will do our best to follow your example in the Senate.

Mr. BENNET. Mr. President, I wanted to spend a few moments to recognize my colleague and friend, Senator ISAKSON from Georgia.

When I first came to the Senate in 2009—a decade ago, it surprises me to say—I was on the Banking Committee. We were in the middle of the worst financial crisis since the Great Depression, and millions of Americans were losing their homes each month.

We held a hearing on housing, and I remember Senator ISAKSON coming to testify because, before he was in politics, he had spent several years in the private sector working in real estate. I appreciated that moment because, one, I had also spent some time in business before politics, and two, because it was so refreshing to hear from someone who actually knew what they were talking about.

Over the past 10 years, I have had the benefit of Senator ISAKSON's experience, friendship, and wisdom on both the HELP and Finance Committees.

In JOHNNY, so many of us have had a model for how to get things done even in this moment of partisan division. He was a welcome throwback to a time when people didn't come to this town just to spend every moment on cable news but to get things done for the people they came here to represent.

JOHNNY's record suggests there is nothing quaint or naïve about that approach to the work because over his 15 years in the Senate, he has managed to secure quite a few bipartisan accomplishments, including several things we have worked on together.

I remember JOHNNY really digging in and getting his hands dirty on the SAVE Act, our bill to make Federal mortgage loan agencies consider the returns from energy efficiency when they determine your ability to make your monthly payments. We passed that out of the Senate, and it was a

tremendous credit to JOHNNY's determination and focus.

We passed a bill to modernize the FDA's medical device inspections and to strengthen patient access to rehabilitation hospitals in Colorado and Georgia. We passed an amendment to strengthen funding for early learning programs. And we introduced bills together to provide tax relief for AmeriCorps members who earned Segal Awards to help pay for college.

I could go on, and it is a credit to JOHNNY's broad record of bipartisan work.

JOHNNY has been a particular champion for our veterans. As a former member of the Georgia Air National Guard, JOHNNY has been a steady and effective advocate for those who have served. Last year, he was instrumental in passing a bipartisan bill to make it far easier for veterans to take their benefits to private doctors for care, among other long-overdue reforms. With our large population of veterans in Colorado, we were especially grateful to JOHNNY for his leadership.

There is a lot more I could share, but the point is, JOHNNY has used his time here well—with real results for the people of Georgia. He didn't do it through bullying or shouting or threatening to bring the Senate to its knees if he didn't get his way. He did it JOHNNY's way—with unfailing kindness, grace, humor, and dogged persistence. It would be easy to mistake JOHNNY's kindness for a lack of intensity or determination, but behind his easy smile is a fierce devotion to Georgia and a welcome impatience with the inaction of this town.

That approach is how JOHNNY leaves this body not only with a considerable record of accomplishment but with a long list of admirers on both sides of the aisle who are now wondering who is going to host the annual bipartisan BBQ. We are sad to see him go, and we wish him all the best as he returns to Georgia to focus on his health and spend time with his wife, Diane, their three kids and eight grandkids.

JOHNNY, I wish you the very best. Know that the Senate will feel your absence and cherish the example you set here.

#### 100TH ANNIVERSARY OF THE AMERICAN METEOROLOGICAL SOCIETY

Mr. MARKEY. Mr. President, this month we recognize the 100th anniversary of the founding of the American Meteorological Society, AMS, which spent the last century advancing the atmospheric and related sciences. The work of AMS contributed to technologies and services that expand our understanding of the world and the risks associated with our water, weather, and climate.

AMS was founded in 1919 in Milton, MA, to advance, promote, and disseminate information about these important sciences. The society now has over 13,000 members, including researchers,

educators, students, enthusiasts, broadcasters, and other professionals in weather, water, and climate. Its rigorously peer-reviewed scientific publications and scientific conferences have contributed to knowledge growth across the geosciences, especially in the prediction of environmental phenomena that has led to lifesaving services. AMS also offers nationally recognized certifications that serve the public's need to identify broadcast and consulting meteorologists who have achieved a high level of competency in communicating complex weather, water, and climate information.

AMS has been a leader in promoting diversity, equity, and inclusion in the science, technology, engineering, and math STEM fields. Its activities in support of STEM education and development activities for K-12 teachers have positively impacted millions of students nationwide. Its leadership in education also brings AMS to the Halls of Congress, where the society supports congressional fellows, research studies on environmental policy, and policy briefings to ensure that policies are developed using the best available knowledge and understanding.

AMS has also been crucial in developing the extensive scientific evidence of manmade climate change and has helped us understand the threat it poses to society if we do not act. AMS has been an international leader in providing peer-reviewed information to support evidence-based decision making related to climate change. Congress owes a debt of gratitude to AMS for its advocacy and education on this global threat.

With the scope and size of the challenge that climate change presents, Congress and the American people will undoubtedly depend on another successful century of leadership and scientific advancements from the American Meteorological Society. We congratulate and thank AMS for its century-long effort to understand the natural world, and we pledge our continued support to the important sciences AMS aims to advance.

#### TRIBUTE TO KAREN J. LEWIS

Ms. COLLINS. Mr. President, I rise today to congratulate Karen J. Lewis on her many years of service to Congress. After a 45-year career distinguished by outstanding achievements, Karen will retire from the Congressional Research Service, CRS, in January 2020 after leading the Service's American Law Division, ALD, for many years.

Karen joined CRS as a legislative attorney in 1974 after graduating from Albany Law School earlier that year. In the following decade, Karen provided nonpartisan advice to Congress on some of the most difficult legal matters facing the Nation in the 1970s and 1980s, including sex discrimination in the workplace, abortion rights after *Roe v. Wade*, and the Equal Rights

Amendment. She also advised Congress on the implementation of numerous civil rights laws, including title VII of the Civil Rights Act, the Fair Housing Act, title IX of the Higher Education Act, and the Age Discrimination Act.

In 1984, Karen moved into CRS management, serving first as the section head of ALD's consumer law group before heading the Division's administrative law section. In the nearly 25 years she served in these roles, Karen helped mentor dozens of attorneys, engraining in them CRS's core values of providing authoritative and objective legal advice regardless of partisan affiliation. Any attorney trained under Karen's tutelage is well familiar with her repeated advice to rely on primary sources to ensure CRS's legal advice is trustworthy and reliable.

In 2007, Karen was promoted to senior CRS leadership, serving in a variety of capacities, including 11 years as the Assistant Director of CRS's ALD. As the head of the law division, Karen played a central role reviewing ALD's written work, helping to ensure its accuracy, completeness, and quality. She also led countless initiatives for the Service. This included helping to establish the Legal Sidebar—CRS's first exclusively web-based product line to provide succinct and timely analysis to Congress on matters of pressing importance. She also was instrumental in raising the profile of the Service's Federal Law Update, a seminar series that provides continued legal education for Congress, which tripled its average attendance under Karen's leadership. Karen also spearheaded the first major revision since 1952 of the "Constitution Annotated," the Congress' official treatise of record on the Constitution. And Karen has been instrumental in hiring some of the finest attorneys in the Federal Government to help Congress in legal debates over executive power, health care reform, immigration, and the future of the Supreme Court. Moreover, throughout her time in management, Karen served on countless advisory panels that have helped establish organizational practices and policies for CRS.

While Karen's retirement is a loss for Congress, her imprint on the legislative branch will not soon disappear. CRS and the ALD offer an invaluable service to Congress by providing members with reliable, nonpartisan information to assist the legislative process at every step. Karen spent nearly all of her professional career supporting Congress's work and strengthening CRS through her work in ALD. She served as a role model for hundreds of attorneys who can attest that her integrity, work ethic, and dedication to CRS's core values is second to none. Her legacy will continue with the division she helped build and the Service more broadly. Congratulations to Karen, and I wish her many long and happy years in retirement.

TRIBUTE TO NATHAN  
BERGERBEST

Ms. MURKOWSKI. Mr. President, I rise today to honor a long-time Senate staffer who recently retired, Nathan Bergerbest.

Many Members and staff who have worked on judiciary, military and veterans, homeland security, public safety, foreign relations, intelligence, or Native American issues and national and international disasters likely had the opportunity to work with Nathan during the 16 years he served the people of Alaska and the Nation. I am sure that many can share stories of the help Nathan offered, ideas he pushed to fruition, and wise counsel he provided. My statement today will offer just a slice of the many contributions this accomplished man has made in the lives of so many.

Nathan began his interest in good public policy and politics at a young age growing up in New York City. I believe he once said that he got involved in his first political campaign in elementary school because he was searching for the candidate who could improve his neighborhood. His quest for what was right, what was fair, and what was useful public policy has never subsided.

An attorney, Nathan has been a litigator, represented an Alaska Native regional corporation, and worked at FEMA. He started in my office in 2003 as legislative assistant and retired as senior counsel and deputy chief of staff. Throughout his service here in the Senate, Nathan was the quintessential Senate staffer—working late, knowing his subject cold, understanding the ways of the Senate and navigating them brilliantly.

His portfolio was huge, complex, and important. Yet he never shirked from pitching in where he could be useful. Nathan served not only as a mentor to young staffers in my office but as the conscience of Federal agency employees, military personnel, and elected leaders—constantly challenging us to do better, to be better versions of ourselves.

While a tribute from a former employer is always gratifying, Nathan made a lasting impression on so many who have worked here in the Senate over the years. I would like to share some of their stories. Several of the military fellows who have served in my office and worked closely with Nathan shared these words:

Nathan was part of the original group that came to be known as the Fairbanks Tiger Team, leading the red-shirted charge with the Fairbanks community against the Air Force's proposed plan to remove the F-16 Aggressor Squadron from Eielson Air Force Base. He rallied community leaders, helped leverage the effort on the Defense Appropriations Committee, and ultimately helped the Alaska delegation save Eielson. Then, only a year later, he worked to support the Alaska delegation's strong push to bring the F-35 to Eielson. In just over a year, the delegation was able to take Eielson from a near-shutted installation, to one that will soon have

the most capable fighter aircraft in the world, with significant infrastructure investment to support it.

The Tiger Team still meets over telephone or in person every other Friday to discuss housing and other local community issues related to the military. The team has evolved over the years with new members joining and old members retiring or moving to different lines of work. Nathan will be missed on these calls but his legacy will be forever forged in the Fairbanks community and the national defense of our country.

New commanders coming to Washington, DC, for their Hill visits would often ask my military and veterans affairs liaison in Anchorage for advice about how to prepare. The advice they received was "Don't try to BS Nathan, because he'll be able to sniff it out." Several of these commanders were relieved when the meeting with Nathan was over.

But Nathan would bend over backwards to help the military or a service-member. "A Colonel who served in Alaska attributed Nathan for saving his career. He didn't give any details. Only that he owed him everything." That is just like Nathan—to do good for an American and move on to the next task.

Nathan was a true friend to the Alaska National Guard as well, very close to the Adjutant Generals, and always quick to help support their needs or tout their accomplishments.

Nathan was extremely proud that Alaska boasts the highest rate of veterans per capita and worked to ensure strong representation of the Total Force military and veteran communities, always working to advance veterans' rights and benefits. His efforts helped lead to improvements in VA hospitals in Alaska as well as advances in telemedicine and other support to veterans in remote Alaskan communities.

Public safety and support for law enforcement were always priorities for Nathan. He helped to lead collaborative efforts among the Federal agencies and State and local law enforcement to keep drugs out of Alaskan communities, and he never missed honoring the fallen at the National Fallen Officers Memorial ceremonies. He cared deeply for all those who put themselves in harm's way.

While he was a policy expert in so many areas, Nathan was never one to ignore a plea for help from an individual Alaskan. There are countless examples of "casework" that he took on in addition to his legislative duties. From arranging military honors for veterans' funerals, persuading the Canadian Border Security Agency to reinstate 24-hour border crossings between Hyder, AK, and British Columbia, ensuring Alaskans' concerns were heard by the Navy prior to Northern Edge exercises, protecting National Guard members from retaliation during an investigation of sexual misconduct complaints, improving the standard of care at VA medical facilities, or any number of efforts, Nathan started with the question "What does the individual need?" and went about getting it done. In many instances, Nathan would help

my staff in Alaska navigate the bureaucracy to help solve an Alaskan's problem.

A former attorney for FEMA, Nathan was also the Alaska delegation's go-to staffer whenever disaster struck. After the November 2018 earthquake struck Anchorage, Mat-Su, and the Kenai Peninsula, Nathan helped disentangle municipalities, school districts, business owners, and individuals from the byzantine red tape that often characterizes FEMA. In call after call, Nathan translated FEMA's language and policies for Alaskans and worked with FEMA officials to do a better job assessing and responding to the damage. When FEMA sought to respond to a flood in Galena but lacked a sense of the challenges of rural Alaska, Nathan helped prod and guide the agency in improving the response.

Nathan took the same sense of dedication to his work on Indian, Alaska Native, and Native Hawaiian issues. Leading Alaska tribal rights attorney Lloyd Miller called Nathan "one of the most knowledgeable and talented lawyers to ever work on the Hill. He combined an unmatched mastery of Alaska Native legal history with a deep sensitivity to Alaska Native issues gained from working inside one of the major Alaska Native regional corporations. And while his background before coming to the Hill was predominantly with Alaska Native corporations, he was equally knowledgeable about the unique challenges confronting Alaska Native Tribes, and the importance of supporting the critical role that Alaska Tribes play alongside their corporations. Nathan's remarkable intellect and sage advice will be deeply missed."

Over the years, as protestors filled the halls of Capitol Hill and individual offices, Nathan would stay late to talk with those who visited my office. He would sit with them for long periods and talk about how they can best navigate the issues, and how they, as advocates, could best approach offices for meetings and how they can present their issues in such a way that they were truly being heard on both sides of the aisle. On at least one or two occasions, I have seen him go and literally sit on the floor with protestors outside of my office for an hour or two—just listening to what they had to say so that he could ensure I understood the concerns of Americans who are so passionate about the important issues of the day.

No matter what the time of day or day of the week, Nathan made himself available to me, to other members of my staff, and to Alaskans. As my constituent services director in Anchorage put it, "I remember one time in particular in 2011 where he and I each took 12-hour shifts around the clock so we could help Alaskan constituents after the 9.0 magnitude earthquake struck in the Pacific Ocean off the northeast coast of Japan. A massive tsunami was triggered that flooded Japan's coastal

communities and damaged infrastructure. We spent several days in communication with constituents stranded in Japan that were trying to navigate the treacherous environment, communicate with the State Department, and ultimately obtain transportation home. He was also helpful in working with stranded Alaskan constituents after the 2015 severe earthquake in Nepal. He reached out to the lobbyist for Orbitz, since many of the foreign air carriers on their website raised prices drastically when trying to book flights out of Nepal after the earthquake."

There are so many stories illustrative of Nathan's positive influence here in the U.S. Senate and in Alaska.

I thank Nathan Bergerbest for his service to Alaska and the Nation and wish him well.

#### TRIBUTE TO FAISAL AMIN

Mr. UDALL. Mr. President, I rise today to recognize the work of Mr. Faisal Amin, who has been serving for the past 4 months as a detailee on the staff of the U.S. Senate Appropriations Subcommittee on the Interior, Environment, and Related Agencies.

Faisal is a senior attorney for the Budget and Appropriations Law Group at the U.S. Government Accountability Office and joined the staff in September of this year to fill in for a long-time staff member on maternity leave.

Faisal has been heavily involved in the drafting, consideration, and passage of the fiscal year 2020 Interior appropriations bill starting from the first day of his assignment with the subcommittee. In just 4 months, he participated in almost all of the milestones of the appropriations process: a committee markup, floor consideration, and conference negotiations.

He ably represented Vice Chairman LEAHY and me throughout the process, handling the day-to-day responsibilities of overseeing the budgets of the U.S. Environmental Protection Agency and related agencies and working with other congressional offices, Agency staff, nongovernmental organizations, and other stakeholders to ensure that the priorities of Members of this Chamber on both sides of the aisle were well represented.

Faisal did tremendous work, stepping in to handle complicated policy and budgetary issues in an unusually expedited process. He is smart, pragmatic, thoughtful, and strategic—creating an excellent rapport with his colleagues on both sides of the aisle and serving as an optimistic and positive presence on the subcommittee. I am grateful for his time with us, and I know his colleagues on the subcommittee staff—Rachael Taylor, Ryan Hunt and Melissa Zimmerman—feel the same way.

On behalf of Vice Chairman LEAHY and the committee, I also extend our gratitude to the Comptroller General, Mr. Gene Dodaro, and the staff of the U.S. Government Accountability Office

for sharing Faisal with us during this critical time.

Congratulations, Faisal, for a job well done, and thank you for your service to the United States Senate.

#### TRIBUTE TO GARY HARTZ

Mr. UDALL. Mr. President, I rise to recognize Mr. Gary Hartz, who is retiring from his position at the Indian Health Service with 48 years of distinguished Federal service to the Nation.

Mr. Hartz is especially deserving of this Chamber's recognition because he has spent his entire career on a single and absolutely critical goal—improving access to quality health care for American Indians and Alaska Natives. In his current position, Mr. Hartz serves as the Director of the Office of Environmental Health and Engineering, overseeing the construction, maintenance, and operations of Tribal health facilities, sanitation, and environmental health programs, a position that he has performed for more than two decades after working his way up through ranks of the office. An engineer by trade, Mr. Hartz also served as a member of the Public Health Service Commissioned Corps—retiring with the rank of rear admiral—and served briefly as the agency's Deputy Director. He began his career in the field, working as an engineer on projects in New Mexico and Alaska.

I am fortunate to have had the opportunity to work with Mr. Hartz in my roles as vice chairman of the Senate Committee on Indian Affairs and the ranking member of the Senate Interior Appropriations Subcommittee on the Interior, Environment, and Related Agencies. He has worked closely with me and my staff and testified before my committees, and I can say from firsthand experience that he is one of the most knowledgeable, dedicated, and pragmatic public servants at the Indian Health Service, and his wisdom and experience will be deeply missed.

Finally, I want to thank him for all that he has done for my home State of New Mexico. Mr. Hartz has been instrumental in working to improve and replace Tribal health facilities, including working most recently on plans to replace the Service's Albuquerque, Alamo, Pueblo Pintado, and Gallup facilities. While we have more to do, I am tremendously grateful for the work that he has done to improve access to quality health care in Native communities across the State.

On behalf of the Nation, thank you for a job well done, Mr. Hartz. I wish you all the best as you begin your next chapter.

#### TRIBUTE TO DELIA SCOTT

Mr. UDALL. Mr. President, I rise to recognize Ms. Delia Scott, who is retiring next month with more than 40 years of distinguished Federal service in the executive and legislative branches of government.

I have been lucky enough to work with Delia twice, both when I served in the House of Representatives and in my current role as ranking member of the Senate Appropriations Subcommittee on the Interior, Environment, and Related Agencies.

Most recently, Delia has served as the Congressional Liaison Officer at the National Gallery of Art, shaping the Gallery's relationship with members of the U.S. Senate and House of Representatives. I know firsthand that Delia has been an effective advocate for the Gallery, playing an essential role in shepherding its annual appropriations through Congress and securing critical funding increases for operating and infrastructure needs.

Beyond her role with the budget, Delia has made it her goal to connect Members of the House and Senate with the world-class collection at the Gallery so they are invested in its success. My wife, Jill, and I are both grateful to have visited countless times to enjoy and learn about significant paintings, sculpture, photographs, and other works because of Delia's thoughtful invitations. The Gallery won't be the same without her.

For all her impressive work at the Gallery, I also want to recognize her enduring legacy of public service in other positions. Prior to her current position, Delia served as the staff director for the House Subcommittee on the Interior, Environment, and Related Agencies, managing a \$30-plus billion funding bill and working to secure funding for natural resources, environmental protection, and Tribal and cultural programs. She also worked as a professional staff member for the committee and worked for more than two decades at the U.S. Environmental Protection Agency.

Delia has devoted her entire career to making sure that Federal agencies and programs—from the arts to environmental protection to foreign assistance—have operated smoothly and received ample funding to benefit the people of this Nation. For that service we should all be grateful.

I congratulate her on a job well done and an outstanding Federal career, and I wish her and her husband, John, the very best as they move on to the next chapter of their lives.

#### TRIBUTE TO COMMANDER MICHAEL D. CASSADY

Mr. PORTMAN. Mr. President, I rise today to pay special tribute to Commander Michael D. Cassady, Medical Service Corps, U.S. Navy. Commander Cassady currently serves as the Program Manager, Naval Advanced Medical Development at the Naval Medical Research Center and will be released from Active Duty after almost 35 years of Active military service on March 1, 2019. Commander Cassady is a native of Millersport, OH, and I am pleased to recognize his distinguished career.

Commander Cassady enlisted in the U.S. Navy on May 21, 1985, and after

completing initial training at the Naval Training Center in San Diego, he earned designation as a hospital corpsman third class. In 1991, Cassady graduated from University of Maryland University College and received a commission on June 8, 1993 as an environmental health officer.

From 1993 to 1999, Cassady completed tours at the U.S. Naval Hospital Keflavik in Iceland and Branch Medical Clinic in Iwakuni, Japan, where he increased the overall readiness and health of hospital staff and improved testing of the base drinking water. In 2001, he deployed to Australia in support of Exercise Tandem Thrust 2001 and later deployed to Thailand in support of Exercise Cobra Gold 2002 to improve combat readiness, combined-joint interoperability, and enhance security relationships between the United States, Thailand, and Singaporean forces. He subsequently served as a medical department and safety inspector for the Board of Inspection and Survey, providing direct support to the fleet; and as chief, medical concept and development, Joint Forces Command, where he furthered joint warfighter capabilities and supported U.S. Northern Command response and relief efforts post Hurricane Katrina.

In 2006, he deployed to Iraq in support of combat operations, where he served as the civil affairs public health section lead, Multi-National Division in Baghdad. Upon returning from Iraq, he served as the assistant officer in charge for the Navy Environmental and Preventive Medicine Unit Two. Cassady also deployed as the medical planning officer in Expeditionary Strike Group Two and U.S. Naval Forces Central Command in Bahrain, where he was instrumental in coordinating medical plans, guidance, and response to counter piracy and Marine Corps operations, and health service support to the U.S. FIFTH Fleet. His next two tours of duty were as the Environmental Health Officer at the U.S. Naval Hospital Guantanamo Bay in Cuba and the U.S. Naval Hospital in Naples, Italy. During these tours he provided public health oversight and leadership. Commander Cassady reported to his current and final tour of duty in July 2014 at the Naval Medical Research Center in Silver Spring, where he provides program management, leadership, and key administrative direction.

Commander Cassady has spent the entirety of his adult life and over 15 of his 35 years of naval service deployed or stationed overseas in the defense of the United States. Additionally, he holds a master of science in management from Troy State University, a master of public health degree from the Ohio State University, a master of arts in national security and strategy from the Naval War College in 2007, and a master of science in education from Old Dominion University, which he completed in December of 2011.

Mr. President, I ask that you join me, our colleagues, and Commander

Mike Cassady's family and friends in saluting this distinguished officer's many contributions and sacrifices in defense of our great Nation. It is fitting that the Senate today publicly recognizes his service and wishes him, his wife Rohini, and their children, Rhyann, Kassandra, Briana, and David, health, happiness, and success in the years to come.

Congratulations, Commander Cassady, on completing an exemplary career.

#### TRIBUTE TO YVETTE LEWIS

Mr. VAN HOLLEN. Mr. President, I rise today to recognize Yvette Lewis for her excellent service as part of my team in support of the people of Maryland. Yvette has been our director of external relations and community outreach in my Senate office since I began my service in the Senate. In that capacity, she has organized forums throughout Maryland to provide support to our veterans, our senior citizens, and others. Her signature program was organizing consumer protection forums across our State so we could alert Marylanders to the wide array of schemes and scams designed to cheat consumers out of their hard-earned money. She has been deeply committed to the principle that the health of our entire State depends on the success of all our communities.

I have had the pleasure of knowing Yvette for over a decade and am grateful for all her good works in our State and beyond. She is a longtime resident of Bowie, MD, and has worked for years in public service and civic engagement. She has previously worked as the president of the Voter Empowerment Action Project. Moreover, she has also served on the White House Commission for Presidential Scholars. Additionally, she has an accomplished background in music as an opera singer and music teacher in Baltimore City, Baltimore County, and Montgomery county schools. Yvette is married to Ed Lewis, and they have two children, Shannon and Eric.

Various events have led to a sudden vacancy in the position of the chair of the Maryland Democratic Party. Yvette was the consensus choice as the right person for the job at this moment. While we will miss her on Capitol Hill, I am glad that her enormous talents will also be put to good use in her new role.

#### ADDITIONAL STATEMENTS

##### REMEMBERING DENISE D'ASCENZO

• Mr. BLUMENTHAL. I rise today with a heavy heart to pay tribute to Denise D'Ascenzo, the longtime anchor at WFSB Channel 3 Eyewitness News, the CBS station in Hartford, CT. She was a trusted journalist, a devoted mother and wife, and a dear friend. Sadly, Denise passed away suddenly on De-

cember 7, 2019. She will be remembered for her tireless grace, integrity, and humor.

Denise was born Washington, DC, and grew up in Rockville, MD, where she became editor-in-chief of her high school newspaper. She attended Syracuse University, where she got her first break in television at WIXT-TV doing the nightly weather forecast. Also at Syracuse, she met the love of her life and future husband, Wayne. After Syracuse there were stops at television stations in St. Louis and Cleveland, before moving to Connecticut in 1986 to join WFSB.

In Connecticut, she provided special coverage of political conventions, the U.S. visit of Pope John the II, 9/11, the arrest of the DC sniper, and the tragic shootings at Sandy Hook Elementary School. Denise had a passion for health and medical reporting, taking viewers inside operating rooms, cardiac catheterization labs, and neonatal intensive care units, as well as onboard Life Star, the critical care helicopter service. She was a leading voice in raising awareness for conditions such as breast cancer, heart disease, obesity, and preventive healthcare.

During her 33 year career at WFSB, she was honored with 2 Edward R. Murrow Awards, 7 Associated Press Awards, 11 Emmy's, and a national Gabriel Award. She was recognized for her work with a number of charities, including the Muscular Dystrophy Association, Mary's Place, and the Channel 3 Kids Camp. In 2013, Denise was elected to the Silver Circle by the National Academy of Television Arts and Sciences for her significant contributions to broadcasting. In 2015, she became the first woman to be inducted into the Connecticut Broadcasters Association Hall of Fame.

Connecticut has lost a broadcasting legend. We all also lost a dear friend who came into our homes with dignity and decency to tell them the news of the day. She was deeply dedicated to uncovering and conveying the truth of every story. She was there for almost 30 years to guide us through tragedy and triumph, and we miss her immensely.

My wife, Cynthia, and I extend our deepest sympathies to Denise's family during this difficult time, particularly to her husband, daughter, and coworkers. May their many wonderful memories of Denise provide them solace and comfort in the days ahead.●

#### TRIBUTE TO DAN FREEDMAN

• Mr. BLUMENTHAL. Mr. President, today I wish to recognize Dan Freedman on the occasion of his retirement. Throughout his impressive 32 years as a correspondent in the Hearst Washington Bureau, Dan set an example of tireless, honest reporting. He undertook the monumental task of covering the Connecticut and New York delegations with rigor and expertise. Even as the media environment grows more



partisan, Dan has remained fair and dedicated to the facts.

Dan has helped build an essential professional foundation for countless reporters, mentoring hundreds of newcomers and interns and holding everyone—including himself—to the highest standards. Regarded with immense respect by his colleagues, he routinely challenged himself in order to set a better example for his team and raise the expectations for outstanding reporting.

In DC, legislators trust Dan to deliver a truthful and balanced story. This integrity is essential for the people of Connecticut who rely on reporters like Dan to inform them about the Nation's Capital with a focus on the stories that matter most to them and their communities. Constituents need to know their voices are being heard, and Dan is there to ask the tough questions and to deliver the most complete and honest reporting possible.

During an over four-decade career in journalism, Dan did it all—everything from dodging bullets in wars and insurrections in Central America to covering eight Supreme Court confirmation hearings and even a stint on the George W. Bush Presidential campaign in 2000. His unfailing commitment to his profession was recognized in 2018, when he won the David Lynch Memorial Award for Regional Reporting. Dan's outstanding record of thoughtful, honest, and determined reporting sets a model and demonstrates the critical role of reporters in keeping people throughout the country well informed.

I applaud his lifetime of dogged devotion to bringing the truth to light through fair, fact-filled pieces, and I know my colleagues will join me in thanking Dan for his extraordinary contributions to regional reporting.●

#### TRIBUTE TO ROBERT GREENSTEIN

● Mr. BROWN. Mr. President, I rise today to recognize Robert Greenstein, founder and president of the Center on Budget and Policy Priorities, for his work over nearly four decades, fighting for a more just and equal society.

Bob founded CBPP in 1981 to push for policies that expand opportunity for the lowest income children and families, and ensure that this country's prosperity is shared with the workers who create it, not just the wealthiest CEOs and the largest corporations. He built CBPP from the ground up and transformed it from a tiny organization with a shoestring budget to one of the most influential policy shapers in the country.

Under Bob's leadership, CBPP combined in-depth analysis and research with clear-headed strategy to drive the debate and deliver results. We worked together to spearhead efforts to permanently expand the earned income tax credit and child tax credit in 2015, and Bob was vital to our success. It is probably the most important thing we have done to life people out of poverty in the

last 25 years, and it could not have happened without Bob's leadership on this issue, stretching back decades.

Of course it is not only tax credits; from passing the Affordable Care Act to strengthening SNAP, from protecting and expanding Medicaid, to fighting for more affordable housing, Bob's work at CBPP has meant that millions of ordinary Americans have more food on the table, more money in their pockets, and a little more economic security. Over his career he has touched so many lives, and he has so much to be proud of.

We know we have a lot more work to do, and while Bob has earned his retirement, I have faith that he will continue to be a force for the progressive change that our country needs.●

#### TRIBUTE TO CHARLOTTE KINNOMAN

● Mr. DAINES. Mr. President, this week I have the honor of recognizing Charlotte Kinnoman of Lake County for her dedication to Montana's first responders during Christmas.

When Charlotte met a law enforcement officer at an event with her family, she learned of the sacrifices our first responders make to protect Montana's families and communities.

After that meeting, and at just 12 years old, Charlotte decided she wanted to give back to our first responders. She has been writing 125 Christmas cards a day to give to every first responder she meets. She even has a goal of writing 12,000 total. Charlotte's mom and classmates have also been helpful in writing Christmas cards to make sure they are spreading holiday cheer all across Big Sky Country.

I commend Charlotte for her compassion. Charlotte is a great role model for all young Montanans, and I thank her for supporting our first responders this Christmas season.●

#### TRIBUTE TO WERNER GELLERT

● Mr. UDALL. Mr. President, Werner Gellert survived the Holocaust and never forgot that terrible injustice. Werner went on to found a museum in Albuquerque dedicated not only to educating people about the Holocaust but dedicated to stopping intolerance wherever it is found.

Werner Gellert was born on June 14, 1926 in Breslau, Germany. During November 9 and 10, 1938, Nazi paramilitary forces carried out a pogrom throughout Germany demolishing and ransacking Jewish homes, businesses, synagogues, schools, and hospitals. At that time, 267 synagogues in Germany and surrounding areas and 7,000 Jewish businesses were destroyed and over 30,000 Jewish men were arrested and incarcerated in concentration camps. That pogrom was called Night of the Broken Glass, or Kristallnacht, meaning "Crystal Night," because of all the broken glass scattered throughout the streets from the shattered windows of Jewish buildings.

After the Night of the Broken Glass, Werner and his adopted parents fled Germany for Shanghai, one of the only places in the world at that time that accepted Jews unconditionally. However, the Japanese who were occupying Shanghai became allied with the Germans, and, on February 18, 1943, they issued a proclamation establishing a restricted area where "stateless refugees" must live and work. Werner and his family were relocated to this restricted area, Hongkew, which became plagued with disease and starvation. On one of his birthdays, Werner asked only for a loaf of bread and jar of jam for himself, but he didn't get his wish. During this period, he suffered through starvation, typhus, yellow fever, and hepatitis, and he was brutalized by a bully and permanently lost most of the sight in one of his eyes.

After the end of World War II, Werner remained in Shanghai, working as a typewriter repairman for the U.S. Army. The Army recognized his intelligence and linguistic skills—he spoke seven languages—and recruited him into Army intelligence as a civilian consultant. He worked undercover for the United States in China, Tibet, and the Philippines.

The Chinese Cultural Revolution of the late 1960s and early 1970s drove out Werner and his family, and they fortunately were able to escape on the last boat out of Shanghai to the United States. They relocated to Denver, where Werner attended Denver University and met his future wife, Frances Silverman—known as "Frankie"—to whom he was married for 54 years, until her passing in 2007.

After a successful career in the savings and loan business in California, Werner and Frankie retired to Albuquerque. Werner fervently believed that education was the most effective weapon against hate and intolerance. With that guiding principal in mind, in 2001, he and Frankie founded the Albuquerque Holocaust and Intolerance Museum.

The museum is dedicated to educating the public through its exhibitions on the horrors and injustices of hate—from the Holocaust, to the African-American experience here in the United States to genocide of minority peoples around the world. Its goal is to promote "upstanders," not bystanders: people who speak out and act to support individuals, groups, or causes attacked or bullied. The museum is home to the Library of Remembrance, a compilation of more than 4,500 books, documents, and videos about the injustice of genocide, bullying, and intolerance.

As long as he was able, well into his eighties, Werner spoke to school groups at the museum and around the State teaching them about his experience during the Holocaust and as a refugee in Shanghai. Werner took his own terrible experience and set about to make a better, more understanding, more tolerant world for others. While we lost Werner on November 9, 2019, at age 93,

his commitment to ending genocide, intolerance, and bullying will live on through the Albuquerque Holocaust and Intolerance Museum.●

## MESSAGES FROM THE HOUSE

### ENROLLED BILLS SIGNED

At 9:32 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills

S. 50. An act to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes.

S. 216. An act to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes.

S. 256. An act to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages.

S. 737. An act to direct the National Science Foundation to support STEM education research focused on early childhood.

H.R. 150. An act to modernize Federal grant reporting, and for other purposes.

H.R. 1138. An act to reauthorize the West Valley demonstration project, and for other purposes.

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

H.R. 4566. An act to accelerate the income tax benefits for charitable cash contributions for the relief of the families of victims of the mass shooting in Virginia Beach, Virginia, on May 31, 2019.

The enrolled bills were subsequently signed by the President pro tempore (Mr. GRASSLEY).

### ENROLLED BILL SIGNED

At 5:03 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bill:

S. 1790. An act 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.

The enrolled bill was subsequently signed by the Acting President pro tempore (Mr. PORTMAN).

## MEASURES PLACED ON THE CALENDAR

The following bills were read the second time, and placed on the calendar:

H.R. 397. An act to amend the Internal Revenue Code of 1986 to create a Pension Rehabilitation Trust Fund, to establish a Pension Rehabilitation Administration within the Department of the Treasury to make loans to multiemployer defined benefit plans, and for other purposes.

H.R. 1759. An act to amend title III of the Social Security Act to extend reemployment services and eligibility assessments to all claimants for unemployment benefits, and for other purposes.

H.R. 4018. An act 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.

## MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 3148. A bill to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances.

## ENROLLED BILLS PRESENTED

The Secretary of the Senate reported that on today, December 19, 2019, she had presented to the President of the United States the following enrolled bills:

S. 50. An act to authorize the Secretary of the Interior to assess sanitation and safety conditions at Bureau of Indian Affairs facilities that were constructed to provide affected Columbia River Treaty tribes access to traditional fishing grounds and expend funds on construction of facilities and structures to improve those conditions, and for other purposes.

S. 216. An act to provide for equitable compensation to the Spokane Tribe of Indians of the Spokane Reservation for the use of tribal land for the production of hydropower by the Grand Coulee Dam, and for other purposes.

S. 256. An act to amend the Native American Programs Act of 1974 to provide flexibility and reauthorization to ensure the survival and continuing vitality of Native American languages.

S. 737. An act to direct the National Science Foundation to support STEM education research focused on early childhood.

S. 1790. An act 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.

### ENROLLED BILLS SIGNED

At 7:42 p.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the Speaker has signed the following enrolled bills:

S. 151. An act to deter criminal robocall violations and improve enforcement of section 227(b) of the Communications Act of 1934, and for other purposes.

H.R. 777. An act to reauthorize programs authorized under the Debbie Smith Act of 2004.

H.R. 1158. An act making consolidated appropriations for the fiscal year ending September 30, 2020, and for other purposes.

H.R. 1865. An act making further consolidated appropriations for the fiscal year ending September 30, 2020, and for other purposes.

H.R. 3196. An act to designate the Large Synoptic Survey Telescope as the "Vera C. Rubin Observatory".

The enrolled bills were subsequently signed by the Acting President pro tempore (Mr. HOEVEN).

## EXECUTIVE AND OTHER COMMUNICATIONS

The following communications were laid before the Senate, together with accompanying papers, reports, and documents, and were referred as indicated:

EC-3576. A communication from the Director of the Regulations Management Division, Rural Development, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Single Family Housing Guaranteed Loan Program" (RIN0575-AD09) received in the Office of the President of the Senate on December 17, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-3577. A communication from the Assistant Secretary of Defense for Manpower and Reserve Affairs, performing the duties of the Under Secretary of Defense for Personnel and Readiness, transmitting, pursuant to law, a review of mental health professionals and challenges in recruiting and retaining, to accompany the fiscal year 2020 Defense Health Program budget submission; to the Committee on Armed Services.

EC-3578. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility" ((44 CFR Part 64) (Docket No. FEMA-2019-0003)) received in the Office of the President of the Senate on December 18, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-3579. A communication from the Chairman of the Office of Proceedings, Surface Transportation Board, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Limiting Extensions of Trail Use Negotiating Periods; Rails-To-Trails Conservancy—Petition for Rule-making" ((RIN2140-AB42) (Docket No. EP 749 (Sub-No. 1))) received during adjournment of the Senate in the Office of the President of the Senate on December 13, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3580. A communication from the Attorney, U.S. Coast Guard, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "2013 Liquid Chemical Categorization Updates" ((RIN1625-AB94) (Docket No. USCG-2019-0423)) received in the Office of the President of the Senate on December 18, 2019; to the Committee on Commerce, Science, and Transportation.

EC-3581. A communication from the General Counsel, Federal Energy Regulatory Commission, transmitting, pursuant to law, the report of a rule entitled "Final Rule on Public Utility Transmission Rate Changes to Address Accumulated Deferred Income Taxes" ((RIN1902-AF57) (Docket No. RM19-5-000)) received in the Office of the President of the Senate on December 18, 2019; to the Committee on Energy and Natural Resources.

EC-3582. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2019-0118-2019-0125); to the Committee on Foreign Relations.

EC-3583. A communication from the Deputy Assistant General Counsel for Regulatory Affairs, Pension Benefit Guaranty Corporation, transmitting, pursuant to law, the report of a rule entitled "Allocation of Assets in Single-Employer Plans; Valuation of Benefits and Assets; Expected Retirement

Age" (29 CFR Part 4044) received in the Office of the President of the Senate on December 18, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-3584. A communication from the Board Members, Railroad Retirement Board, transmitting, pursuant to law, the Board's Performance and Accountability Report for fiscal year 2019, including the Office of Inspector General's Auditor's Report; to the Committee on Homeland Security and Governmental Affairs.

EC-3585. A communication from the Secretary of Housing and Urban Development, transmitting, pursuant to law, the Department of Housing and Urban Development Semiannual Report of the Inspector General for the period from April 1, 2019 through September 30, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-3586. A joint communication from the Chief Executive Officer and the Chief Operating Officer of the Armed Forces Retirement Home, transmitting, pursuant to law, a report entitled "Armed Forces Retirement Home Performance and Accountability Report and Senior Medical Advisor Report for Fiscal Year 2019"; to the Committee on Homeland Security and Governmental Affairs.

EC-3587. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, a report entitled "Annual Report to Congress on Investigation, Enforcement, and Implementation of the Sex Offender Registration and Notification Act Requirements"; to the Committee on the Judiciary.

#### PETITIONS AND MEMORIALS

The following petition or memorial was laid before the Senate and was referred or ordered to lie on the table as indicated:

POM-172. A petition from a citizen of the State of Texas relative to immigration and the English language; 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. 496. A bill to preserve United States fishing heritage through a national program dedicated to training and assisting the next generation of commercial fishermen, and for other purposes (Rept. No. 116-83).

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2020" (Rept. No. 116-181).

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

S. 149. A bill to establish a Senior Scams Prevention Advisory Council (Rept. No. 116-182).

S. 893. A bill to require the President to develop a strategy to ensure the security of next generation mobile telecommunications systems and infrastructure in the United States and to assist allies and strategic partners in maximizing the security of next generation mobile telecommunications systems, infrastructure, and software, and for other purposes (Rept. No. 116-184).

S. 2166. A bill to designate Regional Ocean Partnerships of the National Oceanic and At-

mospheric Administration, and for other purposes (Rept. No. 116-185).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation:

Special Report entitled "Measuring the Economic Impact of Broadband Act of 2019" (Rept. No. 116-186).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation:

Special Report entitled "Veterans Expedited TSA Screening Safe Travel Act" (Rept. No. 116-187).

By Mr. WICKER, from the Committee on Commerce, Science, and Transportation:

Special Report entitled "TSA Credential and Endorsement Harmonization Act of 2019" (Rept. No. 116-188).

By Mr. HOEVEN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

S. 886. A bill to amend the Omnibus Public Land Management Act of 2009 to make the Reclamation Water Settlements Fund permanent (Rept. No. 116-189).

#### 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. UDALL (for himself, Mr. PORTMAN, and Ms. STABENOW):

S. 3106. A bill to amend the Forest and Rangeland Renewable Resources Planning Act of 1974 to promote reforestation following unplanned events on Federal land, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. HEINRICH:

S. 3107. A bill to amend the Internal Revenue Code of 1986 to establish a tax credit for installation of regionally-significant electric power transmission lines; to the Committee on Finance.

By Mr. JONES (for himself, Mr. MORAN, and Mr. PERDUE):

S. 3108. A bill to amend the Federal Deposit Insurance Act to provide that the consumer transaction account deposits of an insured depository institution are not considered to be funds obtained by or through a deposit broker, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. HEINRICH:

S. 3109. A bill to require the Federal Energy Regulatory Commission to initiate a rulemaking to reform the interregional transmission planning process, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. TILLIS:

S. 3110. A bill to direct the Comptroller General of the United States to conduct a study on disability and pension benefits provided to members of the National Guard and members of reserve components of the Armed Forces by the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PERDUE (for himself, Mr. JONES, and Mr. MORAN):

S. 3111. A bill to amend the Federal Deposit Insurance Act to exclude affiliates and subsidiaries of insured depository institutions from the definition of deposit broker, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRUZ (for himself and Mr. BRAUN):

S. 3112. A bill to amend the Internal Revenue Code of 1986 to expand and improve health savings accounts, and for other purposes; to the Committee on Finance.

By Mr. TESTER:

S. 3113. A bill to provide for the settlement of the water rights claims of the Fort Belknap Indian Community, and for other purposes; to the Committee on Indian Affairs.

By Mr. ENZI:

S. 3114. A bill to require that all institutions of higher education participating in student financial assistance programs under title IV of the Higher Education Act of 1965 meet certain revenue requirements; to the Committee on Health, Education, Labor, and Pensions.

By Mr. ENZI (for himself, Mr. BARASSO, and Mr. ROMNEY):

S. 3115. A bill to amend the Higher Education Act of 1965 to provide for comprehensive student achievement information; to the Committee on Health, Education, Labor, and Pensions.

By Ms. COLLINS (for herself, Mr. JONES, Ms. MCSALLY, and Mr. MENENDEZ):

S. 3116. A bill to enable States to better provide access to whole genome sequencing clinical services for certain undiagnosed children under the Medicaid program, and for other purposes; to the Committee on Finance.

By Mr. BLUMENTHAL (for himself, Mr. MERKLEY, Ms. HIRONO, and Ms. ROSEN):

S. 3117. A bill to create dedicated funds to conserve butterflies in North America, plants in the Pacific Islands, freshwater mussels in the United States, and desert fish in the Southwest United States, and for other purposes; to the Committee on Environment and Public Works.

By Mr. JOHNSON (for himself and Mr. PETERS):

S. 3118. A bill to establish a unified database and public reporting for purposes of tracking and evaluating domestic terrorism incidents, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 3119. A bill to modify the boundary of the Casa Grande Ruins National Monument, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 3120. A bill to reauthorize the Yuma Crossing National Heritage Area; to the Committee on Energy and Natural Resources.

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

S. 3121. A bill to establish the Chiricahua National Park in the State of Arizona as a unit of the National Park System, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. MCSALLY:

S. 3122. A bill to amend title 38, United States Code, to require the Secretary of Veterans Affairs to submit to Congress an annual report on suicide among veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. TILLIS (for himself and Ms. SINEMA):

S. 3123. A bill to amend the Home Owners' Loan Act with respect to the registration and supervision of insurance savings and loan holding companies, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL (for himself and Mr. MARKEY):

S. 3124. A bill to improve passenger vessel security and safety, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BLUMENTHAL:

S. 3125. A bill to amend the Internal Revenue Code of 1986 to allow for contributions to the Alzheimer's Research and Caregiving Trust Fund, and for other purposes; to the Committee on Finance.

By Ms. SMITH (for herself, Mr. UDALL, Mr. TESTER, Ms. CORTEZ MASTO, and Ms. WARREN):

S. 3126. A bill to amend the Public Health Service Act to authorize a special behavioral health program for Indians; to the Committee on Indian Affairs.

By Ms. SINEMA:

S. 3127. A bill to protect, for current and future generations, the watershed, ecosystem, and cultural heritage of the Grand Canyon region in the State of Arizona, to provide for a study relating to the uranium stockpile in the United States, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LANKFORD (for himself and Mr. INHOFE):

S. 3128. A bill to amend title 38, United States Code, to reorganize the Chaplain Service of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CRAPO (for himself, Mr. ENZI, Mr. BURR, Mr. BARRASSO, Mr. TILLIS, and Mr. RISCH):

S. 3129. A bill to provide for certain reforms with respect to the Medicare program under title XVIII of the Social Security Act, and for other purposes; to the Committee on Finance.

By Mr. PAUL:

S. 3130. A bill to amend titles 10 and 18, to permit members of the Armed Forces to possess firearms on military installations in accordance with applicable State law, and for other purposes; to the Committee on Armed Services.

By Mr. INHOFE (for himself, Mr. UDALL, and Mr. RISCH):

S. 3131. A bill to authorize the Secretary of the Interior to establish a Maya Security and Conservation Partnership program, to authorize appropriations for that program, and for other purposes; to the Committee on Foreign Relations.

By Mr. MORAN (for himself and Mr. BLUMENTHAL):

S. 3132. A bill to extend the Undertaking Spam, Spyware, And Fraud Enforcement With Enforcers beyond Borders Act of 2006, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BRAUN:

S. 3133. A bill to amend the Federal Food, Drug, and Cosmetic Act to establish a time-limited conditional approval pathway, subject to specific obligations, for certain drugs, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. TOOMEY (for himself and Mr. DURBIN):

S. 3134. A bill to add Ireland to the E-3 nonimmigrant visa program; to the Committee on the Judiciary.

By Mr. MARKEY:

S. 3135. A bill to provide for the establishment of clean technology consortia to enhance the economic, environmental, and energy security of the United States by promoting domestic development, manufacture, and deployment of clean technologies, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. GARDNER (for himself and Mr. PETERS):

S. 3136. A bill to amend the Internal Revenue Code of 1986 to establish small business start-up savings accounts; to the Committee on Finance.

By Mr. LEE (for himself, Mr. LANKFORD, Mr. CRAMER, and Mr. BRAUN):

S. 3137. A bill to amend titles XIX and XXI of the Social Security Act to require hospitals and certain other participating providers under Medicaid or the Children's Health Insurance Program to disclose the provider's policy on parental access to the medical records of minors, and for other purposes; to the Committee on Finance.

By Mr. LEE (for himself, Mr. HAWLEY, Mr. LANKFORD, Mr. CRAMER, and Mr. BRAUN):

S. 3138. A bill to amend titles XIX and XXI of the Social Security Act to require hospitals and certain other participating providers under Medicaid or the Children's Health Insurance Program to disclose the provider's policy on parental consent from the provision, withdrawal, or denial of life-sustaining treatment for minors, and for other purposes; to the Committee on Finance.

By Mr. DAINES (for himself, Mr. LANKFORD, Mr. ROUNDS, Mr. CRAPO, and Mr. CRUZ):

S. 3139. A bill to amend chapter 44 of title 18, United States Code, to more comprehensively address the interstate transportation of firearms or ammunition; to the Committee on the Judiciary.

By Mr. LEE (for himself, Mr. ROMNEY, Mr. DAINES, and Mr. JOHNSON):

S. 3140. A bill to require the Secretary of the Interior to issue a final rule relating to the delisting of the gray wolf under the Endangered Species Act of 1973; to the Committee on Environment and Public Works.

By Mr. TOOMEY (for himself and Mr. BLUMENTHAL):

S. 3141. A bill to amend the Bill Emerson Good Samaritan Food Donation Act to clarify and expand food donation, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

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

S. 3142. A bill to establish the Interagency United States-Based Terrorism Threat Information Sharing Commission, and for other purposes; to the Select Committee on Intelligence.

By Mr. BLUMENTHAL:

S. 3143. A bill to ban certain rare earth magnets, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Ms. SMITH (for herself, Mr. PERDUE, Mr. GRAHAM, and Mr. WYDEN):

S. 3144. A bill to establish a competitive grant program to support out-of-school-time youth workforce readiness programs, providing employability skills development, career exploration, employment readiness training, mentoring, work-based learning, and workforce opportunities for eligible youth; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO (for herself and Ms. ROSEN):

S. 3145. A bill to extend the withdrawal and reservation of certain public land in the State of Nevada for the continued use of the Nevada test and training range, to designate certain land in the Desert National Wildlife Refuge as wilderness, and for other purposes; to the Committee on Armed Services.

By Mr. CARDIN (for himself, Mr. VAN HOLLEN, Mr. MARKEY, Mr. BOOKER, Mrs. GILLIBRAND, Ms. SMITH, Ms. HIRONO, Mr. DURBIN, Ms. HARRIS, Mr. BROWN, Ms. DUCKWORTH, Ms. WARREN, Mr. PETERS, Mr. WARNER, Ms. KLOBUCHAR, Mr. COONS, Mr. KAINE, Mrs. SHAHEEN, Mr. SANDERS, Mrs. MURRAY, Ms. HASSAN, Mr. WYDEN, Mr. REED, and Mr. KING):

S. 3146. A bill to ensure a fair process for negotiations of collective bargaining agree-

ments under chapter 71 of title 5, United States Code; to the Committee on Homeland Security and Governmental Affairs.

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

S. 3147. A bill to require the Secretary of Veterans Affairs to submit to Congress reports on patient safety and quality of care at medical centers of the Department of Veterans Affairs, and for other purposes; considered and passed.

By Mr. JOHNSON (for himself, Mr. COTTON, Mr. CASSIDY, Mrs. BLACKBURN, Ms. ERNST, Mr. BRAUN, Mr. ALEXANDER, Mr. MCCONNELL, and Mr. LANKFORD):

S. 3148. A bill to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances; read the first time.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. LANKFORD (for himself and Mr. COONS):

S. Res. 458. A resolution calling for the global repeal of blasphemy, heresy, and apostasy laws; to the Committee on Foreign Relations.

By Mr. MCCONNELL:

S. Res. 459. A resolution to constitute the majority party's membership on certain committees for the One Hundred Sixteenth Congress, or until their successors are chosen; considered and agreed to.

By Mr. CARDIN (for himself and Ms. MURKOWSKI):

S. Res. 460. A resolution congratulating the American Geophysical Union on the occasion of its centennial; considered and agreed to.

By Ms. CANTWELL (for herself and Mrs. MURRAY):

S. Res. 461. A resolution congratulating Seattle Sounders FC on winning the 2019 Major League Soccer Cup; considered and agreed to.

By Mrs. FEINSTEIN (for herself, Ms. MCSALLY, Ms. SMITH, Mr. BROWN, Mr. KING, Mr. CASEY, and Mr. PETERS):

S. Res. 462. A resolution designating January 2020 as "National One Health Awareness Month" to promote awareness of organizations focused on public health, animal health, and environmental health collaboration throughout the United States and to recognize the critical contributions of those organizations to the future of the United States; considered and agreed to.

## ADDITIONAL COSPONSORS

S. 182

At the request of Mr. KENNEDY, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 182, a bill to prohibit discrimination against the unborn on the basis of sex, and for other purposes.

S. 460

At the request of Mr. WARNER, the names of the Senator from Kentucky (Mr. MCCONNELL) and the Senator from Wyoming (Mr. BARRASSO) were added as cosponsors of S. 460, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 481

At the request of Mr. BLUMENTHAL, his name was added as a cosponsor of

S. 481, a bill to encourage States to require the installation of residential carbon monoxide detectors in homes, and for other purposes.

S. 500

At the request of Mr. WARNER, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Georgia (Mr. PERDUE) and the Senator from Kansas (Mr. ROBERTS) were added as cosponsors of S. 500, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 604

At the request of Mr. BROWN, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 604, a bill to limit the authority of States to tax certain income of employees for employment duties performed in other States.

S. 614

At the request of Mr. ENZI, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. 614, a bill to direct the Secretary of the Interior to reissue a final rule relating to removing the Greater Yellowstone Ecosystem population of grizzly bears from the Federal list of endangered and threatened wildlife.

S. 712

At the request of Mr. MENENDEZ, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 712, a bill to provide assistance for United States citizens and nationals taken hostage or unlawfully or wrongfully detained abroad, and for other purposes.

S. 800

At the request of Mr. CASSIDY, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 800, a bill to establish a postsecondary student data system.

S. 877

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

S. 944

At the request of Mr. SCHATZ, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 944, a bill to enhance the security operations of the Transportation Security Administration and the stability of the transportation security workforce by applying a unified personnel system under title 5, United States Code, to employees of the Transportation Security Administration who are responsible for screening passengers and property, and for other purposes.

S. 1125

At the request of Mr. TILLIS, the name of the Senator from Missouri (Mr. HAWLEY) was added as a cosponsor of S. 1125, a bill to amend the Health

Insurance Portability and Accountability Act.

S. 1267

At the request of Mr. MENENDEZ, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 1267, a bill to establish within the Smithsonian Institution the National Museum of the American Latino, and for other purposes.

S. 1374

At the request of Ms. MCSALLY, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Minnesota (Ms. SMITH) were added as cosponsors of S. 1374, a bill to amend title II of the Social Security Act to eliminate the waiting periods for disability insurance benefits and Medicare coverage for individuals with metastatic breast cancer, and for other purposes.

S. 1527

At the request of Mr. KING, his name was added as a cosponsor of S. 1527, a bill to require the Secretary of Transportation to conduct, and submit to Congress a report describing the results of, an assessment of the total amount of nonhighway recreational fuel taxes received by the Secretary of the Treasury and transferred to the Highway Trust Fund, and for other purposes.

S. 1590

At the request of Mr. MERKLEY, the names of the Senator from New Hampshire (Ms. HASSAN), the Senator from New York (Mr. SCHUMER) and the Senator from Michigan (Ms. STABENOW) were added as cosponsors of S. 1590, a bill to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

S. 1757

At the request of Ms. ERNST, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1762

At the request of Mr. GRASSLEY, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 1762, a bill to amend the Foreign Agents Registration Act of 1938 to provide the Attorney General with greater authority to promote enforcement and disclosure requirements for agents of foreign principals, and for other purposes.

S. 1766

At the request of Ms. COLLINS, the names of the Senator from Colorado (Mr. GARDNER) and the Senator from Rhode Island (Mr. WHITEHOUSE) were added as cosponsors of S. 1766, a bill to implement policies to end preventable maternal, newborn, and child deaths globally.

S. 1781

At the request of Mr. RUBIO, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 1781, a bill to authorize appropriations for the Department of State for fiscal years 2020 through 2022 to provide assistance to El Salvador, Guatemala, and Honduras through bilateral compacts to increase protection of women and children in their homes and communities and reduce female homicides, domestic violence, and sexual assault.

S. 1820

At the request of Mrs. GILLIBRAND, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Minnesota (Ms. KLOBUCHAR) and the Senator from Nevada (Ms. ROSEN) 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 Alabama (Mr. JONES) 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. 2322

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2322, a bill to amend the Animal Welfare Act to allow for the retirement of certain animals used in Federal research.

S. 2330

At the request of Mr. MORAN, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2330, a bill to amend the Ted Stevens Olympic and Amateur Sports Act to provide for congressional oversight of the board of directors of the United States Olympic and Paralympic Committee and to protect amateur athletes from emotional, physical, and sexual abuse, and for other purposes.

S. 2379

At the request of Mr. CRAPO, the name of the Senator from Kansas (Mr. MORAN) was added as a cosponsor of S. 2379, a bill to amend title XIX of the Social Security Act to clarify the authority of State Medicaid fraud and abuse control units to investigate and prosecute cases of Medicaid patient abuse and neglect in any setting, and for other purposes.

S. 2381

At the request of Ms. MCSALLY, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2381, a bill to require review by the Government Accountability Office of screening protocols of the Transportation Security Administration relating to breast milk and formula, and for other purposes.

S. 2469

At the request of Mr. UDALL, the name of the Senator from Hawaii (Mr. SCHATZ) was added as a cosponsor of S. 2469, a bill to amend title 49, United States Code, to require the use of advanced leak detection technology for pipelines, and for other purposes.

S. 2491

At the request of Mr. UDALL, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2491, a bill to terminate certain rules issued by the Secretary of the Interior and the Secretary of Commerce relating to endangered and threatened species, and for other purposes.

S. 2549

At the request of Ms. ROSEN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 2549, a bill to allow nonprofit child care providers to participate in the loan programs of the Small Business Administration.

S. 2556

At the request of Ms. ROSEN, her name was added as a cosponsor of S. 2556, a bill to amend the Federal Power Act to provide energy cybersecurity investment incentives, to establish a grant and technical assistance program for cybersecurity investments, and for other purposes.

S. 2570

At the request of Ms. SINEMA, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 2570, a bill to award a Congressional Gold Medal to Greg LeMond in recognition of his service to the United States as an athlete, activist, role model, and community leader.

S. 2590

At the request of Mr. BRAUN, the names of the Senator from Nebraska (Mr. SASSE) and the Senator from South Dakota (Mr. ROUNDS) were added as cosponsors of S. 2590, a bill to protect the dignity of fetal remains, and for other purposes.

S. 2695

At the request of Mr. ROBERTS, the names of the Senator from Wisconsin (Mr. JOHNSON) and the Senator from Michigan (Mr. PETERS) 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. 2702

At the request of Mr. RISCH, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 2702, a bill to require the Secretary of Energy to establish an integrated energy systems research, development, and demonstration program, and for other purposes.

S. 2741

At the request of Mr. SCHATZ, the names of the Senator from Arizona (Ms. SINEMA) and the Senator from

North Dakota (Mr. CRAMER) 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. 2743

At the request of Mr. GARDNER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2743, a bill to establish the China Censorship Monitor and Action Group, and for other purposes.

S. 2745

At the request of Mr. INHOFE, the name of the Senator from Nebraska (Mr. SASSE) was added as a cosponsor of S. 2745, a bill to amend title 18, United States Code, to prohibit discrimination by abortion against an unborn child on the basis of Down syndrome.

S. 2748

At the request of Mr. MARKEY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2748, a bill to repeal the section of the Middle Class Tax Relief and Job Creation Act of 2012 that requires the Federal Communications Commission to reallocate and auction the T-Band spectrum.

S. 2766

At the request of Ms. COLLINS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2766, a bill to support and expand civic engagement and political leadership of adolescent girls around the world, and other purposes.

S. 2831

At the request of Mrs. CAPITO, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Maryland (Mr. VAN HOLLEN) 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. 2836

At the request of Mrs. MURRAY, the name of the Senator from Rhode Island (Mr. WHITEHOUSE) was added as a cosponsor of S. 2836, a bill to prohibit the Secretary of Health and Human Services from taking any action to implement, enforce, or otherwise give effect to the final rule, entitled "Protecting Statutory Conscience Rights in Health Care; Delegations of Authority".

S. 2886

At the request of Ms. MCSALLY, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 2886, a bill to prohibit the use of animal testing for cosmetics and the sale of cosmetics tested on animals.

S. 2943

At the request of Mr. BLUMENTHAL, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 2943, a bill to amend titles XVIII and XIX of the Social Security Act to revise minimum nurse staffing requirements for skilled nursing facilities under the Medicare pro-

gram and for nursing facilities under the Medicaid program, and for other purposes.

S. 2970

At the request of Ms. ERNST, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 2970, a bill to improve the fielding of newest generations of personal protective equipment to the Armed Forces, and for other purposes.

S. 2974

At the request of Mr. PETERS, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 2974, a bill to require the Postmaster General to establish a comprehensive organizational strategy to combat the use of the mail in the distribution of illicit drugs.

S. 3004

At the request of Mr. MARKEY, the name of the Senator from Connecticut (Mr. MURPHY) 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 names of the Senator from Nebraska (Mr. SASSE) and the Senator from Oklahoma (Mr. INHOFE) were added as cosponsors of S. 3016, a bill to amend the Federal Food, Drug, and Cosmetic Act to ensure that consumers can make informed decisions in choosing between meat products such as beef and imitation meat products, and for other purposes.

S. 3020

At the request of Mr. SULLIVAN, the name of the Senator from Alaska (Ms. MURKOWSKI) was added as a cosponsor of S. 3020, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to enter into contracts with States or to award grants to States to promote health and wellness, prevent suicide, and improve outreach to veterans, and for other purposes.

S. 3055

At the request of Ms. MURKOWSKI, the name of the Senator from Oklahoma (Mr. LANKFORD) was added as a cosponsor of S. 3055, a bill to amend the Higher Education Act of 1965 to permit a Federal student loan borrower to elect to terminate repayment pursuant to income-based repayment and repay such loan under any other repayment plan for which the borrower is otherwise eligible.

S. 3062

At the request of Mr. CASEY, the names of the Senator from Illinois (Mr. DURBIN), the Senator from Rhode Island (Mr. REED) and the Senator from Oregon (Mr. MERKLEY) were added as cosponsors of S. 3062, a bill to amend the Safe Drinking Water Act to repeal a certain exemption for hydraulic fracturing, and for other purposes.

S. 3104

At the request of Mr. SCHUMER, the name of the Senator from Illinois (Ms.



DUCKWORTH) was added as a cosponsor of S. 3104, a bill to make technical corrections relating to parental leave for Federal employees.

S.J. RES. 6

At the request of Mr. CARDIN, the names of the Senator from California (Ms. HARRIS), the Senator from Colorado (Mr. BENNET), the Senator from Connecticut (Mr. MURPHY), the Senator from Hawaii (Ms. HIRONO), the Senator from Michigan (Mr. PETERS), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Minnesota (Ms. SMITH), the Senator from New Hampshire (Ms. HASSAN), the Senator from New Jersey (Mr. BOOKER), the Senator from New Jersey (Mr. MENENDEZ), the Senator from Nevada (Ms. CORTEZ MASTO), the Senator from Nevada (Ms. ROSEN), the Senator from Rhode Island (Mr. WHITEHOUSE) and the Senator from Vermont (Mr. SANDERS) were added as cosponsors of S.J. Res. 6, a joint resolution removing the deadline for the ratification of the equal rights amendment.

S. RES. 73

At the request of Mr. RUBIO, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. Res. 73, a resolution calling on the Kingdom of Saudi Arabia to immediately release Saudi Women's Rights activists and respect the fundamental rights of all Saudi citizens.

S. RES. 452

At the request of Mr. COONS, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. Res. 452, a resolution commemorating and supporting the goals of World AIDS Day.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Ms. COLLINS (for herself, Mr. JONES, Ms. MCSALLY, and Mr. MENENDEZ):

S. 3116. A bill to enable States to better provide access to whole genome sequencing clinical services for certain undiagnosed children under the Medicaid program, and for other purposes; to the Committee on Finance.

Ms. COLLINS. Mr. President, I rise today to introduce the Ending the Diagnostic Odyssey Act. This legislation gives States the option of providing whole genome sequencing WSG clinical services through Medicaid for children with a disease that is suspected to have a genetic cause, at an enhanced Federal matching rate for 3 years. I am pleased to be joined by Senators JONES, MCSALLY, and MENENDEZ.

Children with rare diseases will spend on average 5 to 7 years on diagnostic odyssey, and 30 percent of those children will not survive beyond the age of 5 years old. The average patient sees seven different physicians in that time. The wait to find a cause—nevermind a cure—can be excruciating. Parents try to project a calm and reassuring presence for their child while facing a

whirlwind of doctor appointments, hospital visits, and unanswered questions.

Undeniably, we are making progress in both accelerating research funding for rare diseases as well as in the development of diagnostics. In 2014, the National Institutes of Health, NIH launched a program called the Undiagnosed Disease Network UDN. In its first 20 months, the UDN accepted 601 participants undiagnosed by traditional medical practices. Of those who completed their UDN evaluation during this time, 35 percent were given a diagnosis. Many of these diagnoses were rare genetic diseases, including 31 previously unknown syndromes.

In May, the Director of the National Institutes of Health, Dr. Francis Collins, wrote a blog post on how whole genome sequencing—combined with artificial intelligence, AI—can now be used to diagnose genetic diseases in seriously ill babies in fewer than 24 hours. Dr. Collins writes: “I would submit that there is no other technology in the history of planet Earth that has experienced this degree of progress in speed and affordability.”

For parents of children with an undiagnosed illness, answers cannot come soon enough. There are approximately 7,000 rare diseases known today. Approximately 80 percent of rare diseases are genetic, and about one-half of all rare diseases affect children. For example, Alström syndrome is an extremely rare and complex genetic disorder. Approximately 1,200 affected individuals have been identified worldwide, which makes a obtaining a correct diagnosis challenging. Characteristics of Alström syndrome include vision disturbances, sensorineural hearing impairment, cardiomyopathy, obesity, kidney dysfunction, and diabetes.

Robin Marshall, executive director of the Alström Syndrome International, located in Mount Desert Island, ME, has said that “whole Genome Sequencing has changed the lives of those we represent by enabling earlier and more accurate diagnosis, fostering more timely and appropriate medical care, and unlocking a host of social services to combat the educational and psychosocial complications that our children confront.”

By giving States an incentive to provide whole genome sequencing for eligible children through Medicaid my legislation will ensure that more children and their families can obtain the right diagnosis and treatment the start. The Ending the Diagnostic Odyssey Act has the support of more than 100 patient advocacy organizations, including Alström Syndrome International, the Genetic Alliance, the Personalized Medicine Coalition, and many others. I urge my colleagues to support this legislation.

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

S. 3147. A bill to require the Secretary of Veterans Affairs to submit to

Congress reports on patient safety and quality of care at medical centers of the Department of Veterans Affairs, and for other purposes; considered and passed.

S. 3147

*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 “Improving Safety and Security for Veterans Act of 2019”.

#### SEC. 2. DEPARTMENT OF VETERANS AFFAIRS REPORTS ON PATIENT SAFETY AND QUALITY OF CARE.

(a) REPORT ON PATIENT SAFETY AND QUALITY OF CARE.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans' Affairs of the Senate and the Committee on Veterans' Affairs of the House of Representatives a report regarding the policies and procedures of the Department relating to patient safety and quality of care and the steps that the Department has taken to make improvements in patient safety and quality of care at medical centers of the Department.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the policies and procedures of the Department and improvements made by the Department with respect to the following:

(i) How often the Department reviews or inspects patient safety at medical centers of the Department.

(ii) What triggers the aggregated review process at medical centers of the Department.

(iii) What controls the Department has in place for controlled and other high-risk substances, including the following:

(I) Access to such substances by staff.

(II) What medications are dispensed via automation.

(III) What systems are in place to ensure proper matching of the correct medication to the correct patient.

(IV) Controls of items such as medication carts and pill bottles and vials.

(V) Monitoring of the dispensing of medication within medical centers of the Department, including monitoring of unauthorized dispensing.

(iv) How the Department monitors contact between patients and employees of the Department, including how employees are monitored and tracked at medical centers of the Department when entering and exiting the room of a patient.

(v) How comprehensively the Department uses video monitoring systems in medical centers of the Department to enhance patient safety, security, and quality of care.

(vi) How the Department tracks and reports deaths at medical centers of the Department at the local level, Veterans Integrated Service Network level, and national level.

(vii) The procedures of the Department to alert local, regional, and Department-wide leadership when there is a statistically abnormal number of deaths at a medical center of the Department, including—

(I) the manner and frequency in which such alerts are made; and

(II) what is included in such an alert, such as the nature of death and where within the medical center the death occurred.

(viii) The use of root cause analyses with respect to patient deaths in medical centers of the Department, including—

(I) what threshold triggers a root cause analysis for a patient death;

(II) who conducts the root cause analysis; and

(III) how root cause analyses determine whether a patient death is suspicious or not.

(ix) What triggers a patient safety alert, including how many suspicious deaths cause a patient safety alert to be triggered.

(x) The situations in which an autopsy report is ordered for deaths at hospitals of the Department, including an identification of—

(I) when the medical examiner is called to review a patient death; and

(II) the official or officials that decide such a review is necessary.

(xi) The method for family members of a patient who died at a medical center of the Department to request an investigation into that death.

(xii) The opportunities that exist for family members of a patient who died at a medical center of the Department to request an autopsy for that death.

(xiii) The methods in place for employees of the Department to report suspicious deaths at medical centers of the Department.

(xiv) The steps taken by the Department if an employee of the Department is suspected to be implicated in a suspicious death at a medical center of the Department, including—

(I) actions to remove or suspend that individual from patient care or temporarily reassign that individual and the speed at which that action occurs; and

(II) steps taken to ensure that other medical centers of the Department and other non-Department medical centers are aware of the suspected role of the individual in a suspicious death.

(xv) In the case of the suspicious death of an individual while under care at a medical center of the Department, the methods used by the Department to inform the family members of that individual.

(xvi) The policy of the Department for communicating to the public when a suspicious death occurs at a medical center of the Department.

(B) A description of any additional authorities or resources needed from Congress to implement any of the actions, changes to policy, or other matters included in the report required under paragraph (1)

(b) REPORT ON DEATHS AT LOUIS A. JOHNSON MEDICAL CENTER.—

(1) IN GENERAL.—Not later than 60 days after the date on which the Attorney General indicates that any investigation or trial related to the suspicious deaths of veterans at the Louis A. Johnson VA Medical Center in Clarksburg, West Virginia, (in this subsection referred to as the “Facility”) that occurred during 2017 and 2018 has sufficiently concluded, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report describing—

(A) the events that occurred during that period related to those suspicious deaths; and

(B) actions taken at the Facility and throughout the Department of Veterans Affairs to prevent any similar reoccurrence of the issues that contributed to those suspicious deaths.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A timeline of events that occurred at the Facility relating to the suspicious deaths described in paragraph (1) beginning the moment those deaths were first determined to be suspicious, including any notifications to—

(i) leadership of the Facility;

(ii) leadership of the Veterans Integrated Service Network in which the Facility is located;

(iii) leadership at the central office of the Department; and

(iv) the Office of the Inspector General of the Department of Veterans Affairs.

(B) A description of the actions taken by leadership of the Facility, the Veterans Integrated Service Network in which the Facility is located, and the central office of the Department in response to the suspicious deaths, including responses to notifications under subparagraph (A).

(C) A description of the actions, including root cause analyses, autopsies, or other activities that were conducted after each of the suspicious deaths.

(D) A description of the changes made by the Department since the suspicious deaths to procedures to control access within medical centers of the Department to controlled and non-controlled substances to prevent harm to patients.

(E) A description of the changes made by the Department to its nationwide controlled substance and non-controlled substance policies as a result of the suspicious deaths.

(F) A description of the changes planned or made by the Department to its video surveillance at medical centers of the Department to improve patient safety and quality of care in response to the suspicious deaths.

(G) An analysis of the review of sentinel events conducted at the Facility in response to the suspicious deaths and whether that review was conducted consistent with policies and procedures of the Department.

(H) A description of the steps the Department has taken or will take to improve the monitoring of the credentials of employees of the Department to ensure the validity of those credentials, including all employees that interact with patients in the provision of medical care.

(I) A description of the steps the Department has taken or will take to monitor and mitigate the behavior of employee bad actors, including those who attempt to conceal their mistreatment of veteran patients.

(J) A description of the steps the Department has taken or will take to enhance or create new monitoring systems that—

(i) automatically collect and analyze data from medical centers of the Department and monitor for warnings signs or unusual health patterns that may indicate a health safety or quality problem at a particular medical center; and

(ii) automatically share those warnings with other medical centers of the Department, relevant Veterans Integrated Service Networks, and officials of the central office of the Department.

(K) A description of the accountability actions that have been taken at the Facility to remove or discipline employees who significantly participated in the actions that contributed to the suspicious deaths.

(L) A description of the system-wide reporting process that the Department will or has implemented to ensure that relevant employees are properly reported, when applicable, to the National Practitioner Data Bank of the Department of Health and Human Services, the applicable State licensing boards, the Drug Enforcement Administration, and other relevant entities.

(M) A description of any additional authorities or resources needed from Congress to implement any of the recommendations or findings included in the report required under paragraph (1).

(N) Such other matters as the Secretary considers necessary.

By Mr. JOHNSON (for himself, Mr. COTTON, Mr. CASSIDY, Mrs. BLACKBURN, Ms. ERNST, Mr. BRAUN, Mr. ALEXANDER, Mr.

McCONNELL, and Mr. LANKFORD);

S. 3148. A bill to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances; read the first time.

S. 3148

*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 “Stopping Overdoses of Fentanyl Analogues Act”.

#### SEC. 2. FENTANYL-RELATED SUBSTANCES.

Section 202(c) of the Controlled Substances Act (21 U.S.C. 812) is amended—

(1) by adding at the end of subsection (b) of Schedule I the following:

“(23) Isobutyryl fentanyl.

“(24) Para-Methoxybutyrylfentanyl.

“(25) Valeryl fentanyl.

“(26) Cyclopentyl fentanyl.

“(27) Para-Chloroisobutyryl fentanyl.”;

and

(2) by adding at the end of Schedule I the following:

“(e)(1) Unless specifically exempted or unless listed in another schedule, any material, compound, mixture, or preparation which contains any quantity of fentanyl-related substances, or which contains their salts, isomers, and salts of isomers whenever the existence of such salts, isomers, and salts of isomers is possible within the specific chemical designation.

“(2) In paragraph (1), the term ‘fentanyl-related substances’ includes the following:

“(A) Any substance that is structurally related to fentanyl by one or more of the following modifications:

“(i) By replacement of the phenyl portion of the phenethyl group by any monocycle, whether or not further substituted in or on the monocycle.

“(ii) By substitution in or on the phenethyl group with alkyl, alkenyl, alkoxy, hydroxy, halo, haloalkyl, amino or nitro groups.

“(iii) By substitution in or on the piperidine ring with alkyl, alkenyl, alkoxy, ester, ether, hydroxy, halo, haloalkyl, amino or nitro groups.

“(iv) By replacement of the aniline ring with any aromatic monocycle whether or not further substituted in or on the aromatic monocycle.

“(v) By replacement of the N-propionyl group by another acyl group.

“(B) 4'-Methyl acetyl fentanyl.

“(C) Crotonyl fentanyl.

“(D) 2'-Fluoro ortho-fluorofentanyl.

“(E) Ortho-Methyl acetylfentanyl.

“(F) Thiofuranyl fentanyl.

“(G) Ortho-Fluorobutyryl fentanyl.

“(H) Ortho-Fluoroacryl fentanyl.

“(I) Beta-Methyl fentanyl.

“(J) Phenyl fentanyl.

“(K) Para-Methylfentanyl.

“(L) Beta'-Phenyl fentanyl.

“(M) Benzodioxole fentanyl.”.

This act shall take effect one day after the date of enactment.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 458—CALLING FOR THE GLOBAL REPEAL OF BLASPHEMY, HERESY, AND APOSTASY LAWS

Mr. LANKFORD (for himself and Mr. COONS) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 458

Whereas Article 18 of the International Declaration of Human Rights states that “[e]veryone has the right to freedom of thought, conscience and religion; this right includes freedom to change his religion or belief, and freedom, either alone or in community with others and in public or private, to manifest his religion or belief in teaching, practice, worship and observance”;

Whereas many countries continue to have criminal blasphemy laws and punish people who engage in expression deemed by the government to be blasphemous, heretical, apostate, defamatory of religion, or insulting to religion or to religious symbols, figures, or feelings, and such punishment can include fines, imprisonment, and capital punishment including by beheading;

Whereas blasphemy laws have affected Christians, Muslims, Hindus, Baha’i, secularists, and many other groups, are inconsistent with international human rights standards because they establish and promote official religious orthodoxy and dogma over individual liberty, and often result in violations of the freedoms of religion, thought, and expression that are protected under international instruments, including Articles 18 and 19 of the International Covenant on Civil and Political Rights (ICCPR);

Whereas the United Nations Human Rights Committee stated in General Comment 34 that “[p]rohibitions of displays of lack of respect for a religion or other belief system, including blasphemy laws, are incompatible with the [ICCPR].”;

Whereas the United States Commission on International Religious Freedom (USCIRF) has found that blasphemy charges are often based on false accusations, are used for sectarian or political purposes, and foster religious intolerance, discrimination, and violence;

Whereas USCIRF has found that at least 70 countries had blasphemy laws as of 2018;

Whereas these laws were present in 18 Middle East and North African countries, 8 countries in the Americas, 18 Asia-Pacific countries, 14 European countries, and 12 Sub-Saharan African countries;

Whereas the Pew Research Center found that countries with laws against blasphemy, apostasy, or defamation of religion were more likely to have severe governmental restrictions on religion, and to experience social hostilities based on religion, than countries that did not have such laws;

Whereas restrictive laws beyond those penalizing blasphemy, heresy, and apostasy further limit religious freedom, such as extremism laws—

(1) in Russia that have been used to ban Jehovah’s Witnesses as an extremist organization and fueled persecution of this religious group;

(2) in China, to arbitrarily detain an estimated 800,000 to 2,000,000 Uighur Muslims in internment camps because they followed Islamic rituals and practices; and

(3) in North Korea, to detain an estimated 50,000 to 70,000 Christians in labor camps because they followed the tenets of Christianity;

Whereas an international group of experts convened by the Office of the United Nations High Commissioner for Human Rights recommended in 2012 that “[s]tates that have blasphemy laws should repeal the[m] as such laws have a stifling impact on the enjoyment of freedom of religion or belief and healthy dialogue and debate about religion.”;

Whereas blasphemy laws are inconsistent with United Nations resolutions adopted by consensus since 2011 recognizing that religious intolerance is best fought through positive measures, such as education, out-

reach, and counter-speech, and that criminalization of speech is warranted only for the prevention of imminent violence;

Whereas, according to the annual religious freedom report published by the Department of State in 2015, attackers in Bangladesh killed five allegedly anti-Islamic or secularist writers and publishers, and injured three others;

Whereas, in response to these killings, the Home Minister of Bangladesh, rather than condemning the murders, called on bloggers and others to refrain from writings that could hurt the religious feelings of others and added that violators of the warning would be subject to prosecution under the restrictive religious freedom laws of Bangladesh;

Whereas a 2016 report by USCIRF on Bangladesh found that religious and civil society groups fear that increasing religious extremism will result in more criminal attacks and threats;

Whereas restrictive religious freedom laws validate and promote social violence targeted at religious minorities and dissenters, whether Christian, Muslim, secularist, or other;

Whereas USCIRF has found that in Pakistan, blasphemy laws have been used to prosecute and persecute Muslims, Christians, secularists, and others;

Whereas, according to a Pew Center report on religion and public life, Pakistan stands out for having one of the highest levels of restrictions on religion when both government restrictions and social hostilities are taken into account;

Whereas USCIRF has found egregious examples of the enforcement of blasphemy laws and vigilante violence connected to blasphemy allegations in Pakistan, where blasphemy charges are common and numerous individuals are in prison, with a high percentage sentenced to death or to life in prison;

Whereas, as of May 2018, USCIRF was aware of approximately 40 individuals on death row for blasphemy in Pakistan or serving life sentences;

Whereas Asia Bibi was sentenced to death for blasphemy in 2010 and was held on death row for 8 years, until the Supreme Court of Pakistan overturned her conviction in 2018, and has since received asylum in Canada;

Whereas Pakistan selectively enforces the blasphemy law against minority religious groups, including specifically targeting the Ahmadis, such as Abdul Shakoor, an 82-year old bookseller who was recently released after serving four years in prison on blasphemy charges;

Whereas blasphemy laws in Pakistan have fostered a climate of impunity, as those who falsify evidence go unpunished and allegations often result in violent mob attacks or assassinations, with little to no police response;

Whereas, in 2017, the Christian Governor of Jakarta, Indonesia, was convicted for blasphemy of Islam and sentenced to two years in jail;

Whereas several countries that maintained blasphemy laws have recently taken steps towards removing these provisions, including Greece, Ireland and Canada;

Whereas blasphemy laws in the United States were invalidated by the adoption of the First Amendment to the Constitution, which protects the freedoms of thought, conscience, expression, and religious exercise; and

Whereas the United States has become a beacon of religious freedom and tolerance around the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes that blasphemy, heresy, and apostasy laws inappropriately position gov-

ernments as arbiters of religious truth and empower officials to impose religious dogma on individuals or minorities through the power of the government or through violence sanctioned by the government;

(2) calls on the President and the Secretary of State to make the repeal of blasphemy, heresy, and apostasy laws a priority in the bilateral relationships of the United States with all countries that have such laws, through direct interventions in bilateral and multilateral fora;

(3) encourages the President and the Secretary of State to oppose—

(A) any efforts, by the United Nations or by other international or multilateral fora, to create an international anti-blasphemy norm, such as the “defamation of religions” resolutions introduced in the United Nations between 1999 and 2010; and

(B) any attempts to expand the international norm on incitement to include blasphemy or defamation of religions;

(4) supports efforts by the United Nations to combat intolerance, discrimination, or violence against persons based on religion or belief without restricting expression, including United Nations Human Rights Council Resolution 16/18 (2011) and the Istanbul Process meetings pursuant to such resolution, that are consistent with the First Amendment to the Constitution;

(5) calls on the President and the Secretary of State to designate countries that enforce blasphemy, heresy, or apostasy laws as “countries of particular concern for religious freedom” under section 402(b)(1)(A)(ii) of the International Religious Freedom Act of 1998 (22 U.S.C. 6442(b)(1)(A)(ii)) for engaging in or tolerating severe violations of religious freedom, as a result of the abuses flowing from the enforcement of such laws and from unpunished vigilante violence often generated by blasphemy allegations;

(6) urges the governments of countries that enforce blasphemy, heresy, or apostasy laws to amend or repeal such laws, as they provide pretext and impunity for vigilante violence against religious minorities; and

(7) urges the governments of countries that have prosecuted, imprisoned, and persecuted people on charges of blasphemy, heresy, or apostasy to release such people unconditionally and, once released, to ensure their safety and that of their families.

#### SENATE RESOLUTION 459—TO CONSTITUTE THE MAJORITY PARTY’S MEMBERSHIP ON CERTAIN COMMITTEES FOR THE ONE HUNDRED SIXTEENTH CONGRESS, OR UNTIL THEIR SUCCESSORS ARE CHOSEN

Mr. McCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 459

*Resolved*, That the following shall constitute the majority party’s membership on the following committee for the One Hundred Sixteenth Congress, or until their successors are chosen:

SELECT COMMITTEE ON ETHICS: Mr. Lankford (Chairman), Mr. Roberts, Mr. Risch.

#### SENATE RESOLUTION 460—CONGRATULATING THE AMERICAN GEOPHYSICAL UNION ON THE OCCASION OF ITS CENTENNIAL

Mr. CARDIN (for himself and Ms. MURKOWSKI) submitted the following

resolution; which was considered and agreed to:

S. RES. 460

Whereas, in December 1919, the National Research Council organized the American Geophysical Union—

(1) to represent the United States in the International Union of Geodesy and Geophysics of the International Research Council; and

(2) to serve as the Committee on Geophysics of the National Research Council to promote work in the fields of astronomy, geodesy, geology, meteorology, seismology, terrestrial electricity and magnetism, and volcanology;

Whereas, in 1972, the American Geophysical Union was incorporated as an independent organization;

Whereas, in 2019, the American Geophysical Union has more than 60,000 members in 137 countries;

Whereas the mission of the American Geophysical Union is to promote discovery in Earth and space sciences for the benefit of humanity;

Whereas Earth and space sciences are international endeavors that transform human understanding of the planet, from the core through the atmosphere of the planet and into the universe beyond;

Whereas Earth and space sciences drive basic and applied research that has led to critical health, environmental, commercial, and technological breakthroughs that have inspired individuals throughout the world, strengthened economies, and raised standards of living;

Whereas Earth and space sciences help individuals—

(1) understand and formulate solutions for the critical challenges facing the planet;

(2) become better stewards of natural resources, such as energy, water, and minerals, for current and future generations; and

(3) comprehend and mitigate the effects of terrestrial, manmade, and space disasters, which protects communities worldwide;

Whereas Earth and space sciences are critical components of a science, technology, engineering, arts, and mathematics (in this preamble referred to as “STEAM”) education and inspire students of all ages to become citizen scientists and future leaders in STEAM fields;

Whereas Earth and space sciences seek to discover the origins of humanity, the planet, and the universe, and are a source of awe for past, current, and future generations; and

Whereas December 2019 marks the 100th anniversary of the establishment of the American Geophysical Union: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the American Geophysical Union on the occasion of its centennial;

(2) supports increasing the understanding of and interest in Earth and space sciences at the local, national, and international levels;

(3) encourages the scientific community to engage in public outreach so that individuals of all ages and backgrounds gain a better understanding of and appreciation for the value of Earth and space sciences to daily life and quality of life;

(4) expresses support for the free and open exchange of ideas in Earth and space sciences;

(5) recognizes the important role of governments in fostering Earth and space scientific research, including contributing to higher-risk and longer-term investigations and providing funding for the basic and applied research necessary for human welfare;

(6) encourages international cooperation in efforts relating to Earth and space sciences to foster the global exchange of knowledge and collaboration among scientists worldwide for the benefit of humanity; and

(7) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to the executive director and chief executive officer of the American Geophysical Union.

# SENATE RESOLUTION 461—CONGRATULATING SEATTLE SOUNDERS FC ON WINNING THE 2019 MAJOR LEAGUE SOCCER CUP

Ms. CANTWELL (for herself and Mrs. MURRAY) submitted the following resolution; which was considered and agreed to:

S. RES. 461

Whereas, on November 10, 2019, Seattle Sounders FC won the 2019 Major League Soccer Cup;

Whereas that win on November 10, 2019, is the second Major League Soccer championship won by Seattle Sounders FC in the 11 years that Seattle Sounders FC has been in Major League Soccer;

Whereas Seattle Sounders FC beat the Toronto Football Club 3-1 in the 2019 Major League Soccer Cup;

Whereas Seattle Sounders FC—

(1) dominated the competition in the regular season, with 16 wins and 10 losses;

(2) qualified for the Major League Soccer Cup Playoffs for an unprecedented 11th straight season; and

(3) earned the number 2 seed in the Major League Soccer Western Conference;

Whereas Seattle Sounders FC plays home games at CenturyLink Field in Seattle, Washington, and, on November 10, 2019, 69,274 Seattle Sounders FC fans from across the State of Washington packed CenturyLink Field and set the record for the largest crowd at a sporting event in the 17-year history of the stadium;

Whereas the 2019 roster of Seattle Sounders FC players includes—

- (1) Saad Abdul-Salaam;
- (2) Xavier Arreaga;
- (3) Will Bruin;
- (4) Handwalla Bwana;
- (5) Jonathan Campbell;
- (6) Emanuel Cecchini;
- (7) Jordy Delem;
- (8) Justin Dhillon;
- (9) Stefan Frei;
- (10) Bheem Goyal;
- (11) Joevin Jones;
- (12) Kim Kee-hee;
- (13) Kelvin Leerdam;
- (14) Danny Leyva;
- (15) Nicolás Lodeiro;
- (16) Chad Marshall;
- (17) Bryan Meredith;
- (18) Jordan Morris;
- (19) Trey Muse;
- (20) Alfonso Ocampo-Chavez;
- (21) Víctor Rodríguez;
- (22) Cristian Roldan;
- (23) Alex Roldan;
- (24) Raúl Ruidíaz;
- (25) Harry Shipp;
- (26) Luis Silva;
- (27) Brad Smith;
- (28) Gustav Svensson;
- (29) Nouhou; and
- (30) Román Torres;

Whereas Seattle Sounders FC defender Kelvin Leerdam scored the first goal in the 57th minute of the championship game;

Whereas Seattle Sounders FC midfielder Víctor Rodríguez—

(1) scored the second goal in the 76th minute; and

(2) received the 2019 Major League Soccer Cup Most Valuable Player award;

Whereas Seattle Sounders FC forward Raúl Ruidíaz scored the third and final goal in the 90th minute;

Whereas Seattle Sounders FC forward Jordan Morris—

(1) scored a career-high 13 goals and a career-high 8 assists throughout the 2019 season; and

(2) received the 2019 Major League Soccer Comeback Player of the Year award after suffering a torn anterior cruciate ligament (ACL) in 2018;

Whereas Seattle Sounders FC Head Coach Brian Schmetzer won his second Major League Soccer Cup;

Whereas the 2019 Seattle Sounders FC coaching and technical staff includes—

- (1) Head Coach Brian Schmetzer;
- (2) Assistant Coach Gonzalo Pineda;
- (3) Assistant Coach Djimi Traore;
- (4) Assistant Coach Preki;
- (5) Club Director of Goalkeeping Tom Dutra;
- (6) General Manager and President of Soccer Garth Lagerwey; and
- (7) Vice President of Soccer Chris Henderson;

Whereas Seattle Sounders FC is owned by Adrian Hanauer, Drew Carey, Jody Allen, and Peter Tomozawa, and the 11 families that joined the ownership contingent in 2019, namely—

- (1) Terry Myerson and Katie Myerson;
- (2) Russell Wilson and Ciara;
- (3) Benjamin Haggerty “Macklemore” and Tricia Davis;
- (4) Satya Nadella and Anu Nadella;
- (5) Amy Hood and Max Kleinman;
- (6) Joe Belfiore and Kristina Belfiore;
- (7) Soma Somasegar and Akila Somasegar;
- (8) Chee Chew and Christine Chew;
- (9) David Nathanson and Sabina Nathanson;
- (10) Brian McAndrews and Elise Holschuh; and
- (11) Mark Agne and Tomoko Agne;

Whereas the owners of Seattle Sounders FC have built a culture of success and contributed greatly to Seattle, Washington, and the surrounding region through philanthropy;

Whereas Seattle Sounders FC has exhibited dedication to positive social impacts by strengthening communities through the RAVE Foundation partnership with organizations in Seattle, Washington, and the surrounding region; and

Whereas the dedication and hard work of Seattle Sounders FC has inspired and empowered girls, boys, women, and men of all ages: Now, therefore, be it

*Resolved*, That the Senate—

(1) recognizes Seattle Sounders FC for winning the 2019 Major League Soccer Cup;

(2) applauds the people of Seattle, Washington, and the surrounding region for their enthusiastic support of Seattle Sounders FC;

(3) supports equity in men’s and women’s professional sports; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to Seattle Sounders FC Head Coach Brian Schmetzer, General Manager and President of Soccer Garth Lagerwey, and Vice President of Soccer Chris Henderson.

SENATE RESOLUTION 462—DESIGNATING JANUARY 2020 AS “NATIONAL ONE HEALTH AWARENESS MONTH” TO PROMOTE AWARENESS OF ORGANIZATIONS FOCUSED ON PUBLIC HEALTH, ANIMAL HEALTH, AND ENVIRONMENTAL HEALTH COLLABORATION THROUGHOUT THE UNITED STATES AND TO RECOGNIZE THE CRITICAL CONTRIBUTIONS OF THOSE ORGANIZATIONS TO THE FUTURE OF THE UNITED STATES

Mrs. FEINSTEIN (for herself, Ms. MCSALLY, Ms. SMITH, Mr. BROWN, Mr. KING, Mr. CASEY, and Mr. PETERS) submitted the following resolution; which was considered and agreed to:

S. RES. 462

Whereas One Health is a collaborative, multisectoral, and transdisciplinary approach, working at the local, regional, national, and global levels, with the goal of achieving optimal health outcomes recognizing the interconnection between people, animals, plants, and their shared environment;

Whereas the mission of One Health is to establish closer professional interactions, collaborations, and educational opportunities across the various medical, veterinary, and environmental health professions and their allied science professions to simultaneously improve public health, animal health, and environmental health;

Whereas the increasing threats posed by emerging diseases shared between animals and people, foodborne, vector-borne, and waterborne diseases, and other environmental factors may support the need for an integrated effort by professionals from multiple disciplines, including health, science, technology, and engineering;

Whereas, according to the Centers for Disease Control and Prevention, up to 75 percent of new or emerging infectious diseases in people are spread by animals;

Whereas, each year, International One Health Day is November 3; and

Whereas One Health is essential to combating and strengthening the surveillance of emerging and reemerging diseases: Now, therefore, be it

Resolved, That the Senate designates January 2020 as “National One Health Awareness Month” to—

- (1) promote awareness of organizations that focus on One Health efforts to improve the quality of life for people and animals;
- (2) recognize the efforts made by such organizations in using a One Health approach to prevent epidemics; and
- (3) recognize the importance of using the One Health approach to simultaneously protect the health of people, animals, plants, and the environment in the United States.

Mrs. FEINSTEIN. Mr. President, I rise to speak on the resolution that Senator McSally and I introduced to declare January as “National One Health Awareness Month.”

“One Health” is a term used by health experts—including those at the Centers for Disease Control and Prevention—to focus on the connections between human, animal, and environmental health.

Our resolution will help raise awareness for the “One Health” approach and promote efforts that simultaneously improve the health of people, animals, plants, and the environment.

By using the One Health approach, global health problems including antibiotic resistance, infectious disease spread, and sequestered medical knowledge can be addressed.

Antibiotic resistance is of grave concern for both people and animals. Public health specialists are working with physicians and veterinarians to minimize inappropriate antibiotic usage in their patients.

By 2050, according to the United Kingdom’s 2014 Review on Antimicrobial Resistance, experts expect that more people will die from antibiotic resistant microbes than die from cancer today. The best way to solve this growing problem is for specialists across a variety of disciplines to collaborate to reduce antibiotic use by promoting good sanitation and developing alternatives for antibiotics.

According to the Centers for Disease Control and Prevention, up to 75 percent of new or emerging infectious diseases in people are spread by animals. Examples include Ebola, Zika, Rabies, Tuberculosis, and Plague. By destroying natural animal habitats through deforestation, natural disasters, and climate change, we are forcing animals and insects to migrate to new areas, thereby exposing humans to new diseases.

In 2013, a two-year-old boy was the first victim of the Ebola epidemic in Western Africa. In his small village, deforestation forced the bats suspected of carrying the Ebola virus to move closer to people.

Collaboration between physicians, nurses, physician assistants, nurse’s aids, veterinarians, hygienists, anthropologists, epidemiologists, community engagement specialists, and military workers helped end the Ebola epidemic by attacking it from different angles. This was an example of One Health in action. Today, a similar collaborative approach is working to end the current Ebola epidemic in Central Africa.

In the United States, diseases such as Lyme disease, Anaplasma, Bartonella, and Zika carried by ticks, fleas, and mosquitoes, respectively, are also spreading to new areas.

In 2015, an 11-year-old Louisiana boy was accidentally scratched by a kitten with fleas. He was misdiagnosed by more than thirty doctors and he became wheelchairbound. However, a “One Health” approach saved his life. The boy was finally correctly diagnosed with a bacterial disease acquired by the kitten’s scratch once he met with a medical team that included both a physician and a veterinarian. The veterinarian understood that fleas can give cats bacteria and the physician understood that a cat’s scratch can transmit the bacteria to humans. The boy was prescribed the antibiotics he needed, and he can now walk again.

It is time that everybody understands the importance of One Health. With diminishing resources in the environment and a growing human population, now more than ever, fighting

problems with a One Health approach must be encouraged.

Thank you Mr. President. I yield the floor.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 1268. Mr. WICKER proposed an amendment to the bill S. 1822, 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.

SA 1269. Mr. MCCONNELL (for Mr. PORTMAN) proposed an amendment to the bill S. 1434, to prohibit the use of reverse auctions for design and construction services procurements, and for other purposes.

SA 1270. Mr. MCCONNELL (for Mr. CARDIN) proposed an amendment to the bill S. 439, to allow Members of Congress to opt out of the Federal Employees Retirement System, and allow Members who opt out of the Federal Employees Retirement System to continue to participate in the Thrift Savings Plan.

SA 1271. Mr. MCCONNELL (for Mr. GARDNER (for himself and Mr. MANCHIN)) proposed an amendment to the bill S. 221, to amend title 38, United States Code, to require the Under Secretary of Health to report major adverse personnel actions involving certain health care employees to the National Practitioner Data Bank and to applicable State licensing boards, and for other purposes.

SA 1272. Mr. MCCONNELL (for Mr. BOOZMAN) proposed an amendment to the bill S. 2096, to amend title 38, United States Code, to authorize States and tribal organizations that receive grants from the National Cemetery Administration for establishment, expansion, or improvement of a veterans’ cemeteries to use amounts of such grants for State and tribal organization cemetery personnel to train at the training center of the National Cemetery Administration, and for other purposes.

SA 1273. Mr. MCCONNELL (for Ms. MURKOWSKI (for herself and Mr. CRUZ)) proposed an amendment to the bill H.R. 550, 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.

SA 1274. Mr. MCCONNELL (for Mr. CORNYN) proposed an amendment to the bill S. 1029, to allow the use of certified facility dogs in criminal proceedings in Federal courts, and for other purposes.

SA 1275. Mr. MCCONNELL (for Mr. CARDIN) proposed an amendment to the bill S. 1309, to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers.

#### TEXT OF AMENDMENTS

SA 1268. Mr. WICKER proposed an amendment to the bill S. 1822, 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; as follows:

Strike all after the enacting clause and insert the following:

##### SECTION 1. SHORT TITLE.

This Act may be cited as the “Broadband Deployment Accuracy and Technological

Availability Act” or the “Broadband DATA Act”.

## SEC. 2. BROADBAND DATA.

The Communications Act of 1934 (47 U.S.C. 151 et seq.) is amended by adding at the end the following:

### “TITLE VIII—BROADBAND DATA

#### “SEC. 801. DEFINITIONS.

“In this title:

“(1) **BROADBAND INTERNET ACCESS SERVICE.**—The term ‘broadband internet access service’ has the meaning given the term in section 8.1(b) of title 47, Code of Federal Regulations, or any successor regulation.

“(2) **BROADBAND MAP.**—The term ‘Broadband Map’ means the map created by the Commission under section 802(c)(1)(A).

“(3) **CELL EDGE PROBABILITY.**—The term ‘cell edge probability’ means the likelihood that the minimum threshold download and upload speeds with respect to broadband internet access service will be met or exceeded at a distance from a base station that is intended to indicate the ultimate edge of the coverage area of a cell.

“(4) **CELL LOADING.**—The term ‘cell loading’ means the percentage of the available air interface resources of a base station that are used by consumers with respect to broadband internet access service.

“(5) **CLUTTER.**—The term ‘clutter’ means a natural or man-made surface feature that affects the propagation of a signal from a base station.

“(6) **FABRIC.**—The term ‘Fabric’ means the Broadband Serviceable Location Fabric established under section 802(b)(1)(B).

“(7) **FORM 477.**—The term ‘Form 477’ means Form 477 of the Commission relating to local telephone competition and broadband reporting.

“(8) **INDIAN TRIBE.**—The term ‘Indian Tribe’ has the meaning given the term ‘Indian tribe’ in section 4 of the Indian Self-Determination and Education Assistance Act (25 U.S.C. 5304).

“(9) **MOBILITY FUND PHASE II.**—The term ‘Mobility Fund Phase II’ means the second phase of the proceeding to provide universal service support from the Mobility Fund (WC Docket No. 10-90; WT Docket No. 10-208).

“(10) **PROPAGATION MODEL.**—The term ‘propagation model’ means a mathematical formulation for the characterization of radio wave propagation as a function of frequency, distance, and other conditions.

“(11) **PROVIDER.**—The term ‘provider’ means a provider of fixed or mobile broadband internet access service.

“(12) **QUALITY OF SERVICE.**—The term ‘quality of service’ means, with respect to broadband internet access service, the download and upload speeds (and, for relevant services, latency) with respect to that service, as determined by, and to the extent otherwise collected by, the Commission.

“(13) **SHAPEFILE.**—The term ‘shapefile’ means a digital storage format containing geospatial or location-based data and attribute information—

“(A) regarding the availability of broadband internet access service; and

“(B) that can be viewed, edited, and mapped in geographic information system software.

“(14) **STANDARD BROADBAND INSTALLATION.**—The term ‘standard broadband installation’—

“(A) means the initiation by a provider of fixed broadband internet access service in an area in which the provider has not previously offered that service, with no charges or delays attributable to the extension of the network of the provider; and

“(B) includes the initiation of fixed broadband internet access service through routine installation that can be completed

not later than 10 business days after the date on which the service request is submitted.

#### “SEC. 802. BROADBAND MAPS.

“(a) **RULES.**—

“(1) **IN GENERAL.**—Not later than 180 days after the date of enactment of this title, the Commission shall issue final rules that shall—

“(A) require the biannual collection and dissemination of granular data, as determined by the Commission—

“(i) relating to the availability and quality of service with respect to terrestrial fixed, fixed wireless, satellite, and mobile broadband internet access service; and

“(ii) that the Commission shall use to compile the maps created under subsection (c)(1) (referred to in this section as ‘coverage maps’), which the Commission shall make publicly available; and

“(B) establish—

“(i) processes through which the Commission can verify the accuracy of data submitted under subsection (b)(2);

“(ii) processes and procedures through which the Commission, and, as necessary, other entities or individuals submitting non-public or competitively sensitive information under this title, can protect the security, privacy, and confidentiality of that non-public or competitively sensitive information, including—

“(I) information contained in the Fabric;

“(II) the dataset created under subsection (b)(1)(A) supporting the Fabric; and

“(III) the data submitted under subsection (b)(2);

“(iii) the challenge process described in subsection (b)(5); and

“(iv) the process described in section 804(b).

“(2) **OTHER DATA.**—In issuing the rules under paragraph (1), the Commission shall develop a process through which the Commission can collect verified data for use in the coverage maps from—

“(A) State, local, and Tribal governmental entities that are primarily responsible for mapping or tracking broadband internet access service coverage for a State, unit of local government, or Indian Tribe, as applicable;

“(B) third parties, if the Commission determines that it is in the public interest to use such data in—

“(i) the development of the coverage maps; or

“(ii) the verification of data submitted under subsection (b); and

“(C) other Federal agencies.

“(3) **UPDATES.**—The Commission shall revise the rules issued under paragraph (1) to—

“(A) reflect changes in technology;

“(B) ensure the accuracy of propagation models, as further provided in subsection (b)(3); and

“(C) improve the usefulness of the coverage maps.

“(b) **CONTENT OF RULES.**—

“(1) **ESTABLISHMENT OF A SERVICEABLE LOCATION FABRIC REGARDING FIXED BROADBAND.**—

“(A) **DATASET.**—

“(i) **IN GENERAL.**—The Commission shall create a common dataset of all locations in the United States where fixed broadband internet access service can be installed, as determined by the Commission.

“(ii) **CONTRACTING.**—

“(I) **IN GENERAL.**—Subject to subclauses (II) and (III), the Commission may contract with an entity with expertise with respect to geographic information systems (referred to in this subsection as ‘GIS’) to create and maintain the dataset under clause (i).

“(II) **APPLICATION OF THE FEDERAL ACQUISITION REGULATION.**—A contract into which the

Commission enters under subclause (I) shall in all respects comply with applicable provisions of the Federal Acquisition Regulation.

“(III) **LIMITATIONS.**—With respect to a contract into which the Commission enters under subclause (I)—

“(aa) the entity with which the Commission enters into the contract shall be selected through a competitive bid process that is transparent and open; and

“(bb) the contract shall be for a term of not longer than 5 years, after which the Commission may enter into a new contract—

“(AA) with an entity, and for the purposes, described in clause (i); and

“(BB) that complies with the requirements under subclause (II) and this subclause; and

“(cc) the contract shall—

“(AA) prohibit the entity described in item (aa) from selling, leasing, or otherwise disclosing for monetary consideration any personally identifiable information to any other entity other than for purposes authorized under this title; and

“(BB) require the entity described in item (aa) to include in any contract with any other entity a provision that prohibits that other entity from engaging in an action that is prohibited under subitem (AA).

“(B) **FABRIC.**—The rules issued by the Commission under subsection (a)(1) shall establish the Broadband Serviceable Location Fabric, which shall—

“(i) contain geocoded information for each location identified under subparagraph (A)(i);

“(ii) serve as the foundation upon which all data relating to the availability of fixed broadband internet access service collected under paragraph (2)(A) shall be reported and overlaid;

“(iii) be compatible with commonly used GIS software; and

“(iv) at a minimum, be updated every 6 months by the Commission.

“(C) **IMPLEMENTATION PRIORITY.**—The Commission shall prioritize implementing the Fabric for rural and insular areas of the United States.

“(2) **COLLECTION OF INFORMATION.**—The rules issued by the Commission under subsection (a)(1) shall include uniform standards for the reporting of broadband internet access service data that the Commission shall collect—

“(A) from each provider of terrestrial fixed, fixed wireless, or satellite broadband internet access service, which shall include data that—

“(i) documents the areas where the provider—

“(I) has actually built out the broadband network infrastructure of the provider such that the provider is able to provide that service; and

“(II) could provide that service, as determined by identifying where the provider is capable of performing a standard broadband installation, if applicable;

“(ii) includes information regarding download and upload speeds, at various thresholds established by the Commission, and, if applicable, latency with respect to broadband internet access service that the provider makes available;

“(iii) can be georeferenced to the GIS data in the Fabric;

“(iv) the provider shall report as—

“(I) with respect to providers of fixed wireless broadband internet access service—

“(aa) propagation maps and propagation model details that—

“(AA) satisfy standards that are similar to those applicable to providers of mobile broadband internet access service under subparagraph (B) with respect to propagation maps and propagation model details, taking into account material differences between



fixed wireless and mobile broadband internet access service; and

“(BB) reflect the speeds and latency of the service provided by the provider; or

“(bb) a list of addresses or locations that constitute the service area of the provider, except that the Commission—

“(AA) may only permit, and not require, a provider to report the data using that means of reporting; and

“(BB) in the rules issued under subsection (a)(1), shall provide a method for using that means of reporting with respect to Tribal areas; and

“(II) with respect to providers of terrestrial fixed and satellite broadband internet access service—

“(aa) polygon shapefiles; or

“(bb) a list of addresses or locations that constitute the service area of the provider, except that the Commission—

“(AA) may only permit, and not require, a provider to report the data using that means of reporting; and

“(BB) in the rules issued under subsection (a)(1), shall provide a method for using that means of reporting with respect to Tribal areas; and

“(v) the Commission determines is appropriate with respect to certain technologies in order to ensure that the Broadband Map is granular and accurate; and

“(B) from each provider of mobile broadband internet access service, which shall include propagation maps and propagation model details that indicate the current (as of the date on which the information is collected) fourth generation Long-Term Evolution (commonly referred to as ‘4G LTE’) mobile broadband internet access service coverage of the provider, which shall—

“(i) take into consideration the effect of clutter; and

“(ii) satisfy—

“(I) the requirements of having—

“(aa) a download speed of not less than 5 megabits per second and an upload speed of not less than 1 megabit per second with a cell edge probability of not less than 90 percent; and

“(bb) cell loading of not less than 50 percent; and

“(II) any other parameter that the Commission determines to be necessary to create a map under subsection (c)(1)(C) that is more precise than the map produced as a result of the submissions under the Mobility Fund Phase II information collection.

“(3) UPDATE OF REPORTING STANDARDS FOR MOBILE BROADBAND INTERNET ACCESS SERVICE.—For the purposes of paragraph (2)(B), if the Commission determines that the reporting standards under that paragraph are insufficient to collect accurate propagation maps and propagation model details with respect to future generations of mobile broadband internet access service technologies, the Commission shall immediately commence a rule making to adopt new reporting standards with respect to those technologies that—

“(A) shall be the functional equivalent of the standards required under paragraph (2)(B); and

“(B) allow for the collection of propagation maps and propagation model details that are as accurate and granular as, or more accurate and granular than, the maps and model details collected by the Commission under paragraph (2)(B).

“(4) CERTIFICATION AND VERIFICATION.—With respect to a provider that submits information to the Commission under paragraph (2)—

“(A) the provider shall include in each submission a certification from a corporate officer of the provider that the officer has examined the information contained in the sub-

mission and that, to the best of the officer’s actual knowledge, information, and belief, all statements of fact contained in the submission are true and correct; and

“(B) the Commission shall verify the accuracy and reliability of the information in accordance with measures established by the Commission.

“(5) CHALLENGE PROCESS.—

“(A) IN GENERAL.—In the rules issued under subsection (a), and subject to subparagraph (B), the Commission shall establish a user-friendly challenge process through which consumers, State, local, and Tribal governmental entities, and other entities or individuals may submit coverage data to the Commission to challenge the accuracy of—

“(i) the coverage maps;

“(ii) any information submitted by a provider regarding the availability of broadband internet access service; or

“(iii) the information included in the Fabric.

“(B) CONSIDERATIONS; VERIFICATION; RESPONSE TO CHALLENGES.—In establishing the challenge process required under subparagraph (A), the Commission shall—

“(i) consider—

“(I) the types of information that an entity or individual submitting a challenge should provide to the Commission in support of the challenge;

“(II) the appropriate level of granularity for the information described in subclause (I);

“(III) the need to mitigate the time and expense incurred by, and the administrative burdens placed on, entities or individuals in—

“(aa) challenging the accuracy of a coverage map; and

“(bb) responding to challenges described in item (aa);

“(IV) the costs to consumers and providers resulting from a misallocation of funds because of a reliance on outdated or otherwise inaccurate information in the coverage maps;

“(V) any lessons learned from the challenge process established under Mobility Fund Phase II, as determined from comments solicited by the Commission; and

“(VI) the need for user-friendly challenge submission formats that will promote participation in the challenge process;

“(i) include a process for verifying the data submitted through the challenge process in order to ensure the reliability of that data;

“(iii) allow providers to respond to challenges submitted through the challenge process; and

“(iv) develop an online mechanism, which—

“(I) shall be integrated into the coverage maps;

“(II) allows for an entity described in subparagraph (A) to submit a challenge under the challenge process;

“(III) makes challenge data available in both geographic information system and non-geographic information system formats; and

“(IV) clearly identifies the areas in which broadband internet access service is available, and the upload and download speeds at which that service is available, as reported to the Commission under this section.

“(C) USE OF CHALLENGES.—The rules issued to establish the challenge process under subparagraph (A) shall include—

“(i) a process for the speedy resolution of challenges; and

“(ii) a process for the regular and expeditious updating of the coverage maps and granular data disseminated by the Commission as challenges are resolved.

“(D) REPORT TO CONGRESS.—Not earlier than 1 year, and not later than 18 months, after the date on which the rules issued under subsection (a)(1) take effect, the Commission shall, after an opportunity for notice and comment, submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that—

“(i) evaluates the challenge process described in subparagraph (A); and

“(ii) considers whether the Commission should commence an inquiry on the need for other tools to help—

“(I) identify potential inaccuracies in the data relating to broadband internet access service that providers report; and

“(II) improve the accuracy of the data described in subclause (I).

“(6) REFORM OF FORM 477 PROCESS.—

“(A) IN GENERAL.—Not later than 180 days after the date on which the rules issued under subsection (a) take effect, the Commission shall—

“(i) reform the Form 477 broadband deployment service availability collection process of the Commission—

“(I) to achieve the purposes of this title; and

“(II) in a manner that—

“(aa) enables the comparison of data and maps produced before the implementation of this title with data and coverage maps produced after the implementation of this title; and

“(bb) maintains the public availability of data relating to the deployment of broadband internet access service; and

“(ii) harmonize reporting requirements and procedures regarding the deployment of broadband internet access service that are in effect on the day before the date on which the rules issued under subsection (a)(1) take effect with those requirements and procedures in those rules.

“(B) CONTINUED COLLECTION AND REPORTING.—On and after the date on which the Commission carries out subparagraph (A), the Commission shall continue to collect and publicly report subscription data that the Commission collected through the Form 477 broadband deployment service availability process, as in effect on July 1, 2019.

“(7) SHARING DATA WITH NTIA.—The Commission shall establish a process to make the data collected under paragraph (2) available to the National Telecommunications and Information Administration.

“(c) MAPS.—The Commission shall—

“(1) after consultation with the Federal Geographic Data Committee established under section 753(a) of the Geospatial Data Act of 2018, create—

“(A) the Broadband Map, which shall depict—

“(i) the extent of the availability of broadband internet access service in the United States, without regard to whether that service is fixed broadband internet access service or mobile broadband internet access service, which shall be based on data collected by the Commission from all providers; and

“(ii) the areas of the United States that remain unserved by providers;

“(B) a map that depicts the availability of fixed broadband internet access service, which shall be based on data collected by the Commission from providers under subsection (b)(2)(A); and

“(C) a map that depicts the availability of mobile broadband internet access service, which shall be based on data collected by the Commission from providers under subsection (b)(2)(B);

“(2) use the maps created under paragraph (1)—

“(A) to determine the areas in which terrestrial fixed, fixed wireless, mobile, and satellite broadband internet access service is and is not available; and

“(B) when making any new award of funding with respect to the deployment of broadband internet access service;

“(3) update the maps created under paragraph (1) not less frequently than biannually using the most recent data collected from providers under subsection (b)(2);

“(4) consult with—

“(A) the Secretary of Agriculture to enable the Secretary of Agriculture to consult the maps created under paragraph (1) when considering the awarding of funds for the deployment of broadband internet access service under any program administered by the Administrator of the Rural Utilities Service; and

“(B) the National Telecommunications and Information Administration to enable the Administration to consult the maps created under paragraph (1) when considering the awarding of funds for the deployment of broadband internet access service under any future program administered by the Administration;

“(5) make available to any Federal agency, upon request, the maps created under paragraph (1); and

“(6) make public at an appropriate level of granularity—

“(A) the maps created under paragraph (1); and

“(B) the data collected by the Commission with respect to the availability of broadband internet access service and the quality of service with respect to broadband internet access service.

“(d) **DELAYED EFFECTIVE DATE FOR QUALITY OF SERVICE RULES.**—Any requirement of a rule issued under subsection (a)(1) that relates to quality of service shall take effect not earlier than the date that is 180 days after the date on which the Commission issues that rule.

#### “SEC. 803. ENFORCEMENT.

“It shall be unlawful for an entity or individual to willfully and knowingly, or recklessly, submit information or data under this title that is materially inaccurate or incomplete with respect to the availability of broadband internet access service or the quality of service with respect to broadband internet access service.

#### “SEC. 804. IMPROVING DATA ACCURACY.

“(a) **AUDITS.**—The Commission shall conduct regular audits of information submitted to the Commission by providers under section 802(b)(2) to ensure that the providers are complying with this title.

“(b) **CROWDSOURCING.**—

“(1) **IN GENERAL.**—The Commission shall develop a process through which entities or individuals in the United States may submit specific information about the deployment and availability of broadband internet access service in the United States on an ongoing basis so that the information may be used to verify and supplement information provided by providers of broadband internet access service for inclusion in the maps created under section 802(c)(1).

“(2) **COLLABORATION.**—As part of the efforts of the Commission to facilitate the ability of entities and individuals to submit information under paragraph (1), the Commission shall—

“(A) prioritize the consideration of data provided by data collection applications used by consumers that the Commission has determined—

“(i) are highly reliable; and

“(ii) have proven methodologies for determining network coverage and network performance;

“(B) not later than 1 year after the date of enactment of this title, conclude a process that tests the feasibility of partnering with Federal agencies that operate delivery fleet vehicles, including the United States Postal Service, to facilitate the collection and submission of information described in that paragraph; and

“(C) not later than 14 months after the date of enactment of this title, publish on the website of the Commission, and submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives, a report regarding the testing described in subparagraph (B), which shall include—

“(i) a determination regarding whether the partnerships with Federal agencies described in that subparagraph are able to facilitate the collection and submission of information described in paragraph (1); and

“(ii) any steps that the Commission plans to take to facilitate the partnerships described in that subparagraph.

#### “(c) **TECHNICAL ASSISTANCE TO INDIAN TRIBES.**—

“(1) **IN GENERAL.**—Subject to paragraph (2), the Commission shall hold workshops for Tribal governments in each of the 12 Bureau of Indian Affairs regions to provide technical assistance with the collection and submission of data under section 802(a)(2).

“(2) **ANNUAL REVIEW.**—Each year, the Commission, in consultation with Indian Tribes, shall review the need for continued workshops required under paragraph (1).

“(d) **TECHNICAL ASSISTANCE TO SMALL SERVICE PROVIDERS.**—The Commission shall establish a process through which a provider that has fewer than 100,000 active broadband internet access service connections may request and receive assistance from the Commission with respect to geographic information system data processing to ensure that the provider is able to comply with the requirements under section 802(b) in a timely and accurate manner.

“(e) **TECHNICAL ASSISTANCE TO STATE, LOCAL, AND TRIBAL GOVERNMENTS AND CONSUMERS.**—The Commission shall provide technical assistance to consumers and State, local, and Tribal governmental entities with respect to the challenge process established under section 802(b)(5), which shall include—

“(1) detailed tutorials and webinars; and

“(2) the provision of staff of the Commission to provide assistance, as needed, throughout the entirety of the challenge process.

#### “(f) **GAO ASSESSMENT OF FABRIC SOURCE DATA.**—

“(1) **IN GENERAL.**—The Comptroller General of the United States shall conduct an assessment of key data sources that are used for purposes of the Fabric to identify and geocode locations where fixed broadband internet access service can be installed in order for the Comptroller General to develop recommendations for how the quality and completeness of those data sources can be improved as data sources for the Fabric.

“(2) **SOURCES INCLUDED.**—For the purposes of the assessment conducted under paragraph (1), the key data sources described in that paragraph shall include—

“(A) any relevant sources of Federal data, including the National Address Database administered by the Department of Transportation;

“(B) State- and county-level digitized parcel data; and

“(C) property tax attribute recording.

“(3) **REPORT.**—Not later than 1 year after the date of enactment of this title, the Comptroller General of the United States shall submit to the Committee on Commerce, Science, and Transportation of the

Senate and the Committee on Energy and Commerce of the House of Representatives a report that contains the recommendations developed under paragraph (1).

#### “SEC. 805. COST.

“(a) **USF.**—The Commission may not use funds from the universal service programs of the Commission established under section 254, and the regulations issued under that section, to pay for any costs associated with this title.

“(b) **OTHER FUNDS.**—The Commission may recover costs associated with this title under section 9 to the extent provided for in an appropriation Act, as required under subsection (a) of that section.

#### “SEC. 806. OTHER PROVISIONS.

“(a) **OMB.**—Notwithstanding any other provision of law, the initial rule making required under section 802(a)(1) shall be exempt from review by the Office of Management and Budget.

“(b) **PRA.**—Chapter 35 of title 44, United States Code (commonly known as the ‘Paperwork Reduction Act’) shall not apply to the initial rule making required under section 802(a)(1).

“(c) **EXECUTION OF RESPONSIBILITIES.**—Except as provided in section 802(b)(1)(A)(ii), the Commission—

“(1) including the offices of the Commission, shall carry out the responsibilities assigned to the Commission under this title; and

“(2) may not delegate any of the responsibilities assigned to the Commission under this title to any third party, including the Universal Service Administrative Company.

“(d) **REPORTING.**—Each fiscal year, the Commission shall submit to the Committee on Commerce, Science, and Transportation of the Senate and the Committee on Energy and Commerce of the House of Representatives a report that summarizes the implementation of this title and associated enforcement activities conducted during the previous fiscal year.

“(e) **RULE OF CONSTRUCTION.**—If the Commission, before the date of enactment of this title, has taken an action that, in whole or in part, implements this title, the Commission shall not be required to revisit such action to the extent that such action is consistent with this title.”.

**SA 1269.** Mr. McCONNELL (for Mr. PORTMAN) proposed an amendment to the bill S. 1434, to prohibit the use of reverse auctions for design and construction services procurements, and for other purposes; as follows:

On page 3, line 12, strike “, in whole or in part, based” and insert “is solely based”.

**SA 1270.** Mr. McCONNELL (for Mr. CARDIN) proposed an amendment to the bill S. 439, to allow Members of Congress to opt out of the Federal Employees Retirement System, and allow Members who opt out of the Federal Employees Retirement System to continue to participate in the Thrift Savings Plan; as follows:

On page 2, strike lines 1 through 3 and insert the following:

#### **SECTION 1. SHORT TITLE.**

This Act may be cited as the “Members of Congress Pension Opt Out Clarification Act”.

**SA 1271.** Mr. McCONNELL (for Mr. GARDNER (for himself and Mr. MANCHIN)) proposed an amendment to the bill S. 221, to amend title 38, United

States Code, to require the Under Secretary of Health to report major adverse personnel actions involving certain health care employees to the National Practitioner Data Bank and to applicable State licensing boards, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Veterans Affairs Provider Accountability Act”.

#### SEC. 2. ACCOUNTABILITY WITHIN VETERANS HEALTH ADMINISTRATION.

(a) REPORTING MAJOR ADVERSE ACTIONS TO NATIONAL PRACTITIONER DATA BANK AND STATE LICENSING BOARDS.—Section 7461 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(f)(1) Whenever the Under Secretary for Health (or an official designated by the Under Secretary) brings charges based on conduct or performance against a section 7401(1) employee and as a result of those charges a covered major adverse action is taken against the employee, the Under Secretary shall, not later than 30 days after the date on which such covered major adverse action is carried out—

“(A) transmit to the National Practitioner Data Bank of the Department of Health and Human Services and the applicable State licensing board the name of the employee, a description of the covered major adverse action, and a description of the reason for the covered major adverse action; and

“(B) update the VetPro System, or successor system, with a record of the covered major adverse action taken and an indication that information was transmitted under subparagraph (A).

“(2) The Under Secretary for Health—

“(A) shall enroll all 7401(1) employees in a continuous query of their record within the National Practitioner Data Bank; and

“(B) shall develop and implement a mechanism for maintaining and updating the information collected through such continuous query within the VetPro System, or successor system, to facilitate the sharing of such information between Veterans Integrated Service Networks.

“(3) In this subsection, the term ‘covered major adverse action’ means a major adverse action with respect to a section 7401(1) employee that originated from circumstances in which the behavior of the employee so substantially failed to meet generally-accepted standards of clinical practice as to raise reasonable concern for safety of patients.”.

(b) PROHIBITION ON SIGNING SETTLEMENTS WITH CERTAIN CLAUSES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Veterans Affairs may not enter into a settlement agreement relating to an adverse action against a section 7401(1) employee under which the Department of Veterans Affairs would be required to conceal a serious medical error or a lapse in generally-accepted standards of clinical practice.

(2) EXCEPTION.—Paragraph (1) shall not apply to a negative record if the head of the Office of Accountability and Whistleblower Protection of the Department and the Special Counsel (established by section 1211 of title 5, United States Code) jointly certify that the negative record is not legitimate.

(c) TRAINING ON CREDENTIALING AND PRIVILEGING.—The Under Secretary for Health of the Department of Veterans Affairs shall provide to all staff of the Veterans Health Administration who handle hiring, privi-

leging, and credentialing mandatory training on—

(1) all policies of the Veterans Health Administration for credentialing and privileging; and

(2) when and how to report adverse actions to the National Practitioner Data Bank of the Department of Health and Human Services, State licensing boards, and other relevant entities.

(d) SENSE OF CONGRESS ON UPDATES TO THE VHA HANDBOOK.—It is the sense of Congress that—

(1) Congress recognizes that the confusion regarding practices in the Veterans Health Administration for reporting to State licensing boards stems from a lack of guidance in the Veterans Health Administration handbook 1100.18;

(2) Congress strongly recommends that the Secretary of Veterans Affairs update such handbook to ensure that employees of the Veterans Health Administration, officials of the Veterans Integrated Services Networks, and officials of the Department of Veterans Affairs understand and are able to utilize the role of State licensing boards to effectively prevent instances of failed reporting and future patient safety concerns;

(3) Congress recognizes the broad authority of the Veterans Health Administration to report to State licensing boards those employed or separated health care professionals whose behavior and clinical practice so substantially failed to meet generally-accepted standards of clinical practice as to raise reasonable concern for safety of patients and requests that such handbook is updated to reflect appropriate reporting channels to ensure employee understanding of those procedures and authorities; and

(4) in developing the new handbook, the Secretary of Veterans Affairs should consult with—

(A) State licensing boards;

(B) the Centers for Medicare & Medicaid Services;

(C) the National Practitioner Data Bank of the Department of Health and Human Services; and

(D) the exclusive representative of section 7401(1) employees.

(e) SECTION 7401(1) EMPLOYEE DEFINED.—In this section, the term “section 7401(1) employee” has the meaning given that term in section 7461(c)(1) of title 38, United States Code.

**SA 1272.** Mr. MCCONNELL (for Mr. BOOZMAN) proposed an amendment to the bill S. 2096, to amend title 38, United States Code, to authorize States and tribal organizations that receive grants from the National Cemetery Administration for establishment, expansion, or improvement of a veterans’ cemeteries to use amounts of such grants for State and tribal organization cemetery personnel to train at the training center of the National Cemetery Administration, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. TRAINING OF STATE VETERANS CEMETERY PERSONNEL BY NATIONAL CEMETERY ADMINISTRATION.

Section 2408 of title 38, United States Code, is amended—

(1) in subsection (b)(1)—

(A) in subparagraph (A)—

(i) by striking “and (ii) the cost” and inserting “(ii) the cost”; and

(ii) by inserting “; and (iii) training costs, including travel expenses, associated with attendance at training provided by the Na-

tional Cemetery Administration” before the semicolon; and

(B) in subparagraph (B)—

(i) by striking “and (ii) the cost” and inserting “(ii) the cost”; and

(ii) by inserting “; and (iii) training costs, including travel expenses, associated with attendance at training provided by the National Cemetery Administration” before the period;

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

“(c) A grant under this section for a purpose described in subparagraph (A) or (B) of subsection (a)(1) may be used, solely or in part, for training costs, including travel expenses, associated with attendance at training provided by the National Cemetery Administration.”.

**SA 1273.** Mr. MCCONNELL (for Ms. MURKOWSKI (for herself and Mr. CRUZ)) proposed an amendment to the bill H.R. 550, 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; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Merchant Mariners of World War II Congressional Gold Medal Act of 2019”.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) 2019 marked the 74th anniversary of Allied victory in World War II.

(2) The United States Merchant Marine (in this section referred to as the “Merchant Marine”) was integral in providing the link between domestic production and the fighting forces overseas, providing combat equipment, fuel, food, commodities, and raw materials to troops stationed abroad.

(3) Fleet Admiral Ernest J. King acknowledged the indispensability of the Merchant Marine to the victory in a 1945 letter stating that, without the support of the Merchant Marine, “the Navy could not have accomplished its mission”.

(4) President, and former Supreme Commander of the Allied Expeditionary Forces, Dwight D. Eisenhower acknowledged that “through the prompt delivery of supplies and equipment to our armed forces overseas, and of cargoes representing economic and military aid to friendly nations, the American Merchant Marine has effectively helped to strengthen the forces of freedom throughout the world”.

(5) Military missions and war planning were contingent upon the availability of resources and the Merchant Marine played a vital role in this regard, ensuring the efficient and reliable transoceanic transport of military equipment and both military and civilian personnel.

(6) The Merchant Marine provided for the successful transport of resources and personnel despite consistent and ongoing exposure to enemy combatants from both the air and the sea, including from enemy bomber squadrons, submarines, and naval mines.

(7) The efforts of the Merchant Marine were not without sacrifices as the Merchant Marine likely bore a higher per-capita casualty rate than any of the military branches during the war.

(8) The Merchant Marine proved to be an instrumental asset on an untold number of

occasions, participating in every landing operation by the United States Marine Corps, from Guadalcanal to Okinawa.

(9) The Merchant Marine provided the bulk tonnage of material necessary for the invasion of Normandy, an invasion which, according to a 1944 New York Times article, "would not have been possible without the Merchant Marine".

(10) In assessing the performance of the Merchant Marine, General Eisenhower stated, "every man in this Allied command is quick to express his admiration for the loyalty, courage, and fortitude of the officers and men of the Merchant Marine. We count upon their efficiency and their utter devotion to duty as we do our own; they have never failed us".

(11) During a September 1944 speech, President Franklin D. Roosevelt stated that the Merchant Marine had "delivered the goods when and where needed in every theater of operations and across every ocean in the biggest, the most difficult, and dangerous transportation job ever undertaken. As time goes on, there will be greater public understanding of our merchant fleet's record during this war".

(12) The feats and accomplishments of the Merchant Marine are deserving of broader public recognition.

(13) The United States will be forever grateful and indebted to these merchant mariners for their effective, reliable, and courageous transport of goods and resources in enemy territory throughout theaters of every variety in World War II.

(14) The goods and resources transported by the Merchant Marine saved thousands of lives and enabled the Allied Powers to claim victory in World War II.

(15) The Congressional Gold Medal would be an appropriate way to shed further light on the service of the merchant mariners in World War II and the instrumental role they played in winning that war.

(16) Many students of the Merchant Marine Academy lost their lives as they sailed through enemy-controlled waters or unloaded cargo in overseas combat areas, and, as a result, the United States Merchant Marine Academy is the only institution among the 5 Federal academies to be authorized to carry a battle standard as part of its color guard.

### SEC. 3. CONGRESSIONAL GOLD MEDAL.

(a) AWARD AUTHORIZED.—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

(b) DESIGN AND STRIKING.—For the purposes of the award described in subsection (a), the Secretary of the Treasury (in this Act referred to as the "Secretary") shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) AMERICAN MERCHANT MARINE MUSEUM.—

(1) IN GENERAL.—Following the award of the gold medal under subsection (a), the gold medal shall be given to the American Merchant Marine Museum, where it will be available for display as appropriate and available for research.

(2) SENSE OF CONGRESS.—It is the sense of Congress that the American Merchant Marine Museum should make the gold medal given to the Museum under paragraph (1) available for display elsewhere, particularly at appropriate locations associated with the United States Merchant Marine and that

preference should be given to locations affiliated with the United States Merchant Marine.

### SEC. 4. DUPLICATE MEDALS.

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

### SEC. 5. STATUS OF MEDALS.

(a) NATIONAL MEDALS.—Medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) NUMISMATIC ITEMS.—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

**SA 1274.** Mr. McCONNELL (for Mr. CORNYN) proposed an amendment to the bill S. 1029, to allow the use of certified facility dogs in criminal proceedings in Federal courts, and for other purposes; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the "Courthouse Dogs Act".

#### SEC. 2. USE OF CERTIFIED FACILITY DOG FOR TESTIMONY IN CRIMINAL PROCEEDINGS.

(a) IN GENERAL.—Chapter 223 of title 18, United States Code, is amended by inserting after section 3502 the following:

##### "§ 3503. Use of certified facility dog for testimony in criminal proceedings

"(a) DEFINED TERM.—In this section, the term 'certified facility dog' means a dog that has graduated from an assistance dog organization that is a member of an internationally recognized assistance dog association that has a primary purpose of granting accreditation based on standards of excellence in areas of—

- "(1) assistance dog acquisition;
- "(2) dog training;
- "(3) dog handler training; and
- "(4) dog placement.

"(b) REQUESTS FOR USE OF CERTIFIED FACILITY DOGS.—Either party in a criminal proceeding in a Federal court may apply for an order from the court to allow a certified facility dog, if available, to be present with a witness testifying before the court through—

- "(1) in-person testimony; or
- "(2) testimony televised by 2-way, closed-circuit television.

"(c) CONDITIONS FOR APPROVAL.—A Federal court may enter an order authorizing an available certified facility dog to accompany a witness while testifying at a hearing in accordance with subsection (b) if the court finds that—

- "(1) the dog to be used qualifies as a certified facility dog;
- "(2) the use of a certified facility dog will aid the witness in providing testimony; and
- "(3) upon a showing by the party seeking an order under subsection (b), the certified facility dog is insured for liability protection.

"(d) HANDLERS.—Each certified facility dog authorized to accompany a witness under subsection (c) shall be accompanied by a handler who is—

- "(1) trained to manage the certified facility dog by an assistance dog organization described in subsection (a); and
- "(2) a professional working in the legal system with knowledge about the legal and criminal justice processes.

"(e) DEADLINE.—The party seeking an order under subsection (b) shall apply for

such order not later than 14 days before the preliminary hearing, trial date, or other hearing to which the order is to apply.

"(f) OTHER ORDERS.—A Federal court may make such orders as may be necessary to preserve the fairness of the proceeding, including imposing restrictions on, and instructing the jury regarding, the presence of the certified facility dog during the proceedings.

"(g) SAVINGS PROVISION.—Nothing in this section may be construed to prevent a Federal court from providing any other accommodations to a witness in accordance with applicable law."

(b) CLERICAL AMENDMENT.—The chapter analysis for chapter 223 of title 18, United States Code, is amended by inserting after the item relating to section 3502 the following:

"3503. Use of certified facility dog for testimony in criminal proceedings."

**SA 1275.** Mr. McCONNELL (for Mr. CARDIN) proposed an amendment to the bill S. 1309, to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers; as follows:

Strike all after the enacting clause and insert the following:

#### SECTION 1. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is in the foreign policy interest of the United States to help foreign countries promote good governance and combat public corruption;

(2) multiple Federal departments and agencies operate programs that promote good governance in foreign countries and enhance such countries' ability to combat public corruption; and

(3) the Department of State should—

(A) promote coordination among the Federal departments and agencies implementing programs to promote good governance and combat public corruption in foreign countries in order to improve effectiveness and efficiency; and

(B) identify areas in which United States efforts to help other countries promote good governance and combat public corruption could be enhanced.

#### SEC. 2. ANNUAL ASSESSMENT.

(a) IN GENERAL.—For each of the fiscal years 2020 through 2026, the Secretary of State shall assess the capacity and commitment of foreign governments to which the United States provides foreign assistance under the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.) or the Arms Export Control Act (22 U.S.C. 2751 et seq.) to combat public corruption. Each such assessment shall—

(1) utilize independent, third party indicators that measure transparency, accountability, and corruption in the public sector in such countries, including the extent to which public power is exercised for private gain, to identify those countries that are most vulnerable to public corruption;

(2) consider, to the extent reliable information is available, whether the government of a country identified under paragraph (1)—

(A) has adopted measures to prevent public corruption, such as measures to inform and educate the public, including potential victims, about the causes and consequences of public corruption;

(B) has enacted laws and established government structures, policies, and practices that prohibit public corruption;

(C) enforces such laws through a fair judicial process;

(D) vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate public corruption, including nationals of such country who are deployed in foreign military assignments, trade delegations abroad, or other similar missions who engage in or facilitate public corruption;

(E) prescribes appropriate punishment for serious, significant corruption that is commensurate with the punishment prescribed for serious crimes;

(F) prescribes appropriate punishment for significant corruption that provides a sufficiently stringent deterrent and adequately reflects the nature of the offense;

(G) convicts and sentences persons responsible for such acts that take place wholly or partly within the country of such government, including, as appropriate, requiring the incarceration of individuals convicted of such acts;

(H) holds private sector representatives accountable for their role in public corruption; and

(I) addresses threats for civil society to monitor anti-corruption efforts; and

(3) further consider—

(A) verifiable measures taken by the government of a country identified under paragraph (1) to prohibit government officials from participating in, facilitating, or condoning public corruption, including the investigation, prosecution, and conviction of such officials;

(B) the extent to which such government provides access, or, as appropriate, makes adequate resources available, to civil society organizations and other institutions to combat public corruption, including reporting, investigating, and monitoring;

(C) the extent to which an independent judiciary or judicial body in such country is responsible for, and effectively capable of, deciding public corruption cases impartially, on the basis of facts and in accordance with law, without any improper restrictions, influences, inducements, pressures, threats, or interferences, whether direct or indirect, from any source or for any reason;

(D) the extent to which such government cooperates meaningfully with the United States to strengthen government and judicial institutions and the rule of law to prevent, prohibit, and punish public corruption;

(E) the extent to which such government—

(i) is assisting in international investigations of transnational public corruption networks and in other cooperative efforts to combat serious, significant corruption, including cooperating with the governments of other countries to extradite corrupt actors;

(ii) recognizes the rights of victims of public corruption, ensures their access to justice, and takes steps to prevent such victims from being further victimized or persecuted by corrupt actors, government officials, or others; and

(iii) refrains from prosecuting legitimate victims of public corruption or whistleblowers due to such persons having assisted in exposing public corruption, and refrains from other discriminatory treatment of such persons; and

(F) contain such other information relating to public corruption as the Secretary of State considers appropriate.

(b) IDENTIFICATION.—After conducting each assessment under subsection (a), the Secretary of State shall identify, of the countries described in subsection (a)(1)—

(1) which countries are meeting minimum standards to combat public corruption;

(2) which countries are not meeting such minimum standards, but are making significant efforts to do so; and

(3) which countries are not meeting such minimum standards and are not making significant efforts to do so.

(c) REPORT.—Except as provided in subsection (d), not later than 180 days after the date of the enactment of this Act, and annually thereafter through fiscal year 2026, the Secretary of State shall submit a report to the appropriate congressional committees, and make such report publicly available. Such report shall—

(1) identify the countries described in subsection (a)(1) and paragraphs (2) and (3) of subsection (b);

(2) describe the methodology and data utilized in the assessments under subsection (a); and

(3) identify the reasons for the identifications referred to in paragraph (1).

(d) BRIEFING IN LIEU OF REPORT.—The Secretary of State may waive the requirement to submit and make publicly available a written report under subsection (c) if the Secretary—

(1) determines that publication of such report would—

(A) undermine existing United States anti-corruption efforts in 1 or more countries; or

(B) threaten the national interests of the United States; and

(2) provides a briefing to the appropriate congressional committees that—

(A) identifies the countries described in subsection (a)(1) and paragraphs (2) and (3) of subsection (b);

(B) describes the methodology and data utilized in the assessment under subsection (a); and

(C) identifies the reasons for such identifications.

(e) APPROPRIATE CONGRESSIONAL COMMITTEE DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate;

(2) the Committee on Appropriations of the Senate;

(3) the Committee on Foreign Affairs of the House of Representatives; and

(4) the Committee on Appropriations of the House of Representatives.

### SEC. 3. TRANSPARENCY AND ACCOUNTABILITY.

For each country identified under paragraphs (2) and (3) of section 2(b), the Secretary of State, in coordination with the Administrator of the United States Agency for International Development, as appropriate, shall—

(1) ensure that a corruption risk assessment and mitigation strategy is included in the integrated country strategy for such country; and

(2) utilize appropriate mechanisms to combat corruption in such countries, including by ensuring—

(A) the inclusion of anti-corruption clauses in contracts, grants, and cooperative agreements entered into by the Department of State or the United States Agency for International Development for or in such countries, which allow for the termination of such contracts, grants, or cooperative agreements, as the case may be, without penalty if credible indicators of public corruption are discovered;

(B) the inclusion of appropriate clawback or flowdown clauses within the procurement instruments of the Department of State and the United States Agency for International Development that provide for the recovery of funds misappropriated through corruption;

(C) the appropriate disclosure to the United States Government, in confidential

form, if necessary, of the beneficial ownership of contractors, subcontractors, grantees, cooperative agreement participants, and other organizations implementing programs on behalf of the Department of State or the United States Agency for International Development; and

(D) the establishment of mechanisms for investigating allegations of misappropriated resources and equipment.

### SEC. 4. DESIGNATION OF EMBASSY ANTI-CORRUPTION POINTS OF CONTACT.

(a) IN GENERAL.—The Secretary of State shall annually designate an anti-corruption point of contact at the United States diplomatic post to each country identified under paragraphs (2) and (3) of section 2(b), or which the Secretary otherwise determines is in need of such a point of contact. The point of contact shall be the Chief of Mission or the Chief of Mission's designee.

(b) RESPONSIBILITIES.—Each anti-corruption point of contact designated under subsection (a) shall be responsible for coordinating and overseeing the implementation of a whole-of-government approach among the relevant Federal departments and agencies operating programs that—

(1) promote good governance in foreign countries; and

(2) enhance the ability of such countries—

(A) to combat public corruption; and

(B) to develop and implement corruption risk assessment tools and mitigation strategies.

(c) TRAINING.—The Secretary of State shall implement appropriate training for anti-corruption points of contact designated under subsection (a).

### SEC. 5. DEFINITIONS.

In this Act:

(1) CORRUPT ACTOR.—The term “corrupt actor” means—

(A) any foreign person or entity that is a government official or government entity responsible for, or complicit in, an act of public corruption; and

(B) any company, in which a person or entity described in subparagraph (A) has a significant stake, which is responsible for, or complicit in, an act of public corruption.

(2) FOREIGN ASSISTANCE.—The term “foreign assistance” means assistance made available under—

(A) the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); or

(B) the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(3) GRAND CORRUPTION.—The term “grand corruption” means public corruption committed at a high level of government that—

(A) distorts policies or the central functioning of the country; and

(B) enables leaders to benefit at the expense of the public good.

(4) PETTY CORRUPTION.—The term “petty corruption” means the unlawful exercise of entrusted public power for private gain by low- or mid-level public officials in their interactions with ordinary citizens, including by bribery, nepotism, fraud, or embezzlement.

(5) PUBLIC CORRUPTION.—The term “public corruption” means the unlawful exercise of entrusted public power for private gain, including by bribery, nepotism, fraud, or embezzlement.

### AUTHORITY FOR COMMITTEES TO MEET

Mr. MCCONNELL. Mr. President, I have a request for one committee to meet during today's session of the Senate. It has the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committee is authorized to meet during today's session of the Senate:

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 19, 2019, at 9:30 a.m., to conduct a hearing.

PRIVILEGES OF THE FLOOR

Mr. LEAHY. Mr. President, I ask unanimous consent that Virginia Flores, a detailee of the Transportation, Housing and Urban Development, and Related Agencies Subcommittee, be granted floor privileges for the debate and action on H.R. 1158 and H.R. 1865.

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

TRIBUTE TO HAROLD THUNE

Mr. THUNE. Mr. President, in 1906, two brothers named Nikolai and Matthew Gjelsvik arrived at Ellis Island from Norway. The only English they knew were the words "apple pie" and "coffee," which evidently they learned on the boat on the way over.

The immigration officials at Ellis Island thought that their name would be too difficult to spell and pronounce in this country, so they asked them to change their name. The names, when they got to this country, were Nikolai Gjelsvik, spelled G-J-E-L-S-V-I-K, and his brother was named Matthew.

So the immigration officials asked them to change their name, and they picked the name from the farm where they worked near Bergen, Norway, which was called the Thune farm. So Nikolai Gjelsvik became Nick Thune, my grandfather.

He and his brother worked on the railroad as they built it west across South Dakota. They learned English and saved up enough money to start a small merchandising company and then later a hardware store in Mitchell, SD. To this day, there is a Thune Hardware in Mitchell, although the family sold it many years ago.

In 1916, Nick Thune married an Iowa girl who had moved to South Dakota to teach school, and they had three sons. The middle son, Harold, will turn 100 in a few days, and that middle son happens to be my dad.

Like many of my colleagues, I send congratulatory notes to constituents for big birthdays and anniversaries. I never thought I would have the occasion to send one to my dad. I figured for this one, instead of writing a letter, I would come to the floor.

My dad is a World War II veteran. He is a member of that "greatest generation," and he shares the qualities of so many in that generation—humility, patriotism, quiet service. Dad was a Navy pilot who flew Hellcats off the USS *In-*

*trepid*, and he was an excellent pilot. He received the Distinguished Flying Cross for shooting down four enemy planes in one engagement. As a side note to that, that accommodation was issued to him by none other than ADM John McCain, Senator John McCain's grandfather.

But my dad didn't and still doesn't talk about his own exploits. In fact, had it not been for my mom, I am quite sure I never would have known about my dad's record in World War II. I did have the opportunity to interview him for the Library of Congress's Veterans History Project a few years back, and he shared some wonderful details about his service. As usual, his focus was never on his own achievements but on those of his fellow pilots.

I also probably would never have learned what an outstanding athlete my dad was, had it not been for my mom. My dad grew up in the small town of Murdo, SD, during the Great Depression. They didn't have a lot, but there were a lot of basketball hoops around Murdo. They put them on barns, poles, garages, and my dad learned to play. In fact, he learned to play so well that he took his high school basketball team to the State championship game where, although they lost narrowly, he was named the tournament's most valuable player.

My dad had hoped to attend college in South Dakota, but there was a doctor in Murdo named Joseph Murphy who thought my dad was good enough to play at the University of Minnesota and used his contacts to get my dad up to Hibbing Junior College in hopes that the Minnesota Gophers would notice him. Well, they did. He went to the Twin Cities on a scholarship and played three seasons for the Gophers. He was the team's most valuable player in his junior year. In fact, he was high point man in Madison Square Garden on his birthday, December 28, 1940.

In another example of how things have changed through the years, my dad said that when his team came out to play for the second game that night at the Garden, you couldn't see the upper deck because of all the cigarette smoke. Some things do change for the better.

While at the University of Minnesota, my dad met a girl who served sodas at a drugstore just off campus. They were married within a couple of years while my dad was in flight training for the Navy, and they spent the next almost 69 years together.

After the war, they came back to South Dakota. My dad had been thinking about a career in the Navy, but his dad asked him to come back and run the family hardware store. My dad said that his heart sank, but he knew that is what he had to do. So he went home and went to work for his dad. The hardware store did OK for a while, but started to struggle. My dad sold it and went back to school and got a teaching degree.

All parents are teachers for their kids, but my parents were teachers sev-

eral times over. Kids usually get a break from their parents when they are at school. My dad was a teacher at my high school. He was also a coach and the athletic director, and he drove the bus. My mom was the school librarian. So I think it is safe to say that my brothers and sister and I were pretty much always under the watchful eye of my parents. I have to say that I never had my dad for a class in high school, but my brother Rich did. Rich was the valedictorian of his high school class, and the only B he got in high school was from my dad. That was my dad for you. He never showed any preference or gave any of his kids better treatment than anybody else. In fact, some of us might argue that he gave us a harder time because we were his kids. But he believed very firmly that you had to earn your achievements.

As a coach, my dad taught us about being a team player. He made it clear that being on a team was not about building your personal statistics but about making the players around you better. It is a lesson I have carried throughout my life and one that I try to live by every day.

A few years ago, the Jones County School District in Murdo named the auditorium in Murdo after my dad in recognition of his service and achievements at the school. It was particularly special since my dad was one of the volunteers who originally built the auditorium back in the 1950s. My dad would tell me the story that he was more scared up on the scaffolding of that building than he had ever been flying off a carrier during World War II.

You might think that with my dad as coach and athletic director, sports were the main focus around our house. They certainly were a big part of our lives. But my mom was determined that we would grow up to be well-rounded people, and my dad always supported her in that. They worked hard to ensure that we grew up with a perspective on life that went beyond just the latest sporting event. Mom made us take piano lessons and, during the summers, come in from outside and read for an hour every day. We complained at the time, but I know all of us today are grateful to her and my father for their investments in that.

Mom and Dad made a good team. Mom was an optimist, and Dad was a pessimist—or, as he would put it, a realist—and they balanced each other out well. We didn't have material riches growing up, but we were beyond rich in those things that money can't buy but that lend purpose, joy, and meaning to life. All of us Thune kids are very, very grateful for that heritage.

I can't close without talking about something that was life-changing for my parents, and that was their strong faith in Christ. My dad always had real discernment and wisdom in no small part because of his daily dependence upon God in his life. God blessed him with it.



As we celebrate my dad's 100th birthday, I want to say thank you to you for the example of faith, integrity, character, and humility that you have given to me and to Bob and to Rich and to Karen and to Tim. Thank you for faithfully serving God's purpose for your generation and happy 100th birthday.

I yield the floor.

The PRESIDING OFFICER. The Senator from Montana.

#### REMEMBERING WILLIAM EBELTOFT

Mr. TESTER. Mr. President, we have had a fruitful day here today. We passed a lot of bills. We did it in a bipartisan way. I want to thank both Leader MCCONNELL and Leader SCHUMER for their good work, as well as Chairman SHELBY and Ranking Member LEAHY for their good work on these bills.

Today, I am going to do something that I have never done before. I am going to read an obituary about a man I don't believe I have ever met, even though I was in the Veterans' Home of Columbia Falls while he was there. This obituary was passed on to me by my wife, who got it from a friend. It is incredibly powerful because, quite frankly, it is about one man, but it is actually about a generation of men and women who served in Vietnam.

This guy's name was William Ebeltoft. The obituary goes like this:

"Not everyone who lost his life in Vietnam died there." The saying is true for CW2 William C. Ebeltoft. He died on December 15, 2019 at the Veteran's Home in Columbia Falls, Montana. He died 50 years after he lost, in Vietnam, all that underpinned his life. He was 73 years old.

Everyone called him "Bill." He was loved by the nursing staff who cared for him. He was loved by the fellow veterans with whom he lived; those he helped when he was able and entertained with funny German slang and a stint at the piano when he could. He was a virtuoso when playing "Waltzing Matilda."

His small family loved him dearly. He was preceded in death by his parents, Paul and Mary Ebeltoft of Dickinson, North Dakota, whose devotion and care for their war-damaged boy was strong and unflinching. He is survived by his brother, Paul Ebeltoft, and the one he loved as the sister he never had, Paul's wife, Gail. . . . It is difficult to write about Bill. He lived three lives: before, during and after Vietnam. Before Vietnam, Bill was a handsome man, who wore clothing well; a man with white, straight teeth that shined in his ready smile. A state champion trap shooter, a low handicap golfer, a 218-average bowler, a man of quick, earthy wit, with a fondness for children, old men, hunting, fast cars, and a cold Schlitz. He told jokes well.

During Vietnam, he lived with horrors of which he would only seldom speak. Slow Motion Four, Bill's personal call sign, logged thousands of helicopter flight hours performing Forward Support Base resupply landings, medical evacuations, exfiles and gun ship runs. We know of him there mostly through medals for valor he received, and these were many. . . . While attempting to resupply B Company, [Warrant Officer]

Ebeltoft's co-pilot became wounded. Realizing the importance of the mission WO Ebeltoft elected to attempt completion of the mission. Due to his superior knowledge of the aircraft, the helicopter was kept under control during the period in which the pilot was wounded and the ship was under fire. Remaining under attack from automatic weapons fire, the supply mission was successfully completed. While unloading the supplies, WO Ebeltoft received word that there were five emergency medical evacuation cases located 200 meters to his rear. WO Ebeltoft repositioned his helicopter and picked up the wounded personnel. While evacuating the wounded, the commanding officer of Company B was injured. WO Ebeltoft again maneuvered his aircraft to enable evacuation of the injured officer. WO Ebeltoft then proceeded to evacuate all injured personnel by the fastest possible means. Upon completion, examination of the aircraft revealed that the aircraft had sustained nine enemy .30 caliber hits.

Bill got the medal, of course, but he would have been the last to say anything about it. The citation shows the type of man that he, and many of his brothers-in-arms in Vietnam were; and still are today, albeit battered hard and unfairly by the cruel winds of the time in which they fought.

After being discharged as a decorated hero, Bill had a rough re-entry into civilian life. It is not necessary to recount Bill's portion of what is an all-too-common story for wartime veterans, particularly those of the Vietnam era. It may be sufficient to say that after a run at business, a marriage and while grappling daily with his demons, his mental faculties escaped him. Bill became a resident of the Veteran's Home in Columbia Falls, Montana in 1994. He lived there for the next 26 years.

At the Home, the patina of his memory covered life's sorrows, and it was a blessing. Bill was happy there, living a life that was a strange mixture of hunting stories, pickup trucks and memories of some of his better times with women, friends and the outdoor life. Bill denied that anyone he loved had died; could not understand why anyone would fill with gas at four bucks a gallon when "Johnny's Standard sells it for 27 cents;" and still "drove" his 1968 Dodge Charger. He was unfailingly courteous. His largest concerns were making his smoke breaks and finding his wallet (a search of 26 years.)

In the past year, Bill's shaky grip on physical health also slipped through his fingers. Yet, despite this, what we loved in him remained, if only sometimes as a shadow. Even after his serious decline, suffering fractures because of falls, Bill would tell the staff that he was "just fine" and not to worry about him. Thin, hunched over, propelling himself with one foot, he would wheel himself into the room of a bed-ridden veteran and sit there, next to the bed, unspeaking. The nursing staff was certain that Bill thought that the man in bed was lonely and needed company.

Bill was always a proud man, remembering himself as he was in 1969, not as he became. Who are we to suggest differently? His was not a life that many would wish for, but in some ways, Bill was a lucky man. He was surrounded to the end by staff who enjoyed and respected him. He had a chance to be helpful to others who were doing less well than he. And the passing of the seasons never diminished his plans for another elk hunt or to "see that beautiful girl again this weekend."

When a small slice of reality penetrated his pleasant confusion, Bill struggled to understand why he was where he was. Prematurely aged, his worldly goods in a small

dresser, not knowing who the President might be or remembering why he should care, Bill's losses were greater than most of us could endure. Yet, to those who love him, his brother and his brother's wife, and their sons, he will always be a brave, accomplished man, more generous than was wise, more trusting than was safe.

It is not possible to wrap your arms around a loved one who leaves. But it is possible to wrap your heart around a memory. Bill's will be well taken care of.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

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

Mr. PORTMAN. Mr. President, I am here on the floor again for the third time in 3 weeks to talk about the U.S.-Mexico agreement, USMCA.

Just a few moments ago, this trade agreement passed the House of Representatives by a vote of 385 to 41. That is extraordinary. Trade agreements sometimes tend to be pretty controversial and, more recently in our history, pretty partisan. In this case, Republicans and Democrats alike helped negotiate a good agreement, and Republicans and Democrats alike supported it.

Let's now get that agreement over here. Let's not wait. The people in Ohio and all around in country who are going to benefit from it need those benefits now.

So I am very pleased that the President and his U.S. Trade Representative, Bob Lighthizer, patiently negotiated with Speaker PELOSI and House Democrats and were able to get something done, and now it is close to becoming the law of the land. All it needs is a vote over here from the Senate and then the President will sign it into law.

Thanks to important measures designed to strengthen our economy, create more jobs, and increase market access, this new agreement, the USMCA, actually helps to level the playing field between the United States and Canada and Mexico.

First of all, it is going to result in more jobs. The independent International Trade Commission has said over 170,000 new jobs. That is mid-range. It could be a lot more than that.

But they have also said that these are good-paying jobs. Jobs in trade tend to pay about 15 percent higher on average, and they have better benefits. So this is a bunch of good jobs.

By the way, they estimate that at least 20,000 jobs in the auto industry will come to the United States that would not have come otherwise. I come from Ohio, a big auto State. It is a State that cares a lot about manufacturing and, specifically, autos, and they are both going to be helped by this agreement.

Part of the way that it is going to create jobs here is by leveling the playing field on labor standards and enforcing those standards.

Also, it has higher content requirements for U.S.-made steel and intra-

auto parts that go into an automobile. As an example, USMCA requires that 70 percent of the steel going into cars come from North America. There is no provision like that in the status quo, in the NAFTA agreement. So this is a big improvement for us to drive more jobs here in America with regard to the steel production that goes into automobiles.

But, second, it says that 75 percent of the overall content in USMCA automobiles that are sold through this agreement have to be from North America. That is a big jump. In the current agreement, instead of 75 percent, NAFTA has 62.5 percent.

What does that mean? It means that if you make a car, say, in Mexico, and it has a bunch of parts in it that come from other countries, say, Japan or China or Germany, they can't take advantage of the USMCA's lower tariffs unless they have at least 75 percent North American content. So that is a big difference.

Now, there are some, including on my side of the aisle, that have criticized this provision and said that somehow this is a protectionist provision. Let me just make this point. We are agreeing with Canada and Mexico that we are going to have a new agreement with them that lowers barriers, tariffs, and non-tariff barriers on our borders with Canada and Mexico. We are taking advantage of that, with each other trading back and forth. That is why we will have more trade. That is why we will have more jobs.

If other countries want to take advantage of that by coming into Mexico or Canada and adding parts to the cars, they are free riders because they are not giving us the reciprocal access to their markets as Canada and Mexico are. That is why I think this agreement makes sense.

Now, I think it will incentivize two things. One, it will incentivize more jobs here—auto jobs, manufacturing jobs, steel jobs. But, second, it will incentivize those other countries to enter into a trade agreement with us.

We have talked about this with Japan. We have taken the first step in starting to put together what is considered a broader free trade agreement. I hope we get to one. It would be important.

But if they can simply free ride on existing agreements by having their stuff be transshipped from another country into the United States to take advantage of the lower tariffs that we are providing to Canada and Mexico, they wouldn't have that incentive to trade with us with their own agreement. So I think this is a good thing for encouraging more trade agreements and more trade openness.

The International Trade Commission also tells us that the USMCA is going to grow our economy. In fact, they say it is going to grow our economy by double the gross domestic product of that which was projected under the Trans-Pacific Partnership. Some may remember that agreement, the TPP.

Many of my colleagues, particularly on the other side of the aisle, held that agreement up as one that would have been great for America and that we should be part of it. I think it is important that we trade with our neighbors in Latin America and in the Pacific Rim, but, frankly, that agreement that was touted as being so great had less than half of the economic growth that we are talking about here. So this has more than doubled the economic growth we saw in the TPP.

Second, the USMCA means new rules of the road for online sales. This is really important. So much of our economy today and our commerce takes place online, and yet there is nothing in NAFTA on it. If you think about it, 25 years ago there was no significant online commerce, and so there is nothing in the agreement. Whereas, in this agreement, there are a few things that are very important.

For my State of Ohio and, really, for our entire country, a lot of our commerce is done online now. We have a lot of small businesses engaged in it. They want to do business with Mexico and Canada, but they have no protections—no protections from tariffs. They can be assessed on that trade. This says no tariffs.

Also, data localization is something some countries are doing to American online companies. So if you are in online commerce in America, another country may say: Do you know what? You can do business in our country only if you localize your data, meaning the servers have to be in our country—in Mexico or in Canada, as an example.

This agreement says no. It prohibits that data localization requirement, which allows us to sell more to those countries without having to place our servers there.

It also says that the *de minimis* level on customs duties for sales online is increased. This saves money because people can now be involved in commerce with Canada and Mexico and not pay as much in terms of the customs duties and the tariffs, but there are also incredible administrative burdens being lifted by not having to worry about that. So this is good for us because we do a lot of online commerce here.

Third, I would say that American farmers are strongly behind this agreement for a good reason, which is that it opens up more markets for them and adds more certainty for them. Again, the NAFTA accord is 25 years old, and we had hoped during the last 25 years that we would get at some of the protectionist policies, particularly with regard to Canada and with regard to dairy and wheat and other issues, but we didn't have much success until now. Now, with the USMCA, we have the ability to send more of our stuff to these countries, and that is why the ag community is so excited about it. Between bad weather, low prices, and a shrinking China market, our farmers have been hit hard, and this is a light at the end of the tunnel. That is why,

by the way, over 1,000 farm groups have come out in support of USMCA.

There are a lot of folks I hear talking who say one side won or one side lost in the negotiations over USMCA. I don't think that is it. I think because of the hard work of U.S. Trade Representative Bob Lighthizer and the Trump administration and President Trump himself supporting this and pushing it, I think neither side won but the American people won. And isn't that nice to see? I think that is why you saw today on the floor of the House of Representatives a vote of 385 to 41.

I think now more people are going to be able to benefit from trade with these two countries. For Ohio, Canada is, by far, our largest trading partner. Mexico is No. 2. So this is a big deal. It is more modernized trade. We have replaced an agreement that has shown its age with unenforceable labor standards and environmental standards, non-existent digital economy provisions, and outdated rules-of-origin provisions. This changes all that.

We waited long enough. It is time, now that the House has voted—as I said, this evening, which was great news—to get that legislation over here to ensure that we do have great victory for American farmers, for small businesses, for our manufacturers, for our online businesses, and so many others.

I look forward to the opportunity to be able to vote for it over here.

#### COMBATING METH AND COCAINE ACT

Mr. PORTMAN. Mr. President, I would also like to talk for a moment about the legislation we just passed on the appropriations side.

There were two bills. One focused more on the national security and defense side. There are a lot of good things in there for Ohio, including the Wright-Patterson Air Force Base, and also for the Lima Tank Plant. Also, much more importantly, it is good for our military—for our men and women in uniform, who are on the frontlines every day, sacrificing for us.

We have shown through this legislation we just passed that we appreciate them. There is not only a pay raise, but also we are providing them the equipment and the modern technology they need to be able to be successful.

But I also noticed in the agreement that just passed, the first appropriations bill, that there is really important language with regard to the drug crisis that we face in this country.

I see my colleague SHELTON WHITEHOUSE is on the floor. I have worked with him over the years on the Comprehensive Addiction and Recovery Act. Now we have a CARA 2.0 bill that we would like to see passed.

But the bottom line is that this House and Senate and President Obama and now President Trump have begun to address this problem in different ways over the last 3 or 4 years, and it is beginning to work. We are finally beginning to see, with regard to the opioid crisis, some success.

Recall that the opioid crisis is the worst drug epidemic we have ever faced in this country. In 2017, 72,000 Americans lost their lives to overdoses. That is more than we lost in the entire Vietnam war. Last year, we had a little better number. After 12 years of increases every year in overdose deaths, finally, last year, we had a slight decrease, and I think it is because of a lot of good work that has been done here, particularly with regard to the opioid crisis.

In Ohio, unfortunately, we have been in the center of the storm. We have been one of the top two or three States in the country in terms of overdose deaths.

Last year, in 2018, because of all the hard work we have done here at the Federal level, at the State level, and at the local level, we actually saw a decrease. We led the country with a 22-percent decrease in overdose deaths. So that is the good news, and it is because of the Comprehensive Addiction Recovery Act, which is bipartisan and which is working to provide more treatment and recovery services, to provide better prevention, and to provide more Narcan to reverse the effects of overdoses. It is also because of the 21st Century Cures Act, which provides funding for evidence-based programs to the States and the States decide how it is spent.

I was back home just this past week meeting with people who are getting the benefit of those programs. On Monday, I was at a home in Dayton, OH, that provides residential treatment for women who are addicted and pregnant and helps their children to be able to overcome the neonatal abstinence syndrome when they are born to a mother who is using. It is beginning to work.

I met two mothers who have turned their lives around, and I saw a beautiful baby who, at 5 weeks old, is going into the world brighter, cheerier, and with more opportunity because of the work that we have done here to provide funding to help.

But I will say we have found, having made progress on opioids, that other drugs are starting to come into our communities. This is not just an opioid problem. This is an addiction problem, and addiction is a disease that must be treated like other diseases.

Although we have made progress, we can't rest on our laurels. When I talk to those on the frontlines, as I did on Monday in Dayton with law enforcement—the sheriff was there for Montgomery County—but also to treatment providers, to those who are in the trenches, and talking to those who are recovering addicts who were there, they tell me about what is happening, which is that, increasingly, other drugs, including psychostimulants like crystal meth and cocaine, are making a horrible comeback in those communities.

Crystal meth coming in from Mexico is more pure and less expensive than ever. In fact, law enforcement tells me

that on the streets of Columbus, Dayton, Cleveland, or Cincinnati, crystal meth is sometimes less expensive than marijuana and yet much more powerful and much more dangerous.

So it is important that here in Congress we focus on how to respond to that. Although we have some great legislation out there with regard to opioid addiction, treatment, recovery, and how to deal with this, we have not done as well with regard to these new drugs coming in.

Part of the solution, of course, is to build up our security at our southern border, where we have seen larger and larger quantities of crystal meth, manufactured in Mexico, being brought into our country by these cartels from super labs, as they call them, in Mexico.

By the way, there were crystal meth labs over the years, but the volume was not nearly as high, and the cost was much higher. Now that it is cheaper and there is higher volume, you see the meth labs in our communities closing down, but for the wrong reason. It is not being made here anymore because the stuff coming from Mexico is so much more pure, more powerful, more deadly, and less expensive.

So for the people already struggling with methamphetamine or cocaine addiction, it is important that they have access to treatment, too, so they can get help.

What I have heard at the local level is this: We appreciate the funding on opioids, but we want more flexibility now to be able to use this funding to combat what is, in many of our communities, in Ohio, even a bigger problem, which is crystal meth and sometimes cocaine.

So I am pleased to say that in the legislation that we just passed here this evening, legislation that provides appropriations to deal with this addiction issue, we have provided that flexibility. We have said: Yes, we are going to continue to provide grants to help with regard to prevention and treatment and recovery and help with regard to getting people back on their feet and helping law enforcement, but we are going to allow local communities to use this funding both for opioids and for crystal meth and other drugs.

So my hope is that what we will see is some of the same progress we have made in opioids now happen with regard to some of these other substances.

I have introduced a bill called the Combating Meth and Cocaine Act—I introduced it in June of this year—to allow this kind of flexibility. That is an authorization bill that has already been introduced, and we have good bipartisan support for that.

But we went ahead today in these appropriations bill and did it for this year. So for this fiscal year, essentially, that legislation will be in effect. So for 2020 we are going to provide that flexibility.

I applaud the Senate appropriators for doing that. Again, I am proud of

Congress showing that we can be flexible and continue to fight a many-front war on this issue. It is not just about opioids. It is about addiction.

We also need to pass the authorization bill, the Combating Meth and Cocaine Act, and I hope that we will be able to do that after the first of the year to ensure that we can continue to address these public health threats and we can continue to provide for those whose future is so dim because of the addiction, and instead they be able to achieve their God-given purpose in life.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

#### SIGNING AUTHORITY

Mr. PORTMAN. Mr. President, I ask unanimous consent that I be authorized to sign duly enrolled bills and joint resolutions during today's session of Congress.

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

The PRESIDING OFFICER (Mr. SCOTT of Florida). The Majority Leader.

#### IMPEACHMENT

Mr. McCONNELL. Mr. President, for the information of all of our colleagues, earlier this afternoon, my friend the Democratic leader and I had a cordial conversation. We discussed a potential path forward following the House Democrats' precedent-breaking impeachment of President Trump. Our conversation was cordial, but my friend from New York continues to insist on departing from the unanimous bipartisan precedent that 100 Senators approved before the beginning of President Clinton's trial.

Back in 1999, Senators recognized that there might well be disagreements about questions that would arise at the middle and end of the trial, such as witnesses. Here is what happened: All 100 Senators endorsed a commonsense solution. We divided the process into two stages. The first resolution passed unanimously before the trial began. It laid the groundwork, such as scheduling and structured early steps like opening arguments. Mid-trial questions such as witnesses were left until the middle of the trial when Senators could make a more informed judgment about that more contentious issue. All 100 Senators, including me, including Mr. SCHUMER, and a number of our colleagues on both sides who were here in 1999 endorsed the first resolution as a bipartisan, minimalist first step.

As of today, however, we remain at an impasse because my friend the Democratic leader continues to demand a new and different set of rules for President Trump. He wants to break from that unanimous bipartisan precedent and force an all-or-nothing approach. My colleague wants a special pretrial guarantee of certain witnesses whom the House Democrats themselves

did not bother to pursue as they assembled their case, or he wants to proceed without giving any organizational resolution whatsoever. As I said, we remain at an impasse on these logistics.

For myself, I continue to believe that the unanimous bipartisan precedent that was good enough for President Clinton ought to be good enough for President Trump. Fair is fair.

Now, of course, there is the matter of the Articles of Impeachment themselves. It is a highly unusual step. The House continues to hem and haw about whether and when she intends to take the normal next step and transmit the House's accusations over here to the Senate. Some House Democrats imply they are withholding the articles for some kind of leverage so they can dictate the Senate process to Senators.

I admit, I am not sure what leverage there is in refraining from sending us something we do not want; but, alas, if they can figure that out, they can explain it. Meanwhile, other House Democrats seem to be suggesting they prefer never to transmit the articles. That is fine with me, and the Speaker of the House herself has been unclear on this. Her message has been somewhat muddled.

So here is where we are, Mr. President. We have a curious situation where, following House Democrats' rush to impeachment, following weeks of pronouncement about the urgency of the situation, the prosecutors appear to have developed cold feet. The House Democrat prosecution seems to have gotten cold feet and to be unsure of whether they even want to proceed to the trial.

As I said, a very unusual spectacle and, in my view, certainly not one that reflects well on the House. So we will see whether House Democrats ever want to work up the courage to actually take their accusations to trial.

Let me close with this: I am proud that the Senate came together today to confirm more well-qualified nominees and to pass major legislation for the American people.

I wish all of my colleagues a merry Christmas, happy holidays, and a joyous new year. I hope everyone enjoys this important time with their families and loved ones. We will see you in 2020.

#### ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, finally, for the information of all of our colleagues, the Senate will convene on Friday, January 3, to kick off the 2nd session of the 116th Congress. However, no rollcall votes are expected that day, and Members should be prepared to be back and voting on Monday, January 6.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### SECURING AMERICAN NONPROFIT ORGANIZATIONS AGAINST TERRORISM ACT OF 2019

Mr. PORTMAN. Mr. President, as we all know, there have been increased incidents of violence and threats against some of our faith-based institutions over the past decade. The FBI has been able to monitor this and unfortunately tells us that these attacks are likely to continue. We need to do a better job of figuring out how to disrupt these attacks but also to harden these facilities.

When the Tree of Life synagogue in Pittsburgh was attacked, it was the worst anti-Semitic violence in the history of our country. Shortly after that, I went to Youngstown, OH, which is very near the Pittsburgh synagogue that was attacked. It was within the next week or two afterwards, and there were very raw feelings, as you can imagine. We talked about what was needed to provide better protection for houses of worship—our synagogues, our churches, our mosques—and we came up with an idea to provide for a grant program from the expertise of the Department of Homeland Security where they could provide best practices, consulting, placement of cameras, you know, where it is necessary to harden facilities, where it is necessary to have a door with locks—simple things that can save lives.

That program has now been appropriated. In the legislation we just passed, there was a \$90 million appropriation for this program. The Jewish community, the Christian community, the Muslim community, the Sikh community, the Hindu community, and others are very supportive of this program.

H.R. 2476 is the legislation I am talking about this evening, called the Securing American Nonprofit Organizations Against Terrorism Act. Tonight, I am hopeful that we can pass, by unanimous consent, this legislation. In the appropriations bill, there is a \$90 million appropriation from Congress for the program for this fiscal year. Our authorization bill is at \$75 million. Again, it is a very important program.

I am pleased that the Department of Homeland Security has recently changed its rules to allow these institutions to use the funds not just for cameras, locks, and other hardening but also for armed guards where necessary. Sadly, it is necessary to disrupt and stop some of these hate crimes that are occurring.

Senator MIKE LEE had some concerns about the cost. I understand his concern. We are going to keep the cost in an efficient and effective manner—going to the organizations that really need it. I appreciate his talking to me about that tonight and his willingness to allow us to move forward on this legislation.

Mr. President, I ask unanimous consent that the Committee on Homeland Security and Governmental Affairs be discharged from further consideration of H.R. 2476 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 2476) to amend the Homeland Security Act of 2002 to provide funding to secure nonprofit facilities from terrorist attacks, and for other purposes.

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

Mr. PORTMAN. I further ask that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The bill (H.R. 2476) was ordered to a third reading, was read the third time, and passed.

#### FALLEN WARRIOR BATTLEFIELD CROSS MEMORIAL ACT

Mr. PORTMAN. Mr. President, another bill has been cleared tonight that I would like to ask the U.S. Senate to provide unanimous consent for. This is legislation called the Fallen Warrior Battlefield Cross Memorial Act. This comes out of a situation in Ohio where some of our veterans were not permitted to have a battlefield cross at their grave site.

Senator BROWN, myself, and other Members have been supportive of this legislation, and tonight I am pleased to say that we now have unanimous consent from the other side of the aisle to proceed with it.

Mr. President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of H.R. 1424 and that the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 1424) to amend title 38, United States Code, to ensure the Secretary of Veterans Affairs permits the display of Fallen Soldier Displays in national cemeteries.

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

Mr. PORTMAN. I ask unanimous consent that the bill be considered read a third time and passed and the motion to reconsider be considered made and laid upon the table.

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

The bill (H.R. 1424) was ordered to a third reading, was read the third time, and passed.

The PRESIDING OFFICER. The majority leader.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session and to the consideration of the following nomination: Executive Calendar No. 497.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of LaJuana S. Wilcher, of Kentucky, to be a Member of the Board of Directors of the Federal Agricultural Mortgage Corporation.

There being no objection, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; that no further motions be in order and that any statements related to the nomination be printed in the RECORD.

The PRESIDING OFFICER. Is there an objection?

Without objection, it is so ordered.

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

The nomination was confirmed.

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Commerce, Science, and Transportation be discharged from PN1228 and the Senate proceed to the en bloc consideration of the following nominations: PN1228, Executive Calendar Nos. 492 and 496.

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

The clerk will report the nominations en bloc.

The senior assistant legislative clerk read the nominations of Thomas B. Chapman, of Maryland, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2023; Michael Graham, of Kansas, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2020; Michael Graham, of Kansas, to be a Member of the National Transportation Safety Board for a term expiring December 31, 2025. (Reappointment)

There being no objection, the committee was discharged, and the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's actions; that no further motions be in

order; and that any statements related to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Chapman, Graham, and Graham (Reappointment) nominations, en bloc?

The nominations were confirmed en bloc.

## EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following nomination: Executive Calendar No. 553.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of J. Brett Blanton, of Virginia, to be Architect of the Capitol for the term of ten years.

There being no objection, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. I ask unanimous consent that the Senate vote on the nomination with no intervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements related to the nomination be printed in the RECORD.

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

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

The nomination was confirmed.

## EXECUTIVE CALENDAR

Mr. MCCONNELL. I ask unanimous consent that the Committee on Foreign Relations be discharged and the Senate proceed to the consideration of PN1318, 1319, and 1321; that the nominations be confirmed; that the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements to the nominations be printed in the RECORD and the President be immediately notified of the Senate's action.

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

The nominations considered and confirmed are as follows:

The following-named Members of the Foreign Service of the Department of State to be a Foreign Service Officer, a Consular Officer, and a Secretary in the Diplomatic Service of the United States of America:

Shon Stephen Belcher, of the District of Columbia

Charles C. Blake III, of the District of Columbia

David L. Bruns, of Florida

Pedro G. Campo-Boue, of Florida

Hsiao-Ching Chang, of California

Jasmin S. Cho, of Washington

Nurit S. Einik, of Florida

Michael H. Elliott, of Wyoming

Lindsay C. Fair, of Texas

Leslie M. Fenton, of California

Owen P. Fletcher, of California

William West Follmer, of Maryland

Jean M. Foster, of Colorado

Nicholas J. Geboy, of the District of Columbia

Elizabeth A. Gee, of Florida

Juliana E. Hanson, of North Carolina

Richard E. Heater, of Texas

Dennie S. Hoopingarner, of Michigan

Jeffrey A. Jackson, of Connecticut

Joshua W. Kamp, of New York

Joseph J. Kim, of the District of Columbia

Olena A. Krawciw, of Virginia

Laura A. MacArthur, of California

Caroline J. Mann, of Florida

Brian C. McKean, of Florida

Keavy C. Nahan, of Texas

Paul A. Roelle, of Pennsylvania

Jennine R. Rudnitski, of Minnesota

Timothy C. Sarraile, of Virginia

Adam L. Schick, of Washington

Cigdem Zeynep Soyluglu-Hoyt, of California

Tyler J. Stoddard, of Idaho

Shravan Surendra, of Virginia

Brittany D. Thompson, of Virginia

Aaron D. Tiffany, of Washington

Dimitri Varmazis, of Massachusetts

Jonathan Blake Vaughan, of Tennessee

Tamara Lyn Picardo Rivera Wilson, of Virginia

Kathryn M. Wiseman, of Texas

The following-named Career Members of the Foreign Service for promotion into the Senior Foreign Service, as a Career Member of the Senior Foreign Service, Class of Counselor, and a Consular Officer and a Secretary in the Diplomatic Service of the United States of America:

Gharun S. Lacy, of Maryland

David Mango, of New York

The following-named Members of the Foreign Service of the Department of State to be a Consular Officer and a Secretary in the Diplomatic Service of the United States of America:

Kara Miriam Abramson, of the District of Columbia

Eunice O. Ajayi, of Maryland

Dane Dixon Allen-Bryant, of the District of Columbia

Robert Steven Baker, of Virginia

Daniel Dee Barelllo, of Virginia

Kevin Silas Barlow, of Georgia

Nikki Barnes, of Maryland

Tyra Zuri Hayes Beam, of Virginia

Aaron Walter Becker, of Virginia

Rami Lowell Blair, of Rhode Island

Joseph Thorel Bodell, of Virginia

Miguel Alexander Boluda, of the District of Columbia

Samantha R. BonenClark, of Florida

Stefanie Michelle Braswell, of the District of Columbia

Daniel John Buchman, of New York

Thomas Adams Buckley, of Virginia

Robert Scott Bunch, of Virginia

Taryn E. Burton, of Virginia

Randall Eugene Bussman, of Virginia

Coleman David Butterworth, of Virginia

Corinne Denise Calabro, of Virginia

Nichelle I. Carter, of Maryland

Caitlin Marie Cassot, of Washington

Eduardo Castillo, Jr., of Texas

Min-Ling Chang, of Maryland

Lillian Katharine Chreky, of Virginia

Anthony Cyprian Christian, of Maryland

Matthew Franklin Clark, of Virginia

Kempton J. Cox, of Idaho

Cory David Curran, of Virginia

John R. Daniliuk, of the District of Columbia

Daniel Alan DeGroff, of Florida

Alexandra R. Del Solar, of the District of Columbia

Tariq Q. Desir, of Virginia  
 Saumya V. Deva, of California  
 Anika Marie DeVolder, of the District of Columbia  
 Rurik H. Diehl, of Virginia  
 Jacob E. Dietrich, of Kentucky  
 Surayya Imani Diggs, of New York  
 Christa L. Divis, of South Carolina  
 Bennett K. Domingues, of Virginia  
 Joyce E. Dudley, of Maryland  
 Mark Philip Duggan, of Virginia  
 Stephen Edinger, of Virginia  
 Kelsey Brooke Egan, of Virginia  
 Nurmukhamed A. Eldosov, of Ohio  
 Gregory R. Elrod, of South Carolina  
 Steven M. Elwood, of Virginia  
 Maryan Adel Fouad Farag, of Virginia  
 Christopher Franklin, of Maryland  
 Sydney L. Freeman, of New Jersey  
 Sayer French, of Virginia  
 James Andrew Galindo, of Virginia  
 Katie Vanessa Garay, of Virginia  
 Beau Paul Garrett, of Washington  
 Kuros Ghaffari, of the District of Columbia  
 Emily Ruth Goodell, of Virginia  
 Daniel Guindon, of Virginia  
 Ameerah Rumana Hamid, of the District of Columbia  
 John Joseph Harrington III, of the District of Columbia  
 Allison Kelly Haugen, of Washington  
 Corey A. Henton, of Virginia  
 Sarah Melissa Hernandez, of Texas  
 Matthew H. Hinson, of New Jersey  
 Dylan R. Hoey, of Wisconsin  
 Alexander Joseph Holmes, of Virginia  
 Lauren E. Holt, of the District of Columbia  
 Jesse J. Hong, of the District of Columbia  
 Lauren Kimberly Hovis, of Virginia  
 Tony Hudson, Jr., of Georgia  
 Christine Rene Huff, of Virginia  
 Terrell Dwayne Hunt, of Indiana  
 Andrew William Hutto, of Virginia  
 Betty Ngoc Huynh, of the District of Columbia  
 Ty Anthony Isom, of Virginia  
 Nathan R. Johnson, of Minnesota  
 Gregory K. Joy, of New York  
 Waqqas Khalid, of the District of Columbia  
 Andrew J. King, of Virginia  
 Johanna L. Knoch, of Colorado  
 Keshia Mae Kuhn, of Tennessee  
 Freddy Ouandja Lakoundzi, of Virginia  
 Sean M. Lawlor, of Virginia  
 Hilary B. Lepuil, of Virginia  
 Brian Geoffrey Lipski, of Virginia  
 Ingrid Jenai Lomax, of Virginia  
 Patrick Joseph Lukanich, of Virginia  
 Michael Patrick Lynch, of the District of Columbia  
 Brendan Elias Magnuson, of Virginia  
 Henry Patrick Mahoney, of Virginia  
 Michael P. Marette, of Virginia  
 James M. Marino, of Virginia  
 Lynn Edmonds McCredy, Jr., of Virginia  
 Heather Ailene McInnis, of Virginia  
 Alexander Paul McKenney, of Virginia  
 Andreo Micic, of Virginia  
 Larissa M. Mihalisko, of Virginia  
 Brandon Milford, of Virginia  
 Vanessa Jane Moglin, of Virginia  
 Marc Andrew Monroig, of New York  
 William Robert Montgomery, of Virginia  
 Sanjay Y. Murty, of Virginia  
 Aseebulla A. Niazi, of New Hampshire  
 Steven Paul Nicholson, of Florida  
 Ashley Jo Niedermayer, of Virginia  
 Kimberly G. Ofobike, of Virginia  
 Christel Oomen, of Oregon  
 Kelsey Ann Orr, of North Carolina  
 Mary E. Overbeck, of Virginia  
 Noor Badreldin Oweis, of the District of Columbia  
 Laura J. Park, of the District of Columbia  
 Catherine Nicole Plant, of Virginia  
 Benjamin Michael Quinn, of Virginia  
 Grayson Edward Ramsey, of Virginia  
 Gregory J. Redmann, of Virginia

Tyler Jay Reis, of the District of Columbia  
 Clark E. Robertson, of Virginia  
 Lori A. Roberts, of Virginia  
 Nicole R. Roberts, of Massachusetts  
 Kalif R. Robinson, of Georgia  
 Natalie R. Rooks, of Colorado  
 Nicholas L. Roscoe, of Virginia  
 William H. Z. Schlossberg, of Virginia  
 Patrick Shilladay Scott, of Virginia  
 Mehek Sethi, of Georgia  
 Patrick M. Sheehan, of the District of Columbia  
 Kristina Sherman, of Virginia  
 Madelyn D. Smith, of Washington  
 Axel Spaeh, of Virginia  
 Michael A. Stock, of Kansas  
 Camille Z. Swinson, of Massachusetts  
 Melinda Leanne Thompson, of Virginia  
 Hawi T. Tilahune, of Minnesota  
 Sulaiman H. Toghral, of West Virginia  
 Minh H. Tokuyama, of the District of Columbia  
 Jesus Amador Torres, of Virginia  
 Ryan L. Trunk, of the District of Columbia  
 Valerie N. Tucker, of Florida  
 Kaitlyn R. Turner, of Virginia  
 Pablo Jairo Tutillo Maldonado, of Connecticut  
 Jessica Erin Tylecki, of Virginia  
 Juan-Paulo Varela, of California  
 Gilberto Manuel Velazquez-Aponte, of Virginia  
 Cale F. Wagner, of North Dakota  
 Jeffrey Lee Watts, of Texas  
 Michael J. Weber, of Minnesota  
 Steven Duane Weber, of Virginia  
 Kelsey L. Williams, of Florida  
 Chelsea A. Wilson, of Maryland  
 Henry B. Wilson, of Virginia  
 Jordan L. Wilson, of the District of Columbia  
 Alexandra Marie Zolnowski, of the District of Columbia  
 Derek Jason Zoretic, of Virginia  
 Megan Elizabeth Zurowski, of Virginia  
 The following-named Members of the Foreign Service of the Department of State to be a Consular Officer and a Secretary in the Diplomatic Service of the United States of America:  
 Jenny U. Abamu, of Texas  
 Sean Gregory Allan, of Virginia  
 Maximilian E. Aviles, of California  
 Martha Jeannette Berry, of Texas  
 Rohini Bhaumik, of Virginia  
 Donald Judson Blakeslee, of Virginia  
 Rausan Borujerdi, of New York  
 Timothy A. Bowman, of Virginia  
 Logan Victor Brog, of the District of Columbia  
 Cameron C. Brown, of Virginia  
 Jeffrey S. Bunting, of Virginia  
 Thomas Clifford Burgess, of Virginia  
 Diane Elizabeth Carroll, of Illinois  
 Patrick B. Cheetham, of Virginia  
 Joanna D. Chen, of New York  
 Lacy Hebert Cheung, of Virginia  
 Veronica P. Chiu, of Connecticut  
 Jennifer Elizabeth Cole, of the District of Columbia  
 Amy E. Conroy, of Connecticut  
 Kaitlin Ann Crile, of Virginia  
 Corey James Crowley, of the District of Columbia  
 Andrew K. Danto, of Pennsylvania  
 Tanya N. Donangmaye, of New York  
 Kelly E. DuBois, of Alaska  
 Alyssa Hope Feldstein, of the District of Columbia  
 Faith E. Fugar, of Maryland  
 Adam John Gallagher, of California  
 Usra Ghazi, of the District of Columbia  
 Marichuy Gomez, of California  
 Alan Huston Gordon, of the District of Columbia  
 Joy P. Grainger, of South Carolina  
 Oleksandra V. Gubina, of the District of Columbia

Abdulrahman Mohammed Habeeb, of the District of Columbia  
 Frank Forester Leslie Harrington IV, of West Virginia  
 Jerry Wayne Haynes II, of Virginia  
 Meredith Noelle Healy, of Colorado  
 Jeffrey N. Henry, of Virginia  
 Manuela Hernandez, of Florida  
 Simon Andrew Hessler, of Virginia  
 Sven Bertil Hestrand, of Virginia  
 Lisa B. Hoeksema, of the District of Columbia  
 Richard S. Holliday, of the District of Columbia  
 Anket Holmes, of California  
 Wayne William Hosek, of Virginia  
 Kelly Elizabeth Johnson, of Virginia  
 Rachel E. King, of Ohio  
 Ethan N. Kinney, of Alabama  
 James Allen Koehler, of Virginia  
 Sarah Michelle Koelbl, of Virginia  
 Sierra N. Lekie, of Virginia  
 James Allan Lobb II, of Virginia  
 Lukas Loncko, of Virginia  
 Kevin Lynch, of Virginia  
 Kamila P. Manzueta, of Florida  
 Gregory James Marchwinski, of Virginia  
 Christopher Alan Marsh, of California  
 Joseph R. Martello, of Virginia  
 Donna Catherine Marzo, of Virginia  
 Patrick T. Maxwell, of Pennsylvania  
 Benjamin R. McIntosh, of California  
 Katharine Armstrong Jensen McIntosh, of Virginia  
 Austin Blaine McKinney, of Michigan  
 Ryan James McNamara, of Virginia  
 Lauren A. Meinhart, of Virginia  
 Manuel Jose Menocal, of Virginia  
 Elizabeth M. Meravi, of Massachusetts  
 Caryl Anna Merten, of the District of Columbia  
 Brittanie Anne Morrison, of Virginia  
 Fatima T. Morrisroe, of Virginia  
 Stephanie L. Muller, of Virginia  
 Radha Neelakantan, of the District of Columbia  
 Christina E. Paul, of Florida  
 James Campbell Pershing, of Massachusetts  
 Amanda Peskin, of Colorado  
 Lance Erich Peterson, of Virginia  
 Siobhan J. Pollock, of Virginia  
 Jamaica Afiya Pouncy, of Texas  
 David Allen Rackovan, Jr., of the District of Columbia  
 Kathryn L. Rasmussen, of Wisconsin  
 Liliac Acacia Reeder, of the District of Columbia  
 Elisabeth Jane Reigel, of Virginia  
 Natalie Ruth Reynolds, of Virginia  
 Kelly James Rice, of South Carolina  
 Christopher Blake Rollins, of the District of Columbia  
 Kevin James Rosati, of Virginia  
 Joseph C. Russell, of Virginia  
 Johanna P. Sanchez, of New York  
 Tawni L. Sasaki, of California  
 Yevgen Sautin, of Florida  
 Jennifer M. Schmidt, of Oregon  
 Brian E. Selman, of Texas  
 Zinna Senbetta, of Illinois  
 Claire Victoria Shelden, of Colorado  
 Jennifer J. Shin, of New York  
 Jennifer Lynn Shingler, of Virginia  
 Harold Frank Joseph Shirley, of Virginia  
 DeAndre D. Smith, of Maryland  
 Trevor J. Smith, of Florida  
 Caitlin A. Strawder, of Florida  
 Dominick E. Tao, of Florida  
 Mark S. Thompson, of Virginia  
 Claire Elizabeth Vallin, of Michigan  
 Sean David Varner, of Virginia  
 Lauren J. Vine, of California  
 Crystal N. Waitekus, of Virginia  
 Grayson M. Walker, of Virginia  
 Alexander F. Watson, of Florida  
 Kristin Weber, of Virginia  
 Sean Michael Weidner, of Maryland  
 Elissa Marie Weingart, of Virginia



Terry-Ann T. Wellington, of Texas  
 Uri Whang, of Virginia  
 Julie L. Wilkins, of Virginia  
 Leslie Elisabeth Wilson, of the District of  
 Columbia  
 Juwan A. Woods, of Louisiana  
 Andrew Henry Wright, of Virginia  
 Tiffany Jiun-Tyan Wu, of Virginia  
 Sarahann Y. Yeh, of Virginia  
 Hamda A. Yusuf, of Washington

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

### CONSTRUCTION CONSENSUS PROCUREMENT IMPROVEMENT ACT OF 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 203, S. 1434.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1434) to prohibit the use of reverse auctions for design and construction services procurements, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the Portman amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1269) was considered and agreed to as follows:

(Purpose: To modify the definition of reverse auction to cover the awarding of contracts and orders that are based solely on the price obtained through the auction process)

On page 3, line 12, strike “, in whole or in part, based” and insert “is solely based”.

The bill, as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1434

*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 “Construction Consensus Procurement Improvement Act of 2019”.

#### SEC. 2. PROHIBITION ON USE OF A REVERSE AUCTION FOR THE AWARD OF A CONTRACT FOR DESIGN AND CONSTRUCTION SERVICES.

(a) FINDING.—Congress finds that, in contrast to a traditional auction in which the buyers bid up the price, sellers bid down the price in a reverse auction.

(b) PROHIBITION.—Not later than 180 days after the date of the enactment of this Act, the Federal Acquisition Regulation shall be amended to prohibit the use of reverse auctions for awarding contracts for design and construction services.

(c) DEFINITIONS.—In this section:

(1) The term “design and construction services” means—

(A) site planning and landscape design;  
 (B) architectural and engineering services (as defined in section 1102 of title 40, United States Code);

(C) interior design;

(D) performance of substantial construction work for facility, infrastructure, and environmental restoration projects;

(E) delivery and supply of construction materials to construction sites; or

(F) construction or substantial alteration of public buildings or public works.

(2) The term “reverse auction” means, with respect to any procurement by an executive agency—

(A) a real-time auction conducted through an electronic medium among 2 or more offerors who compete by submitting bids for a supply or service contract, or a delivery order, task order, or purchase order under the contract, with the ability to submit revised lower bids at any time before the closing of the auction; and

(B) the award of the contract, delivery order, task order, or purchase order to the offeror is solely based on the price obtained through the auction process.

### END PLUSH RETIREMENTS ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 274, S. 439.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 439) to allow Members of Congress to opt out of the Federal Employees Retirement System, and allow Members who opt out of the Federal Employees Retirement System to continue to participate in the Thrift Savings Plan.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Homeland Security and Government Affairs.

Mr. MCCONNELL. I ask unanimous consent that the Cardin amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 1270) was agreed to as follows:

(Purpose: To improve the bill)

On page 2, strike lines 1 through 3 and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Members of Congress Pension Opt Out Clarification Act”.

The bill, as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 439

*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 “Members of Congress Pension Opt Out Clarification Act”.

#### SEC. 2. MAKING FERS OPTIONAL FOR MEMBERS.

(a) IN GENERAL.—

(1) AMENDMENT.—Section 8401(20) of title 5, United States Code, is amended by striking “, and who (in the case)” and all that follows through “2004”.

(2) APPLICABILITY.—The amendment made by paragraph (1) shall apply with respect to an individual who first serves as a Member of the House of Representatives, including a Delegate or Resident Commissioner to the Congress, on or after the date of enactment of this Act.

(b) CONTINUED PARTICIPATION IN TSP.—

(1) AMENDMENT.—Section 8401(20) of title 5, United States Code, as amended by subsection (a), is further amended—

(A) by striking “term ‘Member’ has” and inserting the following: “term ‘Member’—“(A) has”;

(B) by inserting “, subject to subparagraph (B),” after “except that”;

(C) by adding “and” after the semicolon at the end; and

(D) by adding at the end the following:

“(B) for purposes of subchapter III, has the same meaning as provided in section 2106, without regard to whether the individual elects not to participate in the Federal Employees’ Retirement System.”.

(2) CONFORMING AMENDMENT TO TSP.—Section 8431(a) of title 5, United States Code, is amended by inserting “except as provided in section 8401(20)(B),” after “subchapter.”.

(3) APPLICABILITY.—The amendments made by this subsection shall apply with respect to an individual who makes an election described in section 8401(20) of title 5, United States Code, not to participate in the Federal Employees’ Retirement System before, on, or after the date of enactment of this Act.

### DEPARTMENT OF VETERANS AFFAIRS PROVIDER ACCOUNTABILITY ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of S. 221 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 221) to amend title 38, United States Code, to require the Under Secretary of Health to report major adverse personnel actions involving certain health care employees to the National Practitioner Data Bank and to applicable State licensing boards, and for other purposes.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

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

Mr. MCCONNELL. I ask unanimous consent that the Gardner substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

The amendment (No. 1271), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Department of Veterans Affairs Provider Accountability Act”.

#### SEC. 2. ACCOUNTABILITY WITHIN VETERANS HEALTH ADMINISTRATION.

(a) REPORTING MAJOR ADVERSE ACTIONS TO NATIONAL PRACTITIONER DATA BANK AND STATE LICENSING BOARDS.—Section 7461 of title 38, United States Code, is amended by adding at the end the following new subsection:

“(f)(1) Whenever the Under Secretary for Health (or an official designated by the Under Secretary) brings charges based on conduct or performance against a section 7401(1) employee and as a result of those charges a covered major adverse action is taken against the employee, the Under Secretary shall, not later than 30 days after the date on which such covered major adverse action is carried out—

“(A) transmit to the National Practitioner Data Bank of the Department of Health and Human Services and the applicable State licensing board the name of the employee, a description of the covered major adverse action, and a description of the reason for the covered major adverse action; and

“(B) update the VetPro System, or successor system, with a record of the covered major adverse action taken and an indication that information was transmitted under subparagraph (A).

“(2) The Under Secretary for Health—

“(A) shall enroll all 7401(1) employees in a continuous query of their record within the National Practitioner Data Bank; and

“(B) shall develop and implement a mechanism for maintaining and updating the information collected through such continuous query within the VetPro System, or successor system, to facilitate the sharing of such information between Veterans Integrated Service Networks.

“(3) In this subsection, the term ‘covered major adverse action’ means a major adverse action with respect to a section 7401(1) employee that originated from circumstances in which the behavior of the employee so substantially failed to meet generally-accepted standards of clinical practice as to raise reasonable concern for safety of patients.”.

(b) PROHIBITION ON SIGNING SETTLEMENTS WITH CERTAIN CLAUSES.—

(1) IN GENERAL.—Except as provided in paragraph (2), the Secretary of Veterans Affairs may not enter into a settlement agreement relating to an adverse action against a section 7401(1) employee under which the Department of Veterans Affairs would be required to conceal a serious medical error or a lapse in generally-accepted standards of clinical practice.

(2) EXCEPTION.—Paragraph (1) shall not apply to a negative record if the head of the Office of Accountability and Whistleblower Protection of the Department and the Special Counsel (established by section 1211 of title 5, United States Code) jointly certify that the negative record is not legitimate.

(c) TRAINING ON CREDENTIALING AND PRIVILEGING.—The Under Secretary for Health of the Department of Veterans Affairs shall provide to all staff of the Veterans Health Administration who handle hiring, privileging, and credentialing mandatory training on—

(1) all policies of the Veterans Health Administration for credentialing and privileging; and

(2) when and how to report adverse actions to the National Practitioner Data Bank of the Department of Health and Human Services, State licensing boards, and other relevant entities.

(d) SENSE OF CONGRESS ON UPDATES TO THE VHA HANDBOOK.—It is the sense of Congress that—

(1) Congress recognizes that the confusion regarding practices in the Veterans Health Administration for reporting to State licensing boards stems from a lack of guidance in the Veterans Health Administration handbook 1100.18;

(2) Congress strongly recommends that the Secretary of Veterans Affairs update such handbook to ensure that employees of the Veterans Health Administration, officials of the Veterans Integrated Services Networks, and officials of the Department of Veterans Affairs understand and are able to utilize the role of State licensing boards to effectively prevent instances of failed reporting and future patient safety concerns;

(3) Congress recognizes the broad authority of the Veterans Health Administration to report to State licensing boards those employed or separated health care professionals whose behavior and clinical practice so substantially failed to meet generally-accepted standards of clinical practice as to raise reasonable concern for safety of patients and requests that such handbook is updated to reflect appropriate reporting channels to ensure employee understanding of those procedures and authorities; and

(4) in developing the new handbook, the Secretary of Veterans Affairs should consult with—

(A) State licensing boards;

(B) the Centers for Medicare & Medicaid Services;

(C) the National Practitioner Data Bank of the Department of Health and Human Services; and

(D) the exclusive representative of section 7401(1) employees.

(e) SECTION 7401(1) EMPLOYEE DEFINED.—In this section, the term “section 7401(1) employee” has the meaning given that term in section 7461(c)(1) of title 38, United States Code.

The bill (S. 221), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### IMPROVING SAFETY AND SECURITY FOR VETERANS ACT OF 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of S. 3147, introduced earlier today.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 3147) to require the Secretary of Veterans Affairs to submit to Congress reports on patient safety and quality of care at medical centers of the Department of Veterans Affairs, and for other purposes.

There being no objection, the Senate proceeded to consider the bill.

Mr. MCCONNELL. I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 3147) was ordered to be engrossed for a third reading, was read the third time, and passed as follows:

S. 3147

*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 “Improving Safety and Security for Veterans Act of 2019”.

#### SEC. 2. DEPARTMENT OF VETERANS AFFAIRS REPORTS ON PATIENT SAFETY AND QUALITY OF CARE.

(a) REPORT ON PATIENT SAFETY AND QUALITY OF CARE.—

(1) IN GENERAL.—Not later than 30 days after the date of the enactment of this Act, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report regarding the policies and procedures of the Department relating to patient safety and quality of care and the steps that the Department has taken to make improvements in patient safety and quality of care at medical centers of the Department.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A description of the policies and procedures of the Department and improvements made by the Department with respect to the following:

(i) How often the Department reviews or inspects patient safety at medical centers of the Department.

(ii) What triggers the aggregated review process at medical centers of the Department.

(iii) What controls the Department has in place for controlled and other high-risk substances, including the following:

(I) Access to such substances by staff.

(II) What medications are dispensed via automation.

(III) What systems are in place to ensure proper matching of the correct medication to the correct patient.

(IV) Controls of items such as medication carts and pill bottles and vials.

(V) Monitoring of the dispensing of medication within medical centers of the Department, including monitoring of unauthorized dispensing.

(iv) How the Department monitors contact between patients and employees of the Department, including how employees are monitored and tracked at medical centers of the Department when entering and exiting the room of a patient.

(v) How comprehensively the Department uses video monitoring systems in medical centers of the Department to enhance patient safety, security, and quality of care.

(vi) How the Department tracks and reports deaths at medical centers of the Department at the local level, Veterans Integrated Service Network level, and national level.

(vii) The procedures of the Department to alert local, regional, and Department-wide leadership when there is a statistically abnormal number of deaths at a medical center of the Department, including—

(I) the manner and frequency in which such alerts are made; and

(II) what is included in such an alert, such as the nature of death and where within the medical center the death occurred.

(viii) The use of root cause analyses with respect to patient deaths in medical centers of the Department, including—

(I) what threshold triggers a root cause analysis for a patient death;

(II) who conducts the root cause analysis; and

(III) how root cause analyses determine whether a patient death is suspicious or not.

(ix) What triggers a patient safety alert, including how many suspicious deaths cause a patient safety alert to be triggered.

(x) The situations in which an autopsy report is ordered for deaths at hospitals of the Department, including an identification of—

(I) when the medical examiner is called to review a patient death; and

(II) the official or officials that decide such a review is necessary.

(xi) The method for family members of a patient who died at a medical center of the Department to request an investigation into that death.

(xii) The opportunities that exist for family members of a patient who died at a medical center of the Department to request an autopsy for that death.

(xiii) The methods in place for employees of the Department to report suspicious deaths at medical centers of the Department.

(xiv) The steps taken by the Department if an employee of the Department is suspected to be implicated in a suspicious death at a medical center of the Department, including—

(I) actions to remove or suspend that individual from patient care or temporarily reassign that individual and the speed at which that action occurs; and

(II) steps taken to ensure that other medical centers of the Department and other non-Department medical centers are aware of the suspected role of the individual in a suspicious death.

(xv) In the case of the suspicious death of an individual while under care at a medical center of the Department, the methods used by the Department to inform the family members of that individual.

(xvi) The policy of the Department for communicating to the public when a suspicious death occurs at a medical center of the Department.

(B) A description of any additional authorities or resources needed from Congress to implement any of the actions, changes to policy, or other matters included in the report required under paragraph (1)

(b) REPORT ON DEATHS AT LOUIS A. JOHNSON MEDICAL CENTER.—

(1) IN GENERAL.—Not later than 60 days after the date on which the Attorney General indicates that any investigation or trial related to the suspicious deaths of veterans at the Louis A. Johnson VA Medical Center in Clarksburg, West Virginia, (in this subsection referred to as the “Facility”) that occurred during 2017 and 2018 has sufficiently concluded, the Secretary of Veterans Affairs shall submit to the Committee on Veterans’ Affairs of the Senate and the Committee on Veterans’ Affairs of the House of Representatives a report describing—

(A) the events that occurred during that period related to those suspicious deaths; and

(B) actions taken at the Facility and throughout the Department of Veterans Affairs to prevent any similar reoccurrence of the issues that contributed to those suspicious deaths.

(2) ELEMENTS.—The report required by paragraph (1) shall include the following:

(A) A timeline of events that occurred at the Facility relating to the suspicious deaths described in paragraph (1) beginning the moment those deaths were first determined to be suspicious, including any notifications to—

(i) leadership of the Facility;

(ii) leadership of the Veterans Integrated Service Network in which the Facility is located;

(iii) leadership at the central office of the Department; and

(iv) the Office of the Inspector General of the Department of Veterans Affairs.

(B) A description of the actions taken by leadership of the Facility, the Veterans Integrated Service Network in which the Facility is located, and the central office of the Department in response to the suspicious deaths, including responses to notifications under subparagraph (A).

(C) A description of the actions, including root cause analyses, autopsies, or other activities that were conducted after each of the suspicious deaths.

(D) A description of the changes made by the Department since the suspicious deaths to procedures to control access within medical centers of the Department to controlled and non-controlled substances to prevent harm to patients.

(E) A description of the changes made by the Department to its nationwide controlled substance and non-controlled substance policies as a result of the suspicious deaths.

(F) A description of the changes planned or made by the Department to its video surveillance at medical centers of the Department to improve patient safety and quality of care in response to the suspicious deaths.

(G) An analysis of the review of sentinel events conducted at the Facility in response to the suspicious deaths and whether that review was conducted consistent with policies and procedures of the Department.

(H) A description of the steps the Department has taken or will take to improve the monitoring of the credentials of employees of the Department to ensure the validity of those credentials, including all employees that interact with patients in the provision of medical care.

(I) A description of the steps the Department has taken or will take to monitor and mitigate the behavior of employee bad actors, including those who attempt to conceal their mistreatment of veteran patients.

(J) A description of the steps the Department has taken or will take to enhance or create new monitoring systems that—

(i) automatically collect and analyze data from medical centers of the Department and monitor for warnings signs or unusual health patterns that may indicate a health safety or quality problem at a particular medical center; and

(ii) automatically share those warnings with other medical centers of the Department, relevant Veterans Integrated Service Networks, and officials of the central office of the Department.

(K) A description of the accountability actions that have been taken at the Facility to remove or discipline employees who significantly participated in the actions that contributed to the suspicious deaths.

(L) A description of the system-wide reporting process that the Department will or has implemented to ensure that relevant employees are properly reported, when applicable, to the National Practitioner Data Bank of the Department of Health and Human Services, the applicable State licensing boards, the Drug Enforcement Administration, and other relevant entities.

(M) A description of any additional authorities or resources needed from Congress to implement any of the recommendations or findings included in the report required under paragraph (1).

(N) Such other matters as the Secretary considers necessary.

## PERMITTING THE SECRETARY OF VETERANS AFFAIRS TO ESTABLISH A GRANT PROGRAM

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of H.R. 2385 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 2385) to permit the Secretary of Veterans Affairs to establish a grant program to conduct cemetery research and produce educational materials for the Veterans Legacy Program.

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

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

Mr. McCONNELL. I further ask unanimous consent that the bill be considered read a third time.

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

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

Mr. McCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

Hearing no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 2385) was passed.

Mr. McCONNELL. I ask unanimous consent that the motion 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.

## AUTHORIZING STATES AND TRIBAL ORGANIZATIONS THAT RECEIVE GRANTS FROM THE NATIONAL CEMETERY ADMINISTRATION FOR ESTABLISHMENT, EXPANSION, OR IMPROVEMENT OF A VETERANS’ CEMETERIES TO USE AMOUNTS OF SUCH GRANTS FOR STATE AND TRIBAL ORGANIZATION CEMETERY PERSONNEL TO TRAIN AT THE TRAINING CENTER OF THE NATIONAL CEMETERY ADMINISTRATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on Veterans’ Affairs be discharged from further consideration of S. 2096 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 2096) to amend title 38, United States Code, to authorize States and tribal organizations that receive grants from the National Cemetery Administration for establishment, expansion, or improvement of a veterans’ cemeteries to use amounts of such grants for State and tribal organization cemetery personnel to train at the training center of the National Cemetery Administration, and for other purposes.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Boozman substitute amendment at the desk be considered and agreed to and the bill, as amended, be considered read a third time.

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

The amendment (No. 1272), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. TRAINING OF STATE VETERANS CEMETERY PERSONNEL BY NATIONAL CEMETERY ADMINISTRATION.**

Section 2408 of title 38, United States Code, is amended—

(1) in subsection (b)(1)—  
(A) in subparagraph (A)—  
(i) by striking “and (ii) the cost” and inserting “(ii) the cost”; and

(ii) by inserting “; and (iii) training costs, including travel expenses, associated with attendance at training provided by the National Cemetery Administration” before the semicolon; and

(B) in subparagraph (B)—  
(i) by striking “and (ii) the cost” and inserting “(ii) the cost”; and

(ii) by inserting “; and (iii) training costs, including travel expenses, associated with attendance at training provided by the National Cemetery Administration” before the period;

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

“(c) A grant under this section for a purpose described in subparagraph (A) or (B) of subsection (a)(1) may be used, solely or in part, for training costs, including travel expenses, associated with attendance at training provided by the National Cemetery Administration.”.

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

Mr. MCCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. If there is no further debate, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 2096), as amended, was passed, as follows:

S. 2096

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. TRAINING OF STATE VETERANS CEMETERY PERSONNEL BY NATIONAL CEMETERY ADMINISTRATION.**

Section 2408 of title 38, United States Code, is amended—

(1) in subsection (b)(1)—  
(A) in subparagraph (A)—  
(i) by striking “and (ii) the cost” and inserting “(ii) the cost”; and

(ii) by inserting “; and (iii) training costs, including travel expenses, associated with attendance at training provided by the National Cemetery Administration” before the semicolon; and

(B) in subparagraph (B)—  
(i) by striking “and (ii) the cost” and inserting “(ii) the cost”; and

(ii) by inserting “; and (iii) training costs, including travel expenses, associated with

attendance at training provided by the National Cemetery Administration” before the period;

(2) by redesignating subsections (c) through (f) as subsections (d) through (g), respectively; and

(3) by inserting after subsection (b) the following new subsection (c):

“(c) A grant under this section for a purpose described in subparagraph (A) or (B) of subsection (a)(1) may be used, solely or in part, for training costs, including travel expenses, associated with attendance at training provided by the National Cemetery Administration.”.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

**MERCHANT MARINERS OF WORLD WAR II CONGRESSIONAL GOLD MEDAL ACT OF 2019**

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of H.R. 550 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (H.R. 550) 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.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Murkowski substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motions to reconsider be considered made and laid upon the table.

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

The amendment (No. 1273), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Merchant Mariners of World War II Congressional Gold Medal Act of 2019”.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) 2019 marked the 74th anniversary of Allied victory in World War II.

(2) The United States Merchant Marine (in this section referred to as the “Merchant Marine”) was integral in providing the link between domestic production and the fighting forces overseas, providing combat equipment, fuel, food, commodities, and raw materials to troops stationed abroad.

(3) Fleet Admiral Ernest J. King acknowledged the indispensability of the Merchant Marine to the victory in a 1945 letter stating that, without the support of the Merchant Marine, “the Navy could not have accomplished its mission”.

(4) President, and former Supreme Commander of the Allied Expeditionary Forces, Dwight D. Eisenhower acknowledged that “through the prompt delivery of supplies and equipment to our armed forces overseas, and of cargoes representing economic and military aid to friendly nations, the American Merchant Marine has effectively helped to strengthen the forces of freedom throughout the world”.

(5) Military missions and war planning were contingent upon the availability of resources and the Merchant Marine played a vital role in this regard, ensuring the efficient and reliable transoceanic transport of military equipment and both military and civilian personnel.

(6) The Merchant Marine provided for the successful transport of resources and personnel despite consistent and ongoing exposure to enemy combatants from both the air and the sea, including from enemy bomber squadrons, submarines, and naval mines.

(7) The efforts of the Merchant Marine were not without sacrifices as the Merchant Marine likely bore a higher per-capita casualty rate than any of the military branches during the war.

(8) The Merchant Marine proved to be an instrumental asset on an untold number of occasions, participating in every landing operation by the United States Marine Corps, from Guadalcanal to Okinawa.

(9) The Merchant Marine provided the bulk tonnage of material necessary for the invasion of Normandy, an invasion which, according to a 1944 New York Times article, “would not have been possible without the Merchant Marine”.

(10) In assessing the performance of the Merchant Marine, General Eisenhower stated, “every man in this Allied command is quick to express his admiration for the loyalty, courage, and fortitude of the officers and men of the Merchant Marine. We count upon their efficiency and their utter devotion to duty as we do our own; they have never failed us”.

(11) During a September 1944 speech, President Franklin D. Roosevelt stated that the Merchant Marine had “delivered the goods when and where needed in every theater of operations and across every ocean in the biggest, the most difficult, and dangerous transportation job ever undertaken. As time goes on, there will be greater public understanding of our merchant fleet’s record during this war”.

(12) The feats and accomplishments of the Merchant Marine are deserving of broader public recognition.

(13) The United States will be forever grateful and indebted to these merchant mariners for their effective, reliable, and courageous transport of goods and resources in enemy territory throughout theaters of every variety in World War II.

(14) The goods and resources transported by the Merchant Marine saved thousands of lives and enabled the Allied Powers to claim victory in World War II.

(15) The Congressional Gold Medal would be an appropriate way to shed further light on the service of the merchant mariners in World War II and the instrumental role they played in winning that war.

(16) Many students of the Merchant Marine Academy lost their lives as they sailed through enemy-controlled waters or unloaded cargo in overseas combat areas, and, as a result, the United States Merchant Marine Academy is the only institution among the 5 Federal academies to be authorized to carry a battle standard as part of its color guard.

**SEC. 3. CONGRESSIONAL GOLD MEDAL.**

(a) **AWARD AUTHORIZED.**—The Speaker of the House of Representatives and the President pro tempore of the Senate shall make appropriate arrangements for the award, on behalf of Congress, of a single gold medal of appropriate design to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

(b) **DESIGN AND STRIKING.**—For the purposes of the award described in subsection (a), the Secretary of the Treasury (in this Act referred to as the “Secretary”) shall strike the gold medal with suitable emblems, devices, and inscriptions, to be determined by the Secretary.

(c) **AMERICAN MERCHANT MARINE MUSEUM.**—

(1) **IN GENERAL.**—Following the award of the gold medal under subsection (a), the gold medal shall be given to the American Merchant Marine Museum, where it will be available for display as appropriate and available for research.

(2) **SENSE OF CONGRESS.**—It is the sense of Congress that the American Merchant Marine Museum should make the gold medal given to the Museum under paragraph (1) available for display elsewhere, particularly at appropriate locations associated with the United States Merchant Marine and that preference should be given to locations affiliated with the United States Merchant Marine.

**SEC. 4. DUPLICATE MEDALS.**

Under such regulations as the Secretary may prescribe, the Secretary may strike and sell duplicates in bronze of the gold medal struck under section 3, at a price sufficient to cover the costs of the medals, including labor, materials, dies, use of machinery, and overhead expenses.

**SEC. 5. STATUS OF MEDALS.**

(a) **NATIONAL MEDALS.**—Medals struck under this Act are national medals for purposes of chapter 51 of title 31, United States Code.

(b) **NUMISMATIC ITEMS.**—For purposes of section 5134 of title 31, United States Code, all medals struck under this Act shall be considered to be numismatic items.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 550), as amended, was passed.

### DOGS AS WITNESS GUARDIANS ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of S. 1029 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1029) to allow the use of certified facility dogs in criminal proceedings in Federal courts, and for other purposes.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Cornyn amendment at the desk be agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The amendment (No. 1274), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the enacting clause and insert the following:

**SECTION 1. SHORT TITLE.**

This Act may be cited as the “Courthouse Dogs Act”.

**SEC. 2. USE OF CERTIFIED FACILITY DOG FOR TESTIMONY IN CRIMINAL PROCEEDINGS.**

(a) **IN GENERAL.**—Chapter 223 of title 18, United States Code, is amended by inserting after section 3502 the following:

**“§ 3503. Use of certified facility dog for testimony in criminal proceedings**

“(a) **DEFINED TERM.**—In this section, the term ‘certified facility dog’ means a dog that has graduated from an assistance dog organization that is a member of an internationally recognized assistance dog association that has a primary purpose of granting accreditation based on standards of excellence in areas of—

- “(1) assistance dog acquisition;
- “(2) dog training;
- “(3) dog handler training; and
- “(4) dog placement.

“(b) **REQUESTS FOR USE OF CERTIFIED FACILITY DOGS.**—Either party in a criminal proceeding in a Federal court may apply for an order from the court to allow a certified facility dog, if available, to be present with a witness testifying before the court through—

- “(1) in-person testimony; or
- “(2) testimony televised by 2-way, closed-circuit television.

“(c) **CONDITIONS FOR APPROVAL.**—A Federal court may enter an order authorizing an available certified facility dog to accompany a witness while testifying at a hearing in accordance with subsection (b) if the court finds that—

- “(1) the dog to be used qualifies as a certified facility dog;
- “(2) the use of a certified facility dog will aid the witness in providing testimony; and
- “(3) upon a showing by the party seeking an order under subsection (b), the certified facility dog is insured for liability protection.

“(d) **HANDLERS.**—Each certified facility dog authorized to accompany a witness under subsection (c) shall be accompanied by a handler who is—

- “(1) trained to manage the certified facility dog by an assistance dog organization described in subsection (a); and
- “(2) a professional working in the legal system with knowledge about the legal and criminal justice processes.

“(e) **DEADLINE.**—The party seeking an order under subsection (b) shall apply for such order not later than 14 days before the preliminary hearing, trial date, or other hearing to which the order is to apply.

“(f) **OTHER ORDERS.**—A Federal court may make such orders as may be necessary to preserve the fairness of the proceeding, including imposing restrictions on, and instructing the jury regarding, the presence of the certified facility dog during the proceedings.

“(g) **SAVINGS PROVISION.**—Nothing in this section may be construed to prevent a Federal court from providing any other accommodations to a witness in accordance with applicable law.”.

(b) **CLERICAL AMENDMENT.**—The chapter analysis for chapter 223 of title 18, United States Code, is amended by inserting after the item relating to section 3502 the following:

“3503. Use of certified facility dog for testimony in criminal proceedings.”.

The bill (S. 1029), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 1029

*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 “Courthouse Dogs Act”.

**SEC. 2. USE OF CERTIFIED FACILITY DOG FOR TESTIMONY IN CRIMINAL PROCEEDINGS.**

(a) **IN GENERAL.**—Chapter 223 of title 18, United States Code, is amended by inserting after section 3502 the following:

**“§ 3503. Use of certified facility dog for testimony in criminal proceedings**

“(a) **DEFINED TERM.**—In this section, the term ‘certified facility dog’ means a dog that has graduated from an assistance dog organization that is a member of an internationally recognized assistance dog association that has a primary purpose of granting accreditation based on standards of excellence in areas of—

- “(1) assistance dog acquisition;
- “(2) dog training;
- “(3) dog handler training; and
- “(4) dog placement.

“(b) **REQUESTS FOR USE OF CERTIFIED FACILITY DOGS.**—Either party in a criminal proceeding in a Federal court may apply for an order from the court to allow a certified facility dog, if available, to be present with a witness testifying before the court through—

- “(1) in-person testimony; or
- “(2) testimony televised by 2-way, closed-circuit television.

“(c) **CONDITIONS FOR APPROVAL.**—A Federal court may enter an order authorizing an available certified facility dog to accompany a witness while testifying at a hearing in accordance with subsection (b) if the court finds that—

- “(1) the dog to be used qualifies as a certified facility dog;
- “(2) the use of a certified facility dog will aid the witness in providing testimony; and
- “(3) upon a showing by the party seeking an order under subsection (b), the certified facility dog is insured for liability protection.

“(d) **HANDLERS.**—Each certified facility dog authorized to accompany a witness under subsection (c) shall be accompanied by a handler who is—

- “(1) trained to manage the certified facility dog by an assistance dog organization described in subsection (a); and
- “(2) a professional working in the legal system with knowledge about the legal and criminal justice processes.

“(e) **DEADLINE.**—The party seeking an order under subsection (b) shall apply for such order not later than 14 days before the preliminary hearing, trial date, or other hearing to which the order is to apply.

“(f) **OTHER ORDERS.**—A Federal court may make such orders as may be necessary to preserve the fairness of the proceeding, including imposing restrictions on, and instructing the jury regarding, the presence of the certified facility dog during the proceedings.

“(g) **SAVINGS PROVISION.**—Nothing in this section may be construed to prevent a Federal court from providing any other accommodations to a witness in accordance with applicable law.”.

(b) **CLERICAL AMENDMENT.**—The chapter analysis for chapter 223 of title 18, United

States Code, is amended by inserting after the item relating to section 3502 the following:

“3503. Use of certified facility dog for testimony in criminal proceedings.”.

#### RESOLUTIONS SUBMITTED TODAY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of the following resolutions introduced earlier today en bloc: S. Res. 459, S. Res. 460, and S. Res. 461.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

#### AMERICAN GEOPHYSICAL UNION CENTENNIAL ANNIVERSARY

Mr. CARDIN. Mr. President, in recognition of its centennial anniversary, I rise to offer my congratulations and appreciation to the American Geophysical Union, also known as the AGU. Since December 1919, the AGU has played an instrumental role in supporting international cooperation while also fostering American leadership in the fields of Earth and space science. Senator MURKOWSKI and I introduced a resolution in honor of this critical milestone, and I am pleased to see the Senate pass it today.

The National Research Council created the AGU as the representative for the United States of America in the International Union of Geodesy and Geophysics in 1919. Only 1 year after the end of World War I, this was an occasion for international cooperation that illustrated the importance of bridging divides in the name of science. The AGU is a prime example of our Nation's commitment to a vision of shared peace and prosperity, and by serving as a key forum for gifted geophysicists from across the world, it is an example of our positive role in the international community for advancing knowledge.

In the century since its founding, the AGU has connected countless geophysicists to facilitate information-sharing, peer review, and innovation. The AGU today counts more than 60,000 scientists and students among its membership, across 137 countries. Their work has not only expanded our understanding of our home planet and the celestial bodies beyond, but it has also led to critical health, environmental, commercial, and technological breakthroughs. If we are to confront climate change and other systemic challenges and, indeed, if we are truly to live as stewards in harmony with our surroundings, humanity needs the international cooperation and scientific integrity the AGU demonstrates so aptly.

It is my hope that this resolution and the occasion of the AGU's centennial anniversary can inspire us all to appreciate the significance of scientific integrity and independence. Research from the geophysical community has deeply informed our society on the

need for responding to pressing challenges, chief among them climate change. But unfortunately, it is not always so easy. Under President Trump, scientists have had to censor their work, voluntarily or involuntarily, due to political interference.

Under the Trump administration, for instance, the United States Geological Survey has opted to limit the scope of the projected consequences of climate change through 2040, despite the agency's historic use of models stretching through 2100. Perhaps more worrisome, the White House released an Executive Order on June 14, 2019, that instructs each agency to slash at least one-third of its advisory committees, which consist of experts and scientists ready to advise on a wide range of issues, especially for the Environmental Protection Agency.

Through reason and empiricism, science brings us closer to the truth. When administration officials or other individuals purposefully interfere with science to paint an incomplete, inaccurate, or misleading image, science ceases to be science and becomes just another battleground for politics. Policymakers should not be in the business of manipulating or silencing the work of the men and women who make up the scientific community. We should let scientists do their jobs. The AGU has done an excellent job representing many of those scientists over the last 100 years, and I congratulate it on the occasion of its centennial.

Mr. MCCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles be agreed to, and the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolution (S. Res. 459) was agreed to.

(The resolution is printed in today's RECORD under “Submitted Resolutions.”)

The resolutions (S. Res. 460 and S. Res. 461) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under “Submitted Resolutions.”)

#### COMBATING GLOBAL CORRUPTION ACT OF 2019

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 144, S. 1309.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1309) to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers.

There being no objection, the Senate proceeded to consider the bill, which

had been reported from the Committee on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. DEFINITIONS.

In this Act:

(1) **CORRUPT ACTOR.**—The term “corrupt actor” means—

(A) any foreign person or entity that is a government official or government entity responsible for, or complicit in, an act of public corruption; and

(B) any company, in which a person or entity described in subparagraph (A) has a significant stake, which is responsible for, or complicit in, an act of public corruption.

(2) **FOREIGN ASSISTANCE.**—The term “foreign assistance” means assistance made available under—

(A) the Foreign Assistance Act of 1961 (22 U.S.C. 2151 et seq.); or

(B) the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(3) **GRAND CORRUPTION.**—The term “grand corruption” means public corruption committed at a high level of government that—

(A) distorts policies or the central functioning of the country; and

(B) enables leaders to benefit at the expense of the public good.

(4) **PETTY CORRUPTION.**—The term “petty corruption” means the unlawful exercise of entrusted public power for private gain by low- or mid-level public officials in their interactions with ordinary citizens, including by bribery, nepotism, fraud, or embezzlement.

(5) **PUBLIC CORRUPTION.**—The term “public corruption” means the unlawful exercise of entrusted public power for private gain, including by bribery, nepotism, fraud, or embezzlement.

#### SEC. 2. SENSE OF CONGRESS.

It is the sense of Congress that—

(1) it is in the foreign policy interest of the United States to help other countries promote good governance and combat public corruption, particularly grand corruption;

(2) multiple departments and agencies across the United States Government operate programs that promote good governance in foreign countries and enhance foreign countries' ability to combat public corruption;

(3) the Department of State should promote coordination among programs described in paragraph (2) to improve their effectiveness and efficiency; and

(4) the Department of State should identify areas in which United States efforts to help other countries promote good governance and combat public corruption could be enhanced.

#### SEC. 3. ANNUAL REPORT.

The Secretary shall annually submit to the appropriate congressional committees and publish, on a publicly accessible website, a report that—

(1) groups foreign countries, by quintile, based on—

(A) the World Bank Worldwide Governance Indicator on Control of Corruption; and

(B) the World Bank Worldwide Governance Indicator on Voice and Accountability;

(2) adds context and commentary, as appropriate, to the World Bank Worldwide Governance Indicator on Control of Corruption and the World Bank Worldwide Governance Indicator on Voice and Accountability groupings under paragraph (1), as appropriate, based on the factors outlined in section 4;

(3) describes, based on the World Bank Worldwide Governance Indicators and the factors outlined in section 4, the status of foreign governments' efforts to combat public corruption; and

(4) describes the status of each foreign country's active membership in voluntary multi-sectoral global governance initiatives as evidence of the country's government-led efforts to combat public corruption.



#### SEC. 4. ADDITIONAL FACTORS FOR ASSESSING GOVERNMENT EFFORTS TO COMBAT PUBLIC CORRUPTION.

(a) **FACTORS FOR ASSESSING GOVERNMENT EFFORTS TO COMBAT PUBLIC CORRUPTION.**—In assessing a government's efforts to combat public corruption, the Secretary of State should consider, to the extent reliable information is available—

(1) whether the country—

(A) has enacted laws and established government structures, policies, and practices that prohibit public corruption, including grand corruption and petty corruption; and

(B) enforces such laws through a fair judicial process;

(2) whether the country prescribes appropriate punishment for grand corruption that is commensurate with the punishment prescribed for serious crimes;

(3) whether the country prescribes appropriate punishment for petty corruption that provides a sufficiently stringent deterrent and adequately reflects the nature of the offense;

(4) the extent to which the government of the country—

(A) vigorously investigates and prosecutes acts of public corruption; and

(B) convicts and sentences persons responsible for such acts that take place wholly or partly within such country, including, as appropriate, requiring the incarceration of individuals convicted of such acts;

(5) the extent to which the government of the country vigorously investigates, prosecutes, convicts, and sentences public officials who participate in or facilitate public corruption, including nationals of the country who are deployed in foreign military assignments, trade delegations abroad, or other similar missions who engage in or facilitate severe forms of public corruption;

(6) the extent to which the government of the country has adopted measures to prevent public corruption, such as measures to inform and educate the public, including potential victims, about the causes and consequences of public corruption;

(7) steps taken by the government of the country to prohibit government officials from participating in, facilitating, or condoning public corruption, including the investigation, prosecution, and conviction of such officials;

(8) the extent to which the country government provides access, or, as appropriate, makes adequate resources available, to civil society organizations and other institutions to combat public corruption, including reporting, investigating, and monitoring;

(9) the extent to which an independent judiciary or judicial body in the country is responsible for, and effectively capable of, deciding public corruption cases impartially, on the basis of facts and in accordance with the law, without any improper restrictions, influences, inducements, pressures, threats, or interferences (direct or indirect) from any source or for any reason;

(10) the extent to which the government of the country is assisting in international investigations of transnational public corruption networks and in other cooperative efforts to combat grand corruption, including cooperating with the governments of other countries to extradite corrupt actors;

(11) the extent to which the government of the country recognizes the rights of victims of public corruption, ensures their access to justice, and takes steps to prevent victims from being further victimized or persecuted by corrupt actors, government officials, or others;

(12) the extent to which the government of the country refrains from prosecuting legitimate victims of public corruption or whistleblowers due to such persons having assisted in exposing public corruption, and refrains from other discriminatory treatment of such persons; and

(13) such other information relating to public corruption as the Secretary of State considers appropriate.

#### SEC. 5. DESIGNATION OF EMBASSY ANTI-CORRUPTION POINTS OF CONTACT.

(a) **DESIGNATED COUNTRIES.**—The Secretary of State shall annually designate an anti-corruption point of contact at the United States Mission to each country that he or she determines is in need of such a point of contact.

(b) **POINTS OF CONTACT DUTIES.**—Each designated anti-corruption point of contact shall be responsible for coordinating a whole-of-government approach to combating public corruption in his or her posted country among relevant United States Government departments or agencies with a presence in that country, including, as applicable, the Department of State, the Department of Justice, the Department of the Treasury, the Department of Homeland Security, and the United States Agency for International Development.

(c) **TRAINING.**—The Secretary of State shall develop and implement appropriate training for designated anti-corruption points of contact.

(d) **INTERNAL REPORTING.**—Each anti-corruption point of contact shall submit an annual report to the Secretary regarding anti-corruption activities within his or her posted country that—

(1) evaluates the effectiveness of current programs that promote good governance and have an effect of combating public corruption; and

(2) identifies areas in which the United States Government's approach could be enhanced, including specific programs that could be used to enhance the whole-of-government approach.

#### SEC. 6. INTERAGENCY WORKING GROUP.

(a) **IN GENERAL.**—The Secretary of State shall have primary responsibility for managing a whole-of-government effort to improve coordination among United States Government departments and agencies that have a role in promoting good governance in foreign countries and enhancing foreign countries' ability to combat public corruption.

(b) **TASK FORCE.**—

(1) **INITIAL MEETING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall establish and convene an initial meeting of an interagency task force, which shall be composed of—

(A) representatives appointed by the President from the departments and agency listed in section 5(b); and

(B) representatives from any other United States Government departments or agencies, as determined by the Secretary.

(2) **ADDITIONAL MEETINGS.**—The task force described in paragraph (1) shall meet not less frequently than twice per year.

(c) **TASK FORCE DUTIES.**—The task force established pursuant to subsection (b) shall—

(1) assist the Secretary of State in managing the whole-of-government effort described in subsection (a);

(2) evaluate, on a general basis, the effectiveness of current programs that have an effect of combating public corruption;

(3) identify general areas in which the United States Government's approach could be enhanced; and

(4) identify specific programs for specific countries that could be used to enhance the whole-of-government approach.

#### SEC. 7. TRANSPARENCY AND ACCOUNTABILITY.

(a) **IN GENERAL.**—Not later than 60 days after publishing the report required under section 3, and prior to obligation by any United States agency of foreign assistance to the government of a country ranked in the lowest 2 quintiles in the World Bank Worldwide Governance Indicator on Control of Corruption grouping described in section 3(1), the Secretary, in coordination with the Administrator of USAID, as appropriate, shall—

(1) conduct a corruption risk assessment and create a corruption mitigation strategy for all United States foreign assistance programs in that country;

(2) require the inclusion of anti-corruption clauses for all foreign assistance contracts, grants, and cooperative agreements, which allow for the termination of the contract, grant, or cooperative agreement without penalty if credible indicators of public corruption are discovered;

(3) require the inclusion of appropriate clawback clauses for all foreign assistance that has been misappropriated through corruption;

(4) require the appropriate disclosure to the United States Government, in confidential form, if necessary, of the beneficial ownership of contractors, subcontractors, grantees, cooperative agreement participants, and other organizations receiving funding from the United States Government for foreign assistance programs; and

(5) establish a mechanism for investigating allegations of misappropriated foreign assistance funds or equipment.

(b) **EXCEPTIONS AND WAIVER.**—

(1) **EXCEPTIONS.**—Subsection (a) shall not apply to humanitarian assistance, disaster assistance, or assistance to combat corruption.

(2) **WAIVER.**—The Secretary of State may waive the requirement to delay foreign assistance under subsection (a) if the Secretary certifies to the appropriate congressional committees that such waiver is important to the national security interests of the United States.

#### SEC. 8. RESOURCES AND REPORTING REQUIREMENTS.

(a) **ANNUAL REPORT.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary of State shall submit a report to the appropriate congressional committees that outlines the resources needed to meet the objectives of this Act, including—

(A) personnel needs; and

(B) a description of the bureaucratic structure of the offices within the Department of State and USAID that are engaged in anti-corruption activities.

(b) **ANNUAL BRIEFING.**—

(1) **IN GENERAL.**—Not later than one year after the date of the enactment of this Act, and annually thereafter, the Secretary shall brief the appropriate congressional committees on the implementation of this Act, including—

(A) the designation of anti-corruption points of contact for countries under section 5(a);

(B) the training implemented under section 5(c);

(C) the reports received from anti-corruption points of contact under section 5(d);

(D) the management of the whole-of-government effort to improve coordination under section 6(a);

(E) the establishment of the task force under section 6(b); and

(F) the activities of the task force under section 6(c).

(2) **FORM OF BRIEFING.**—The briefings under subsection (b) shall be conducted on an in-person basis to members or staff of the appropriate congressional committees. Portions of the briefings may be conducted in a classified setting, as needed.

(c) **ONLINE PLATFORM.**—The Secretary of State and the USAID Administrator shall consolidate existing reports with anti-corruption components into one online, public platform, which shall—

(1) include—

(A) the Human Rights Report;

(B) the Fiscal Transparency Report;

(C) the Investment Climate Statement reports;

(D) the International Narcotics Control Strategy Report; and

(E) any other relevant public reports;

(2) link to third-party indicators and compliance mechanisms used by the United States Government to inform policy and programming, such as—

(A) the International Finance Corporation's Doing Business surveys;

(B) the International Budget Partnership's Open Budget Index; and

(C) *multilateral peer review anti-corruption compliance mechanisms, such as the Organisation for Economic Co-operation and Development's Working Group on Bribery in International Business Transactions and the United Nations Convention Against Corruption, done at New York October 31, 2003, to further highlight expert international views on country challenges and country efforts.*

(d) *TRAINING.—The Secretary of State and the USAID Administrator shall incorporate anti-corruption components into existing Foreign Service and Civil Service training courses—*

(1) *to increase the ability of Department of State and USAID personnel to support anti-corruption as a foreign policy and development priority; and*

(2) *to strengthen their ability to design, implement, and evaluate more effective anti-corruption programming around the world, including enhancing skills to better evaluate and mitigate public corruption risks in assistance programs.*

Mr. CARDIN. Mr. President, we need to pass the Combating Global Corruption Act. Today, I join with my colleague Senator YOUNG to reaffirm bipartisan support for this important legislation.

Corruption threatens international stability and security and poses a serious threat to democracy and democratic values. Ten days ago, December 9, was International AntiCorruption Day. This day provides an annual reminder of the dire need to prioritize combatting corruption here in the United States and around the world.

Corruption undermines democratic institutions, it compromises the rule of law, and it erodes human rights protections. It damages America's global competitiveness and hampers economic growth in global markets. It fosters the conditions for violent extremism and weakens institutions associated with governance and accountability. These are direct threats to our national and international security.

Earlier this year, Transparency International published its Corruption Perceptions Index for 2018. It underscored that the failure to curb corruption is contributing to a worldwide crisis of democracy. Not surprisingly then, Freedom House similarly reported that 2018 was marked by global declines in political rights and civil liberties for the 13th consecutive year. Sixty-eight countries suffered net declines in political rights and civil liberties during 2018, with only 50 nations registering gains.

We have all seen the headlines in recent years—from scandals in Liberia, Hungary, and Guatemala, to the doping by Russian athletes and their subsequent ban from the 2016 Summer Olympics and using aid to influence other nations' behavior.

It is clear that where there are high levels of corruption, we find fragile states, authoritarian states, or states suffering from internal or external conflict—in places such as Lebanon, Afghanistan and Pakistan, Iraq, Syria, Somalia, Nigeria, and Sudan.

Different domestic issues may have sparked the wave of massive protests we are observing today—whether they be increases in gas prices or metro

fares—but many of these uprisings have been sustained by public desire to weed out leaders' corruption. Corruption is no longer being tolerated or excused.

Corruption operates via extensive and entrenched networks in both the public and private sectors. It is ubiquitous and pervasive, but we must address it. The costs of not addressing it or rooting it out are just too great.

Mr. President, we must be clear-eyed—any fight against corruption will be long-term and difficult. It is a fight against powerful people, powerful companies, and powerful interests. It is about changing a mindset and a culture as much as it is about establishing and enforcing laws.

While previous anti-corruption legislation has been crucial, the Combating Global Corruption Act takes our commitment to this value further by bringing a whole-of-government approach to the issue and bringing more transparency to the instances of corruption going on unnoticed in every country around the world.

The Combating Global Corruption Act requires the State Department to produce an annual assessment, either by a briefing or by a report, similar to the Trafficking in Persons Report, which takes a close look at each country's efforts to combat corruption. The assessment will measure indicators such as transparency, accountability, enforcement of anti-corruption laws, and the extent to which public power is used for private gain.

That model, which has effectively advanced the effort to combat modern-day slavery, will similarly embed the issue of corruption in our collective work and make other nations more conscious of their corruption levels.

The bill includes clear definitions of corruption and corrupt activities and underscores the importance of prioritizing corruption into strategic planning—across our agencies, bureaus, and our missions overseas.

It specifically increases coordination on anti-corruption efforts between the Department of State and USAID and formally engages our embassies in the fight against corruption by establishing anti-corruption points of contact at our Embassies in critical countries.

We work across multiple agencies and in multiple offices to combat corruption. The roles of these points of contact, comprised of either the chief of mission or personnel designated for the role by the chief of mission, will foster greater coordination on anticorruption efforts within the U.S. government.

It is time for the U.S. Congress to send a strong message to our Nation and to the world that corruption cannot be accepted as the status quo.

It is time that we back up our words—our commitment to supporting democratization, human rights, and fairness globally—with action to protect those critically important values.

Let's pass the Combating Global Corruption Act.

Mr. McCONNELL. I ask unanimous consent that the committee-reported substitute amendment be withdrawn; that the Cardin substitute amendment at the desk be considered and agreed to; that the bill, as amended, be considered read a third time and passed; and that the motion to reconsider be considered made and laid upon the table.

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

The committee-reported substitute amendment was withdrawn.

The amendment (No. 1275), in the nature of a substitute, was agreed to.

(The amendment is printed in today's RECORD under "Text of Amendments.")

The bill (S. 1309), as amended, was ordered to be engrossed for a third reading, was read the third time, and passed.

#### NATIONAL ONE HEALTH AWARENESS MONTH

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 462, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 462) designating January 2020 as "National One Health Awareness Month" to promote awareness of organizations focused on public health, animal health, and environmental health collaboration throughout the United States and to recognize the critical contributions of those organizations to the future of the United States.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I know of no further debate on the resolution.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the resolution.

The resolution (S. Res. 462) was agreed to.

Mr. McCONNELL. I ask unanimous consent that 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 preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### MEASURE READ THE FIRST TIME—S. 3148

Mr. McCONNELL. Mr. President, I understand is there a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the first time.

The legislative clerk read as follows:

A bill (S. 3148) to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances.

Mr. MCCONNELL. Mr. President, I ask for a second reading, and in order to place the bill on the calendar under provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive its second reading on the next legislative day.

#### SIGNING AUTHORITY

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the majority leader be authorized to sign duly enrolled bills for the joint resolutions through Monday, December 23, 2019.

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

#### APPOINTMENTS

The PRESIDING OFFICER. The Chair announces, on behalf of the Majority Leader, pursuant to the provisions of Public Law 106-398, as amended by Public Law 108-7, and in consultation with the Chairmen of the Senate Committee on Armed Services and the Senate Committee on Finance, the appointment of the following individuals to serve as a member of the United States-China Economic and Security Review Commission: Roy Kamphausen of Connecticut for a term expiring December 31, 2021 (reappointment); the Honorable James M. Talent of Missouri for a term expiring December 31, 2021 (reappointment).

The Chair announces, on behalf of the Democratic Leader, pursuant to the provisions of Public Law 106-398, as amended by Public Law 108-7, and in consultation with the Ranking Members of the Senate Committee on Armed Services and the Senate Committee on Finance, the appointment of the following individual to serve as a member of the United States-China Economic and Security Review Commission: The Honorable Carte P. Goodwin of West Virginia for a term beginning January 1, 2020 and expiring December 31, 2021 (reappointment).

#### EXECUTIVE SESSION

##### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of the following nomination: Executive Calendar No. 548.

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

The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Sean O'Donnell, of Maryland, to be Inspector General, Environmental Protection Agency.

Thereupon, the Senate proceeded to consider the nomination.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nomination with no in-

tervening action or debate; that if confirmed, the motion to reconsider be considered made and laid upon the table; that the President be immediately notified of the Senate's action; that no further motion be in order; and that any statements relating to the nomination be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the O'Donnell nomination?

The nomination was confirmed.

##### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of the following nominations: Executive Calendar Nos. 507, 508, and 509.

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

The clerk will report the nominations.

The senior assistant legislative clerk read the nominations of Dana S. Deasy, of Virginia, to be Chief Information Officer of the Department of Defense (New Position); Lisa W. Hershman, of Indiana, to be Chief Management Officer of the Department of Defense; and Robert John Sander, of Virginia, to be General Counsel of the Department of the Navy.

Thereupon, the Senate proceeded to consider the nominations en bloc.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; that the President be immediately notified of the Senate's action; that no further motions be in order; and that any statements related to the nominations be printed in the RECORD.

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

The question is, Will the Senate advise and consent to the Deasy, Hershman, and Sander nominations en bloc?

The nominations were confirmed en bloc.

##### LEGISLATIVE SESSION

##### 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.

##### ORDERS FOR MONDAY, DECEMBER 23, 2019, THROUGH THURSDAY, JANUARY 2, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the

Senate completes its business today, it adjourn to then convene for pro forma sessions only, with no business being conducted, on the following dates and times, and that following each pro forma session, the Senate adjourn until the next pro forma session: Monday, December 23, at 10 a.m.; Thursday, December 26, at 3:15 p.m.; Monday, December 30, at 2 p.m.; and Thursday, January 2 at 6:30 p.m.

For the information of all Senators, when the Senate adjourns on Thursday, January 2, 2020, it will next convene at 12 noon on Friday, January 3, pursuant to the Constitution; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day. Finally, that following leader remarks, 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.

##### RECESS SUBJECT TO THE CALL OF THE CHAIR

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate stand in recess subject to the call of the chair.

Thereupon, the Senate, at 7:47 p.m., recessed subject to the call of the Chair and reassembled at 8:34 p.m. when called to order by the Presiding Officer (Mr. HOEVEN).

##### EXECUTIVE CALENDAR

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to Executive Session for the en bloc consideration of the following nominations: Executive calendar 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, and 411.

There being no objection, the Senate proceeded to consider the nominations en bloc.

Ms. COLLINS. I ask unanimous consent that the Senate vote on the nominations en bloc with no intervening action or debate; that if confirmed, the motions to reconsider be considered made and laid upon the table en bloc; the President be immediately notified of the Senate's action, that no further motions be in order, and that any statements relating to the nominations be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Ms. COLLINS. Mr. President, I ask unanimous consent that nomination 525 be removed from the list.

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

The question is, Will the Senate advise and consent to the nominations of David T. Fischer, of Michigan, to be Ambassador Extraordinary and Plenipotentiary of the United States of

America to the Kingdom of Morocco; Morse H. Tan, of Illinois, to be Ambassador at Large for Global Criminal Justice; Roxanne Cabral, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of the Marshall Islands; Kelley Eckels Currie, of Georgia, to be Ambassador at Large for Global Women's Issues; Leslie Meredith Tsou, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Sultanate of Oman; Yuri Kim, of Guam, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Albania; Carmen G. Cantor, of Puerto Rico, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federated States of Micronesia; Robert S. Gilchrist, of Florida, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Lithuania; Alina L. Romanowski, of Illinois, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the State of Kuwait; Kelly C. Degnan, of California, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Georgia; Peter M. Haymond, of Virginia, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Lao People's Democratic Republic; Michelle A. Bekkering, of the District of Columbia, to be an Assistant Administrator of the United States Agency for International Development, en bloc.

The nominations were confirmed en bloc.

## EXECUTIVE CALENDAR

### NOMINATIONS IN STATUS QUO

Ms. COLLINS. Mr. President, I send a list of nominations to the desk and ask that they be kept in status quo despite the sine die adjournment of the 1st session of the 116th Congress.

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

The nominations in status quo are as follows:

### NOMINATIONS IN STATUS QUO BY COMMITTEE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

Cal. #238—Mindy Brashears, of Texas, to be Under Secretary of Agriculture for Food Safety.

Cal. #368—Scott Soles, of Texas, to be Chief Financial Officer, Department of Agriculture.

### COMMITTEE ON ARMED SERVICES

#### Military:

PN 1223—Nicholas W. DiGeorge to be Lieutenant Commander.

PN 1224—Colin R. Young to be Lieutenant Commander.

PN 1262—Shaun J. Arredondo to be Major.

PN 1263—Steven K. Uhlman to be Major.

PN 1292—Christopher M. Feroli to be Major.

#### Civilian:

PN 1277—Elaine A. McCusker, of Virginia, to be Under Secretary of Defense (Comptroller).

PN 1322—James E. McPherson, of Virginia, to be Under Secretary of the Army.

PN 1310—Charles Williams, of Missouri, to be an Assistant Secretary of the Navy.

Cal. #506—Thomas A. Summers, of Pennsylvania, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2020.

Cal. #505—Jessie Hill Roberson, of Virginia, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2023. (Reappointment)

Cal. #504—Joseph Bruce Hamilton, of Texas, to be a Member of the Defense Nuclear Facilities Safety Board for a term expiring October 18, 2022.

### COMMITTEE ON BANKING, HOUSING, AND URBAN DEVELOPMENT

Cal. #546—John Bobbitt, of Texas, to be an Assistant Secretary of Housing and Urban Development.

PN 1153—Peter J. Coniglio, of Virginia, to be Inspector General, Export-Import Bank.

Cal. #547—Brian D. Montgomery, of Texas, to be Deputy Secretary of Housing and Urban Development.

PN 612—Nazak Nikakhtar, of Maryland, to be Under Secretary of Commerce for Industry and Security.

Exec. No. 500—Bruce Poliquin, of Maine, to be a Director of the Securities Investor Protection Corporation for a term expiring December 31, 2021.

PN 701—Paul Shmotolokha, of Washington, to be First Vice President of the Export-Import Bank of the United States for a term expiring January 20, 2021.

Exec. Cal. #545—Mitchell A. Silk, of New York, to be an Assistant Secretary of the Treasury.

PN 56—Claudia Slacik, of New York, to be a Member of the Board of Directors of the Export-Import Bank of the United States for a term expiring January 20, 2023.

PN 1034—David Carey Woll, Jr., of Connecticut, to be an Assistant Secretary of Housing and Urban Development.

### COMMITTEE ON BUDGET

### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

Cal. #369—Michelle A. Schultz, of Pennsylvania, to be a Member of the Surface Transportation Board for the term of five years.

#### Coast Guard:

PN 1182—Capt. Miriam L. Lafferty to be Rear Admiral (Lower Half).

### COMMITTEE ON ENERGY AND NATURAL RESOURCES

PN 857—Andrew George Biggs, of Oregon, to be a Member of the Financial Oversight and Management Board for Puerto Rico for

the remainder of the term expiring August 30, 2019. (New Position)

PN 858—Jose Baldomero Carrion, of Puerto Rico, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019. (New Position)

PN 859—Carlos M. Garcia, of Massachusetts, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019. (New Position)

PN 860—Arthur J. Gonzalez, of New York, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019. (New Position)

PN 861—Jose R. Gonzalez, of New York, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019. (New Position)

PN 862—Ana Matosantos, of California, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019. (New Position)

PN 863—David Skeel, of Pennsylvania, to be a Member of the Financial Oversight and Management Board for Puerto Rico for the remainder of the term expiring August 30, 2019. (New Position)

PN 1246—Lanny Erdos, of Ohio, to be Director of the Office of Surface Mining Reclamation and Enforcement.

### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Cal. #453—Katherine Andrea Lemos, of California, to be Chairperson of the Chemical Safety and Hazard Investigation Board for a term of five years.

Cal. #451—Katherine Andrea Lemos, of California, to be a Member of the Chemical Safety and Hazard Investigation Board for a term of five years.

\*PN 1247 (will be HSGAC) Robert J. Feitel, of Maryland, to be Inspector General, Nuclear Regulatory Commission.

### COMMITTEE ON FINANCE

PN 1159—Kipp Kranbuhl, of Ohio, to be an Assistant Secretary of the Treasury.

PN 1278—Alina I. Marshall, of Virginia, to be a Judge of the United States Tax Court for a term of fifteen years.

PN 1279—Christian N. Weiler, of Louisiana, to be a Judge of the United States Tax Court for a term of fifteen years.

PN 1248—Sarah C. Arbes, of Virginia, to be an Assistant Secretary of Health and Human Services.

PN 85—James B. Lockhart III, of Connecticut, to be a Member of the Board of Trustees of the Federal Supplementary Medical Insurance Trust Fund for a term of four years.

PN 84—James B. Lockhart III, of Connecticut, to be a Member of the Board of Trustees of the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund for a term of four years.

PN 83—James B. Lockhart III, of Connecticut, to be a Member of the Board of Trustees of the Federal Hospital Insurance Trust Fund for a term of four years.

PN 82—Jason J. Fichtner, of the District of Columbia, to be a Member of the Social Security Advisory Board for a term expiring September 30, 2024.

Cal. #416—Travis Greaves, of the District of Columbia, to be a Judge of the United States Tax Court for a term of fifteen years.

### COMMITTEE ON FOREIGN RELATIONS

Cal No. 549 Sung Y. Kim, of California, a Career Member of the Senior Foreign Service, Class of Career Minister, to be Ambassador Extraordinary and Plenipotentiary of

the United States of America to the Republic of Indonesia.

PN 1035—Natalie E. Brown, of Nebraska, to be Ambassador to the Republic of Uganda.

PN 1249—Todd C. Chapman, of Texas, to be Ambassador to the Federative Republic of Brazil.

PN 1296—Jason Myung-Ik Chung, of Virginia, to be United States Director of the Asian Development Bank, with the rank of Ambassador.

PN 1045—Sandra E. Clark, of Maryland, to be Ambassador to Burkina Faso.

PN 1280—J. Steven Dowd, of Florida, to be United States Director of the European Bank for Reconstruction and Development.

PN 1161—John Hennessey-Niland, of Illinois, to be Ambassador to the Republic of Palau.

PN 1229—Joseph Manso, of New York, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, for the rank of Ambassador during his tenure of service as United States Representative to the Organization for the Prohibition of Chemical Weapons.

PN 1231—Dorothy Shea, of North Carolina, to be Ambassador to the Lebanese Republic.

PN 1281—Henry T. Wooster, of Virginia, to be Ambassador to the Hashemite Kingdom of Jordan.

PN 1164—Donald Wright, of Virginia, to be Ambassador to the United Republic of Tanzania.

PN 1037—Steven Christopher Koutsis, of Massachusetts, to be Ambassador to the Republic of Chad.

Exec. Cal. No. 216 Charles L. Glazer, of Connecticut, to be a Member of the United States Advisory Commission on Public Diplomacy for a term expiring July 1, 2020.

Cal. #531—Andeliz N. Castillo, of New York States Alternate Executive Director of the Inter-American Development Bank.

Cal. #525—Michael George DeSombre, of Illinois, to be Ambassador of the United States of America to the Kingdom of Thailand.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR AND PENSIONS

Cal. #541—Cynthia L. Attwood, of Virginia, to be a Member of the Occupational Safety and Health Review Commission for a term expiring April 27, 2025. (Reappointment)

Cal. #542—Amanda Wood Laihow, of Maine, to be a Member of Occupational Safety and Health Review Commission for the remainder of a term expiring April 27, 2023.

Cal. #552—Crosby Kemper III, of Missouri, to be Director of the Institute of Museum and Library Services for a term of four years.

Cal. #69—Charles Wickser Banta, of New York, to be a Member of the National Council on the Arts for a term expiring September 3, 2022.

Cal. #74—Michelle Itczak, of Indiana, to be a Member of the National Council on the Arts for a term expiring September 3, 2020.

Cal. #76—Barbara Coleen Long, of Missouri, to be a Member of the National Council on the Arts for a term expiring September 3, 2022.

Cal. #78—Carleton Varney, of Massachusetts, to be a Member of the National Council on the Arts for a term expiring September 3, 2022.

#### COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS

Cal. #60—Julia Akins Clark, of Maryland, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2021.

Cal. #340—B. Chad Bungard, of Maryland, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2025.

Cal. #339—Troy D. Edgar, of California, to be Chief Financial Officer, Department of Homeland Security.

PN 798—Elizabeth J. Shapiro, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

PN 1048—Rahkel Bouchet, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

PN 1283—Mark A. Robbins, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

PN 1284—Carl Ezekiel Ross, of the District of Columbia, to be an Associate Judge of the Superior Court of the District of Columbia for the term of fifteen years.

Exec. Cal. 554—Paul J. Ray, of Tennessee, to be Administrator of the Office of Information and Regulatory Affairs, Office of Management and Budget.

Cal. #61—Dennis Dean Kirk, of Virginia, to be a Member of the Merit Systems Protection Board for the term of seven years expiring March 1, 2023.

Cal. #62—Dennis Dean Kirk, of Virginia, to be Chairman of the Merit Systems Protection Board.

Cal. #498—Peter Gaynor, of Rhode Island, to be Administrator of the Federal Emergency Management Agency, Department of Homeland Security.

PN 1153—Peter J. Coniglio, of Virginia, to be Inspector General, Export-Import Bank.

PN 1247—Robert J. Feitel, of Maryland, to be Inspector General, Nuclear Regulatory Commission.

#### COMMITTEE ON INDIAN AFFAIRS

PN 1250—Michael D. Weahkee, of New Mexico, to be Director of the Indian Health Service, Department of Health and Human Services.

#### SELECT COMMITTEE ON INTELLIGENCE

Cal. #111—William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center.

#### COMMITTEE ON RULES AND ADMINISTRATION

##### COMMITTEE ON SMALL BUSINESS AND ENTREPRENEURSHIP

Exec. 555—Jovita Carranza, of Illinois, to be Administrator of the Small Business Administration.

#### COMMITTEE ON VETERANS' AFFAIRS

PN 1109—Grant C. Jaquith, of New York, to be a Judge of the United States Court of Appeals for Veterans Claims for the term of fifteen years.

#### COMMITTEE ON THE JUDICIARY

Exec. Cal. #329—Matthew H. Solomson, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, vice Emily Clark Hewitt, retired.

Exec. Cal. #358—Diane Gujarati, of New York, to be United States District Judge for the Eastern District of New York, vice John Gleeson, resigned.

Exec. Cal. #384—Robert Anthony Molloy, of the Virgin Islands, to be Judge for the District Court of the Virgin Islands for a term of ten years, vice Curtis V. Gomez, term expired.

Exec. Cal. #461—John Fitzgerald Kness, of Illinois, to be United States District Judge for the Northern District of Illinois, vice Samuel DerYeghiayan, retired.

Exec. Cal. #462—Eleni Maria Roumel, of Maryland, to be a Judge of the United States Court of Federal Claims for a term of fifteen years, vice Mary Ellen Coster Williams, term expired.

Exec. Cal. #491—Silvia Carreno-Coll, of Puerto Rico, to be United States District Judge for the District of Puerto Rico, vice Jay A. Garcia-Gregory, retired.

Exec. Cal. #535—Philip M. Halpern, of New York, to be United States District Judge for the Southern District of New York, vice P. Kevin Castel, retired.

Exec. Cal. #538—Barbara Bailey Jongbloed, of Connecticut, to be United States District Judge for the District of Connecticut, vice Alvin W. Thompson, retired.

Exec. Cal. #229—Virgil Madden, of Indiana, to be a Commissioner of the United States Parole Commission for a term of six years, vice Patricia Cushwa, term expired.

Exec. Cal. #372—Monica David Morris, of Florida, to be a Commissioner of the United States Parole Commission for a term of six years, vice J. Patricia Wilson Smoot, term expired.

PN 1174—Scott H. Rash, of Arizona, to be United States District Judge for the District of Arizona, vice Cindy K. Jorgenson, retired.

PN 1314—John Charles Hinderaker, of Arizona, to be United States District Judge for the District of Arizona, vice Raner Christercunean Collins, retired.

## LEGISLATIVE SESSION

### MORNING BUSINESS

Ms. COLLINS. 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.

### PROMOTING PHYSICAL ACTIVITY FOR AMERICANS ACT

Ms. COLLINS. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 286, S. 1608.

The PRESIDING OFFICER. The clerk will report the bill by title.

The legislative clerk read as follows:

A bill (S. 1608) to provide for the publication by the Secretary of Health and Human Services of physical activity recommendations for Americans.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee on Health, Education, Labor, and Pensions, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

*This Act may be cited as the "Promoting Physical Activity for Americans Act".*

#### SEC. 2. PHYSICAL ACTIVITY RECOMMENDATIONS FOR AMERICANS.

##### (a) REPORTS.—

(1) *IN GENERAL.*—Not later than December 31, 2028, and at least every 10 years thereafter, the Secretary of Health and Human Services (referred to in this section as the "Secretary") shall publish a report that provides physical activity recommendations for the people of the United States. Each such report shall contain physical activity information and recommendations for consideration and use by the general public, and shall be considered, as applicable and appropriate, by relevant Federal agencies in carrying out relevant Federal health programs.

(2) *BASIS OF RECOMMENDATIONS.*—The information contained in each report required under paragraph (1) shall be based on the most current



evidence-based scientific and medical knowledge at the time the report is prepared, and shall include additional recommendations for population subgroups, such as children or individuals with disabilities, including information regarding engagement in appropriate physical activity and avoiding inactivity.

(3) **UPDATE REPORTS.**—Not later than 5 years after the publication of the first report under paragraph (1), and at least every 10 years thereafter, the Secretary shall publish an updated report detailing evidence-based practices and highlighting continuing issues with respect to physical activity. The contents of reports under this paragraph may focus on a particular group, subsection, or other division of the general public or on a particular issue relating to physical activity.

(b) **INTERACTION WITH OTHER RECOMMENDATIONS.**—Federal agencies proposing to issue physical activity recommendations that differ from the recommendations in the most recent report published under subsection (a)(1) shall, as applicable and appropriate, take into consideration the recommendations provided through reports issued under this Act.

(c) **EXISTING AUTHORITY NOT AFFECTED.**—This section is not intended to limit the support of biomedical research by any Federal agency or to limit the presentation or communication of scientific or medical findings or review of such findings by any Federal agency.

(d) **LIMITATION.**—Notwithstanding any other provision of this Act, no physical fitness standard established under this Act shall be binding on any individual as a matter of Federal law or regulation.

Ms. COLLINS. I ask unanimous consent that the committee-reported substitute be agreed to and the bill, as amended, be considered read a third time.

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

The committee-reported amendment in the nature of a substitute was agreed to.

The bill, as amended, was ordered to be engrossed for a third reading and was read the third time.

Ms. COLLINS. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (S. 1608), as amended, passed.

Ms. COLLINS. I ask unanimous consent that the motions to reconsider be considered made and laid upon the table.

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

### SIGNING AUTHORITY

Ms. COLLINS. Mr. President, I ask unanimous consent that the senior Senator from North Dakota be authorized to sign duly enrolled bills or joint resolutions during today's session of the Senate.

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

ADJOURNMENT UNTIL MONDAY,  
DECEMBER 23, 2019, AT 10 A.M.

Ms. COLLINS. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order.

There being no objection, the Senate, at 8:37 p.m., adjourned until Monday, December 23, 2019, at 10 a.m.

### DISCHARGED NOMINATIONS

The Senate Committee on Foreign Relations was discharged from further consideration of the following nominations by unanimous consent and the nominations were confirmed:

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SHON STEPHEN BELCHER AND ENDING WITH DAVID MANGO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 2, 2019.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KARA MIRIAM ABRAMSON AND ENDING WITH MEGAN ELIZABETH ZUROWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 2, 2019.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JENNY U. ABAMU AND ENDING WITH HAMDA A. YUSUF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 2, 2019.

The Senate Committee on Commerce, Science, and Transportation was discharged from further consideration of the following nomination by unanimous consent and the nomination was confirmed:

THOMAS B. CHAPMAN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2023.

### CONFIRMATIONS

Executive nominations confirmed by the Senate December 19, 2019:

#### THE JUDICIARY

ROBERT J. COLVILLE, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF PENNSYLVANIA.

LEWIS J. LIMAN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

MARY KAY VYSKOCIL, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF NEW YORK.

GARY RICHARD BROWN, OF NEW YORK, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF NEW YORK.

STEPHANIE DAWKINS DAVIS, OF MICHIGAN, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF MICHIGAN.

KEA WHETZAL RIGGS, OF NEW MEXICO, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NEW MEXICO.

#### UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT

MICHELLE A. BEKKERING, OF THE DISTRICT OF COLUMBIA, TO BE AN ASSISTANT ADMINISTRATOR OF THE UNITED STATES AGENCY FOR INTERNATIONAL DEVELOPMENT.

#### THE JUDICIARY

ANURAG SINGHAL, OF FLORIDA, TO BE UNITED STATES DISTRICT JUDGE FOR THE SOUTHERN DISTRICT OF FLORIDA.

KAREN SPENCER MARSTON, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

DANIEL MACK TRAYNOR, OF NORTH DAKOTA, TO BE UNITED STATES DISTRICT JUDGE FOR THE DISTRICT OF NORTH DAKOTA.

JODI W. DISHMAN, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA.

JOHN M. GALLAGHER, OF PENNSYLVANIA, TO BE UNITED STATES DISTRICT JUDGE FOR THE EASTERN DISTRICT OF PENNSYLVANIA.

#### NATIONAL TRANSPORTATION SAFETY BOARD

MICHAEL GRAHAM, OF KANSAS, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2020.

MICHAEL GRAHAM, OF KANSAS, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2020.

#### FARM CREDIT ADMINISTRATION

LAJUANA S. WILCHER, OF KENTUCKY, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE FEDERAL AGRICULTURAL MORTGAGE CORPORATION.

#### DEPARTMENT OF DEFENSE

DANA S. DEASY, OF VIRGINIA, TO BE CHIEF INFORMATION OFFICER OF THE DEPARTMENT OF DEFENSE.

LISA W. HERSHMAN, OF INDIANA, TO BE CHIEF MANAGEMENT OFFICER OF THE DEPARTMENT OF DEFENSE.

ROBERT JOHN SANDER, OF VIRGINIA, TO BE GENERAL COUNSEL OF THE DEPARTMENT OF THE NAVY.

#### DEPARTMENT OF STATE

DAVID T. FISCHER, OF MICHIGAN, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE KINGDOM OF MOROCCO.

MORSE H. TAN, OF ILLINOIS, TO BE AMBASSADOR AT LARGE FOR GLOBAL CRIMINAL JUSTICE.

ROXANNE CABRAL, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF THE MARSHALL ISLANDS.

KELLEY ECKELS CURRIE, OF GEORGIA, TO BE AMBASSADOR AT LARGE FOR GLOBAL WOMEN'S ISSUES.

LESLIE MEREDITH TSOU, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE SULTANATE OF OMAN.

YURI KIM, OF GUAM, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF ALBANIA.

CARMEN G. CANTOR, OF PUERTO RICO, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE FEDERATED STATES OF MICRONESIA.

ROBERT S. GILCHRIST, OF FLORIDA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE REPUBLIC OF LITHUANIA.

ALINA L. ROMANOWSKI, OF ILLINOIS, A CAREER MEMBER OF THE SENIOR EXECUTIVE SERVICE, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE STATE OF KUWAIT.

KELLY C. DEGNAN, OF CALIFORNIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO GEORGIA.

PETER M. HAYMOND, OF VIRGINIA, A CAREER MEMBER OF THE SENIOR FOREIGN SERVICE, CLASS OF MINISTER-COUNSELOR, TO BE AMBASSADOR EXTRAORDINARY AND PLENIPOTENTIARY OF THE UNITED STATES OF AMERICA TO THE LAO PEOPLE'S DEMOCRATIC REPUBLIC.

#### THE JUDICIARY

BERNARD MAURICE JONES II, OF OKLAHOMA, TO BE UNITED STATES DISTRICT JUDGE FOR THE WESTERN DISTRICT OF OKLAHOMA.

#### ENVIRONMENTAL PROTECTION AGENCY

SEAN O'DONNELL, OF MARYLAND, TO BE INSPECTOR GENERAL, ENVIRONMENTAL PROTECTION AGENCY.

#### DEPARTMENT OF STATE

STEPHEN E. BIEGUN, OF MICHIGAN, TO BE DEPUTY SECRETARY OF STATE.

#### CONGRESS OF THE UNITED STATES

J. BRETT BLANTON, OF VIRGINIA, TO BE ARCHITECT OF THE CAPITOL FOR THE TERM OF TEN YEARS.

#### NATIONAL TRANSPORTATION SAFETY BOARD

THOMAS B. CHAPMAN, OF MARYLAND, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD FOR A TERM EXPIRING DECEMBER 31, 2023.

#### FOREIGN SERVICE

FOREIGN SERVICE NOMINATIONS BEGINNING WITH SHON STEPHEN BELCHER AND ENDING WITH DAVID MANGO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 2, 2019.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH KARA MIRIAM ABRAMSON AND ENDING WITH MEGAN ELIZABETH ZUROWSKI, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 2, 2019.

FOREIGN SERVICE NOMINATIONS BEGINNING WITH JENNY U. ABAMU AND ENDING WITH HAMDA A. YUSUF, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON DECEMBER 2, 2019.