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Senate

The Senate met at 3 p.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

PRAYER

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

Let us pray.

Eternal God, You store up blessings for all who honor You. Lord, if angels must veil their faces in Your presence, shouldn't we mere mortals embrace reverential awe?

Today, empower our Senators to be strong and courageous as they make loyalty to You their highest priority. Smile on them with Your blessings, for You are the Author and Finisher of our salvation. Lord, grant that our lawmakers may know what is conducive for Your glory.

Today, we lift our hearts in ceaseless praise to You, our strong deliverer.

We pray in Your magnificent Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore 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.

The PRESIDING OFFICER (Mr. HAWLEY). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to speak for 1 minute as in morning business.

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

TRIBUTE TO EVELYN BIRKBY

Mr. GRASSLEY. Mr. President, I pay tribute to a remarkable Iowan. She is one of the longest serving newspaper columnists in America.

She has an uncommon work ethic, having never missed a deadline in 70 years. Her weekly commentary in the Shenandoah Valley News has blanketed her close-knit community in southwest Iowa for seven decades.

Now—get this—at age 100 years young, Evelyn Birkby—mother, farmer's wife, radio commentator—better yet, radio homemaker for KMA Radio—columnist, and author—is now retiring.

Her readers will miss her byline and storytelling. Her neighborly columns about ordinary life in rural America have brought extraordinary joy to generations of Iowans.

I yield the floor.

RESERVATION OF LEADER TIME

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

CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

EXECUTIVE SESSION

EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

KENTUCKY FLOODING

Mr. MCCONNELL. Mr. President, this afternoon, my staff and I are continuing to monitor widespread flooding across Southeastern Kentucky. Heavy rainfall damaged homes, businesses, and infrastructure in those counties. Our Governor declared a state of emergency and mobilized a full-scale response for the areas in need.

I am particularly grateful to the first responders who have already rescued and evacuated many Kentuckians from harm's way. Their professionalism and courage have helped to keep this situation from becoming even worse.

Many roads remain closed and hundreds of residents are still without running water. Worse still, more rain is in the forecast in the coming days. This crisis, unfortunately, is not over yet.

My office stands ready with local, State, and Federal officials to help families and communities however we can, as Kentuckians endure the remaining flooding and begin the recovery process.

IMPEACHMENT TRIAL ACKNOWLEDGMENTS

Mr. President, on a totally unrelated matter, as the impeachment trial ended last week, I offered preliminary thanks to a few of the individuals whose outstanding service helped the institution fulfill this unique and challenging responsibility.

Rising to the occasion for just the third time in Senate history, it took herculean efforts from a long list of hard-working and dedicated people. So I would like to take a little bit of time this afternoon to share some Senate gratitude that too often goes unexpressed.

After I name some key individuals and offices within the Senate, I will submit a fuller list for the RECORD.

First, thanks to the Sergeant at Arms, Mike Stenger, and his entire team, especially the tremendous efforts of our Deputy Sergeant at Arms, Jennifer Hemingway; our protocol experts, including Becky Schaaf and Carly Flick; Krista Beale and Bob Shelton of Capitol and Chamber Operations; and, of course, Grace Ridgeway and her remarkable Capitol Facilities team.

Many other offices had to go far above and beyond their normal duties:

the executive office, doorkeepers, Press Gallery directors, Printing and Graphics, the Counsel, the Recording Studio, the Appointments Desk, the Switchboard, and the Chief Information Officer.

Thanks, of course, to the Secretary of the Senate, Julie Adams, and all of those vital Senate offices.

In particular, I have to single out our Parliamentarians, Elizabeth MacDonough and Leigh Hildebrand, and Parliamentary Clerk Christy Amatos. This expert team of professionals sacrificed nights, weekends, and holidays to ensure that this institution was ready to navigate little-charted waters, follow infrequently used rules, and track with the letter of the rules at every turn. We are so grateful.

Many others made huge contributions as well: the offices of the Legislative Clerk, the Official Reporters of Debates, the Journal Clerk, Captioning Services, the Senate Historian, Senate Security, the Curator's Office, the Senate Library, and the Office of Printing and Document Services.

Thanks also to the Architect of the Capitol's team for making sure our physical plant was up to snuff, to Chairman ROY BLUNT on the Rules Committee and their staff, and to the Office of Senate Legal Counsel and the Government Publishing Office.

As I mentioned last week, we are hugely grateful to the Capitol Police, the Senate pages, and the Chief Justice of the United States, John Roberts, and his staff.

I would like to recognize Erin Sager Vaughn, on the staff of the Democratic Leader, Senator SCHUMER, for her many efforts, and all the offices on both sides, particularly the staff assistants whose days became far busier during matters of especially great public interest.

Before I conclude, I need to thank several more players, specifically, on the Republican side and in my own office. Thanks to Chairman LINDSEY GRAHAM's staff on the Judiciary Committee, who poured enormous work into this process, particularly Brendan Chestnut and Gabi Michalak; to Chairman GRASSLEY's team on Senate Finance and to our Majority Whip, Senator THUNE, and the Whip office.

I am enormously grateful to Laura Dove, the Secretary for the Majority, for literally working around the clock to listen carefully to our Members and map out the complex strategy for the Senate to fulfill our duty. Laura sat on the dais for this trial just like her father Robert Dove before her, who was serving as Senate Parliamentarian in 1999.

Huge thanks to Robert Duncan, the Assistant Secretary, and their entirely stellar Cloakroom team: Chris Tuck, Megan Mercer, Noelle Ringel, Tony Hanagan, Katherine Foster, Brian Canfield, and Abigail Baker. We very simply could not have done this without you.

And last, but certainly not least, I need to thank my own staff. Working for Senate leadership tends to mean there is no normal. There is no easy day. Call it an occupational hazard, but even by those standards, the past several months have required extraordinary efforts from my talented team. Andrew Ferguson, my chief counsel, became a leading expert on every component of impeachment seemingly overnight and offered invaluable counsel, guidance, and leadership at every single stage of this process.

Thanks as well to Robert Karem, my national security adviser, and Jim Neill and Erica Suares; to my communications director, David Popp and the entire team he oversees, led by Doug Andres, Andrew Quinn, and Scott Sloofman, including Dylan Vorbach, and, especially, the crack research team of Robert Utsey and David Hauptmann.

Thanks to Sarah Fairchild, Alexandra Jenkins, and our operations team of Victoria Mason, Spencer Abraham, and Elise Stebick.

Thanks to my Kentucky office team, led by Phil Maxson, and my in-State offices, led by Terry Carmack, for continuing their crucial work while Washington was literally consumed by impeachment.

Most of all, I need to thank my staff's fearless leaders, Scott Raab, deputy chief of staff for Policy; Stefanie Muchow, my deputy chief of staff for operations, for her enormous efforts day and night; and Sharon Soderstrom, my chief of staff. I rely on Sharon's wisdom, expertise, and impeccable judgment every single day. I cannot thank her enough.

With that, Mr. President, I ask unanimous consent that the more comprehensive list of individuals to thank be printed in the RECORD.

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

In addition to the individuals I just named, I want to express the Senate's sincere gratitude to the following individuals for their essential contributions to the historic undertaking of a presidential impeachment trial.

In the Office of the Chief Justice: Jeff Minear, George Everly, Megan Braun, and Craig Carroll.

On the staff of the Senate Judiciary Committee: Tim Rodriguez, Watson Homer, Mike Fragoso, Zach Somers, Elliott Walden, Chris Ventura, Lindsey Keiser, Raija Churchill, and Arthur Baker.

On the staff of the Senate Finance Committee: Joshua Flynn-Brown, Delisa Ragsdale, Taylor Foy, George Hartmann, and Michel Zoña.

On the staff of the Senate Rules Committee: Fitzhugh Elder and Rachelle Schroeder.

On the staff of the Majority Whip: Nick Rossi, Geoff Antell, Jason Van Beek, Daffnei Riedel, and the entire Whip team.

In the Office of the Secretary of the Senate: the Assistant Secretary of the Senate, Mary Suit Jones, as well as Dan Schwager, Rachel Creviston, Sydney Butler, and Vanessa VandeHey.

Among the many people it takes to run the Senate floor, Cassandra Byrd, Allys Lasky, Billy Walsh, Megan Pickel, Adam Gottlieb, John Merlino, Mary Anne Clarkson, Sara Schwartzman, and Lindsay Gibmeyer.

In the Office of Conservation and Preservation: Beverly Adams and Susan Rapuano.

In the Senate Curator's Office: Melinda Smith, Sasha Lourie, Megan Hipsley, Jennifer Krafchik, Theresa Malanum, and Corey Purtell.

In the Senate Historical Office: Betty Koed, Kate Scott, Dan Holt, Karen Paul, Amy Camilleri, Beth Hahn, and Mary Baumann.

In the Senate Library: Leona Faust, Kara Baer, Meghan Dunn, Annelisa Cobleigh. Rachel Donelson, Meg Kuhagen, Rachel Sharrow, and Jessica Sprigings.

In the Office of Captioning Services: Sandra Schumm, Doreen Chendorain, Laurie Harris, Brenda Jamerson, and Jennifer Smoilka.

In the Office of Official Reporters of Debates: Dorothy Rull, Susie Nguyen, Patrice Boyd, Mary Carpenter, Octavio Colominas, Carole Darche, Diane Dorhamer, Chantal Geneus, Alice Haddow, Andrea Huston, Catalina Kerr, Julia LaCava, Michele Melhorn, Adrian Swann, and Shannon Taylor-Scott, and Julia Jones.

In the Office of Printing and Document Services: Laura Rush and Robert Braggs Ill.

In the Office of Senate Security: Mike DiSilvestro and Ronny Howard.

In the Office of Senate Legal Counsel: Pat Bryan and Morgan Frankel.

In the Office of the Sergeant at Arms: Garrett Burns, Jeff Kent, Laura Lytle, Mike Mastrian, Justin Wilson, Brian Trott, Terence Liley, Bob Swanner, Karl Jackson, Mele Williams, Joan Sartori, Debbie Tyler, Chris Jordan, Lynden Armstrong, and Brian McGinty.

In the Capitol Facilities Office: Monique Beckford, James Banavong, Jamie Becker, Hugh Bennett, James Hardwick, Jim Hoover, Andy Mohammed, Eileen Penot, Carlos Abarca, Leopoldo Aldayuz, Edward Cooper, John Davis, Jonathan Everett, Lawrence Ford, Steve Hall, Anthony Maree, James Montgomery, Olga Morales, Ana Orellana, Gary Richardson, Thomas Shaw, Misael Ulloa, Shariff Washington, Lyndon Webb, Sharif Amirgholi, Kelly Butler, Brenda Byrd, Verona Clemmons, Johnny Dixon, Ronald Gibson, Clydette Greer, Cleveland Johnson, Leon Jones, James Kennedy, Christina Mischel, Carlos Perez, Donnie Proctor, Alfredo Romero, Albert Sandidge, James Shird, Kenneth Vick, Branden Waters, Dominique Williams, Patrick Williams, Patricia Browne, Nandranie Gourzis, Christopher Hauser, Le'Moine Simpson, Elmer Villatoro, and Jermaine Washington.

In the Capitol Operations office: Laverne Allen, Tyson Allison, Spencer Barks, Gwen Barnhardt, Dan Benedix, Lauren Cavignano, Tyler Chandler, Gail Daniels, Katherine Edwards, Michelle Enfiejian, Marcella Ferguson, Tom Ford, Wyatt Fulghum, Elizabeth Garcia, Rocketa Gillis, Tony Goldsmith, Patrick Green, Ryan Hoban, Denis Houlihan, Randi Hutchinson, Alex Johnson, Della Jones, Jim Jordan, Jacob Kaufman, Cindy Kesler, Emily Lamb, Raciee Leake, Shahwan Mason, Philip Norton, Mickey Oldaker, Timothy O'Neill, Jonathan Pacheco, Essence Patterson, Patrick Pettey, Julie Pfister, Megan Sheffield, David Straszheim, Todd Trautman, German Vasquez, Delta Whitfield, Narcy Bonilla, Dottie Bright, Merriell Briscoe, Ava Burleson, Barbara Callands, Adrianne Culver, Monica Thomas- Hawkins, Logan Johnson, Karen Jones, Khavin Kry, Tori Mayo, Marcela Samuels, April Foxx-Shird, Tina Stewart, Stella Strozier, Nellie Taylor, Lisa Thompson, Rochelle Thorpe, and Carol Yearwood.

In the Senate Recording Studio: Jeff Horne, John Buszinski, Tim Heacock, John Judge, Bill Steinhour, Chris Wilde, Scott Mead, Rob Strickland, John Grutzik, Gregg Brunclik, Paul Casasco, Blair Cooper, Stewart Grace, Jennifer Johnson, Chris Langley,

Kevin Neale, Kirby Reitz, Thinh Pham, Bryan Whitney, Eric Zeitlin, Lori Thabet, Luke Gallagher, Mariano Molina, Carlos Velado, Rogelio Velado, Ward Webster, Bob Becker, Kristen Betsill, Matt Commeree, Kristy Dyson, Torgunn Eckroad, John Evanko, Lori Helm, Lolita Graef, Carol Anne Jarrett, Kevin Loftus, Nate Russell, Angelo Skarlatos, Diego Torres, and John Viscardi.

In the Office of the Chief Information Officer: Jonathan Braxton, Tiffany Deliberto, David Gately, John Hartsfield, Bill Hill, Chris Humphrey, Rudolph Janifer, Katie Miller, Eric Quintos, Jack Reynolds, Bryan Steward and Tony Williams.

In the Office of Security and Emergency Preparedness: Wendy Colmore, Gordon Liscomb, and Ronda Stewart.

In the Printing, Graphics and Direct Mail Office: Julio Benitez, Shayna Mack, George Thompson, Scott Wilson, John Zupko.

The Architect of the Capitol, Brett Blanton and Mark Reed.

In the Government Publishing Office, Hugh Halpern and his team.

And last but certainly not least, in my own Office of the Majority Leader: Valerie Chicola, Katherine Grayson, Emily Hauck, and Suzanne Youngblood.

A great many talented and dedicated professionals went far above and beyond the ordinary course of their duties to help the U.S. Senate complete this unusual but essential constitutional duty. This institution is not good enough at saying ''thank you,'' let alone after an undertaking of literally historic proportions. We are grateful to all of you for your work—these past days and every day.

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

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

SENATE LEGISLATIVE AGENDA

Mr. CORNYN. Mr. President, the impeachment process that has consumed our country over the last several months is finally at an end. Every Member of this Chamber has spent dozens of hours, if not more, studying the precedents, listening to the House managers and the President's legal team as they presented their arguments, including the testimony of 13 witnesses whose sworn testimony was presented during the Senate trial.

In the end, the majority of the Senators agreed that President Trump should be acquitted of the charges brought by the House. No matter how each Senator voted or felt about the end result, I can hope that we would all agree on one thing, and that is, it is time to move forward.

Impeachment has paralyzed the work of Congress for far too long, and we can't continue to allow the divisions and partisan games that are associated with it to prevent us from doing the jobs we were sent here to do. We are 9 months away from the next election. I think it is somewhere around 267 days, if I am not mistaken. That is when the American people will choose their next President and vote on the direction of the country. But until then, our constituents expect us to use the remainder of the time we have here to find consensus where and when we can and to make progress on issues that they care most about.

For my constituents in Texas, the No. 1 item on their list is prescription drug pricing. I continue to hear from my constituents in Texas who feel burdened, confused, and down-right frustrated by rising costs at the pharmacy. One of the reasons why I think that is probably true is that under the Affordable Care Act deductibles have risen and copays have ballooned, such that consumers are now paying more out of pocket for their prescription drugs than ever before, because from all of the negotiated deals between the pharmaceutical manufacturers and the prescription pharmacy benefit managers, none of that savings directly goes into the pocket of the consumer. So with increased deductibles and with expanded copays, my constituents, and, I dare say, all of our constituents are feeling more of that coming out of their pocket.

Medications that people have been taking for years just keep getting more and more expensive with no explanation behind the increase. To me, the No. 1 example of that is insulin. I support the role of our patent system to protect research and development of lifesaving and innovative drugs, that people get a period of exclusivity—the companies that bring them into the market—a period of exclusivity so they can recoup their sunk costs and perhaps even make a profit, but there is just simply no explanation for a drug like insulin, that has been on the market for so long, for people to see $1,200 and higher copays, as we heard in the Senate Finance Committee hearing.

A mother talked about her young son who was leaving the nest, so to speak, but he was unable to meet the $1,200 copay. He was deferring decisions in his life like buying a house and perhaps even getting married because of the burden of that copay. We must do better, particularly on drugs that have been on the market for a long, long time, like insulin, that are so important for treating conditions like diabetes.

But perhaps the single most—well, it is really the most common concern I hear about is a drug called HUMIRA, and that is perhaps because it is the most widely prescribed drug in the world. This drug is a miracle drug, to be sure. It treats arthritis and a number of other immunodeficiency conditions, and it has been available for 15 years.

Now, you typically think of an expensive drug as being one, as I said, freshly on the market, which has just completed costly research and development, but a drug that has been around 15 years, can it be still protected by those patents, even though it was supposed to expire years earlier? Well, apparently, it can.

Smart lawyers with pharmaceutical manufacturers have figured a way to impose what is known as patent thickets. In other words, they can request and get issued so many different patents that they literally can prolong the period in which a drug manufacturer can claim exclusive right to the sales of that drug.

AbbVie, the company that makes HUMIRA, has figured this out. They figured out how to game the patent system so that no competition ever comes to market, and they remain the sole provider of this widely used drug. Their playbook involves an intricate maze of overlapping patents, which make it nearly impossible for a competitor to come to market.

Here is the best evidence of that. Today there are five companies that compete with HUMIRA in Europe, but all are blocked from their competing drugs being sold here in America until 2023. That is as a result of this patent thicketing gamesmanship. The smart lawyers at AbbVie have effectively found loopholes that allow them to create and maintain a monopoly.

Unfortunately, this isn't the only example of anticompetitive behavior in the pharmaceutical industry. A number of my constituents have also told me about their experience with a drug called Namenda, which is used by patients with Alzheimer's, a devastating disease. Like other new drugs, it began with an exclusivity period, where they were the sole provider, but when that period was coming to a close, the drugmaker switched from a twice-daily to a once-daily dose. Believe it or not, that triggers a new patent application. That move itself prevented pharmacists from being able to switch patients to a lower cost generic, even though it is just as effective, so the company could continue to reap enormous profits basically by just changing from twice-a-day to once-a-day application.

The enemy here is not our patent system. It is the abuse of the patent system by some pharmaceutical companies—again, not all pharmaceutical companies—but some in ways that directly harm the people we represent, the American people.

Earlier this year, I introduced a bill with my friend, the Democratic Senator from Connecticut, RICHARD BLUMENTHAL, to take aim at some of these corrupt practices. Our bill strikes the delicate balance between protecting innovation while increasing competition, and when it passes, it will be a win for every American who has felt the pain of sticker shock at the pharmacy.

We know it takes a lot more than good policy to get a bill turned into law around here. It takes bipartisanship. It takes broad consensus support to get the green light from the appropriate committees and to pass them through both Houses of the Senate. Well, you would think a bill like this that is bipartisan, has broad support, passed unanimously out of the Judiciary Committee, and reduces Federal spending would be a piece of cake to

pass, but they haven't been in the Senate during this period of our divisiveness.

The senior Senator from New York, the Democratic leader, has refused to let this bill pass without a Broadway-scale production of other unrelated legislation. Back in November, I came to the floor to ask that this bill be passed by unanimous consent—again, since it had passed unanimously out of the Judiciary Committee, and we had hotlined the bill to see if there were any other objections in the Senate and found none.

Well, in the month that followed, after the senior Senator from New York objected to passing that bill, I didn't hear a single word from the Senator who had concerns about it, but when I came to the floor to ask that the bill be passed again, the senior Senator from New York, the Democratic leader, blocked it again. He doesn't think it is bad policy. In fact, he admitted it is a good bill. He is not objecting to it because it is somehow a partisan bill that hasn't gone through the regular order or would increase the national debt. As I said, none of these things are true of this legislation.

The only reason the senior Senator from New York, the Democratic leader, objected to this bill is because he is engaging in the kind of politics and gamesmanship that really gives Washington, DC, a bad name. It is true that my name, like a third of the Senators' names, will be on the ballot in November, and Senator SCHUMER, apparently, is willing to punish his constituents in New York State by not allowing this bill to pass because he wants to make sure that nobody whose name is on the ballot, who happens to be a Republican, can claim any sort of advantage by getting a win, legislatively.

Well, unfortunately, while he is playing those sort of politics and games, his own constituents are being harmed, and the American people are being deprived of the benefits of this bipartisan legislation. We saw this mentality during the President's impeachment trial too. We saw how the Democratic leader staged vote after vote—not because he felt like he had a shot at getting a conviction of President Trump and a removal but strictly to make Senators whose names were going to be on the ballot in 2020 look bad. He wanted to get the best 30-second TV spot he could possibly get against all Republican Senators running in 2020.

He knew he was going to lose on the main impeachment vote, so he focused on the one thing that has eluded him for many years, and that is, his aspiration to become the next majority leader. Now, in his bid to become the next majority leader, our colleague from New York is blocking a bill that would bring down drug prices not only in the State of Texas but in New York as well and every other State around the country.

I wonder what the Senator's constituents in New York are telling him about blocking bipartisan legislation that would actually benefit them. This is at the same time that they are trying to figure out how do they pay the higher copay or deductible for their prescriptions at the pharmacy. We are not even a month and a half into the new year, and drug prices are already on the rise, with an average increase of 6 percent. HUMIRA, which I mentioned earlier, has already gone up 7.4 percent.

So it is clear to me that this problem is not going to go away, and the time to act is now. I would encourage the Democratic leader to stop blocking the bill that his conference Member Senator BLUMENTHAL of Connecticut and I have introduced, so we can address these rising costs and provide some much needed relief for our constituents.

My constituents have asked me: What does Congress intend to do between now and the election? I usually mention: Well, we can deal with the prescription drugs, and we can help bring down the out-of-pocket costs. Hopefully, we can pass a highway infrastructure bill that we are working on, one that passed unanimously out of the Environment and Public Works Committee under the leadership of Senators Barrasso and Carper, but the third thing I think we ought to be able to do—and really it is a shame it has taken this long to act—is we need to take actions to confront the rising healthcare risks associated with e-cigarettes.

E-CIGARETTES

In December, I visited the University of North Texas Health Science Center in Fort Worth to learn more about the danger of e-cigarettes, particularly among adolescents. I heard from a young Texan named Anna Carey, who used to be among the many students at her high school using e-cigarettes. Like so many young people across the country, she became addicted. That is the point. E-cigarettes are not harmless. They deliver nicotine, which is an addictive drug, into your body, and that is the point of the e-cigarette.

The one advantage it does have over tobacco is you don't have to burn it, which also produces carcinogenic by-products of combustion, but like so many people in the country, Anna became addicted, and it didn't take her long to experience severe health consequences as a result of the use of this product.

The once active 16-year-old became extremely lethargic and would experience random and severe chest pain. Eventually, she was admitted to Cook Children's Hospital in Fort Worth and diagnosed with chemical-induced pneumonia in both her lungs. She said that was her wake-up call. Anna quit using e-cigarettes, and I am glad to report she has made a full recovery. Others have not been so lucky.

She now shares her story in an effort to raise awareness and prevent other young people her age from going down the same path, but we can't let young people like Anna lead this fight alone. We need to do more in Washington to do our job. This has been a high priority for Members on both sides of the aisle. One of our colleagues on the HELP Committee, the Health, Education, Labor, and Pensions Committee, continues to work to address this health challenge.

The most effective way to prevent adolescents from facing the harmful consequences of these devices is to stop them from getting addicted in the first place. A recent survey found that one-third of underage e-cigarette users bought them over the internet, where it is easy to skirt the age requirements. That has to change. It has already changed for tobacco. We just want to apply the same standard to e-cigarettes.

I have introduced a bill with the Senator from California, Mrs. FEINSTEIN, to protect our children from becoming addicted to the nicotine produced by e-cigarettes, and I hope we will be able to make progress on this legislation soon.

As I said, e-cigarettes and tobacco are on totally different playing fields when it comes to online purchases. For traditional cigarettes, there are clear guardrails in place to prevent minors from using online purchases to skirt the age requirements. At the time of delivery, the buyer has to sign and show an ID proving their age, which just makes sense. You are required to show an ID when you purchase cigarettes at a gas station or convenience store, and online purchases should be the same, but in the case of e-cigarettes, it is different. Anyone, no matter how old or young, can go online and buy e-cigarettes and have them delivered to their front door without the legal requirement of an ID, and you better believe that too many young people are taking advantage of that loophole without really fully understanding the dangers they are subjecting themselves to.

A recent survey found that about one-third of underage e-cigarette users bought them online. This legislation would change that. It wouldn't add additional requirements. It would simply apply the same requirements for the online sale of traditional cigarettes to e-cigarettes.

As I said, this bill has broad bipartisan support, as you think it would. So I am hopeful we can pass it and get it to the President's desk soon so we can address this wave of addiction among our young people.

With impeachment in the rearview mirror, I hope the Senate will come together and cross these critical items off of our to-do list. Our constituents, the American people, will benefit.

We have a lot of work to do and a lot of work we can and should get done between now and the election in November, so I hope we will be able to make some progress.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNIZING THE KANSAS CITY CHIEFS

Mr. HAWLEY. Mr. President, it is my privilege to rise and congratulate the Kansas City Chiefs on their victory over the 49ers in Super Bowl LTV last week in Miami, FL.

With their victory, the Chiefs earned their second Super Bowl championship and their first since 1970. I would just note, as someone who was born just about 10 years after that first Super Bowl, I have literally been waiting my whole life for this, and, man, it is darn good.

This victory was Coach Andy Reid's 222nd career win and, of course, his first Super Bowl title in his Hall of Fame career.

The Chiefs were led by quarterback Patrick Mahomes. If you don't know who Patrick Mahomes is, I don't know where you have been for the last couple of years. Mahomes completed 26 of 42 passes for 286 yards and 2 touchdowns. He rushed nine times for 29 yards and another touchdown, and he was named the game's Most Valuable Player.

Mahomes is the youngest player in the history of the NFL to win both the NFL MVP award and a Super Bowl title. Mahomes' play in the Super Bowl was the culmination of a historic playoff run, full of memorable moments, none more iconic than the ''scamper down the sideline'' for a touchdown to take the lead against the Tennessee Titans in the AFC championship game.

It takes a team to win a Super Bowl, and everyone on this team did his part. Running back Damien Williams had 17 carries for 104 yards and 1 touchdown, plus 4 catches for 29 yards and a touchdown. Tight end Travis Kelce added six receptions for 43 yards and one touchdown. Wide receiver Tyreek Hill had nine receptions for 105 yards, including that crucial 44-yard reception on third down with fewer than 7 minutes remaining in the fourth quarter. And wide receiver Sammy Watkins added another five catches for 98 yards.

The defense and special teams did their part, too. Bashaud Breeland led the Chiefs with seven tackles and one interception. Defensive tackle Chris Jones was a disruptive force, batting down three passes from 49ers quarterback Jimmy Garoppolo. Defensive end Frank Clark sacked Garoppolo on fourth and 10 with fewer than 2 minutes remaining to seal the victory—maybe my favorite play of the game. And Harrison Butker was perfect, making one field goal and four extra points. The entire Chiefs roster contributed to this historic victory.

I ask unanimous consent that all of their names be listed in the RECORD.

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

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

The entire Chiefs roster contributed to the Super Bowl victory, including Nick Allegretti, Jackson Barton, Blake Bell, Bashaud Breeland, Alex Brown, Harrison Butker, Morris Claiborne, Frank Clark, Dustin Colquitt, Laurent Duvernay-Tardif, Cam Erving, Rashad Fenton, Eric Fisher, Kendall Fuller, Mecole Hardman, Demone Harris, Chad Henne, Tyreek Hill, Anthony Hitchens, Ryan Hunter, Chris Jones, Travis Kelce, Tanoh Kpassagnon, Darron Lee, Jordan Lucas, Patrick Mahomes, Tyrann Mathieu, LeSean McCoy, Matt Moore, Ben Niemann, Derrick Nnadi, Dorian O'Daniel, Mike Pennel, Byron Pringle, Reggie Ragland, Austin Reiter, Demarcus Robinson, Khalen Saunders, Mitchell Schwartz, Anthony Sherman, Daniel Sorensen, Terrell Suggs, Darwin Thompson, Charvarius Ward, Sammy Watkins, Armani Watts, Damien Williams, Xavier Williams, James Winchester, Stefen Wisniewski, Andrew Wylie, and Deon Yelder.

Punter Dustin Colquitt, the longest tenured Chief and the team's nominee for Walter Payton NFL Man of the Year, earned his first Super Bowl championship in his 15th season.

Rookie kick returner Mecole Hardman, tight end Travis Kelce, safety Tyrann Mathieu, and right tackle Mitchell Schwartz were named to the Associated Press All-Pro team for the 2019 season.

Mr. HAWLEY. If I could just add a word about the Hunt family, who own the Chiefs and have led the Chiefs for decades now, Lamar Hunt founded the Chiefs more than six decades ago and helped shape the National Football League, including by coining the phrase ''Super Bowl.'' Those were his words. It was his idea. His legacy continues today with Clark and Tavia Hunt, who are remarkable people.

The entire Hunt family deserves great credit for their unwavering commitment to Kansas City, the State of Missouri, and the Chiefs organization, which they lead with tremendous poise, tremendous integrity, and tremendous honor.

Congratulations to the Kansas City Chiefs, to their employees, to the hundreds of thousands—maybe millions—of loyal fans out there, to Chairman and Chief Executive Officer Clark Hunt, to President Mark Donovan, General Manager Brett Veach, Coach Reid, and his staff, trainers, and equipment managers, all of whom contributed to this great victory. They have people all over the world asking ''how 'bout those Chiefs?''

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

BUDGET PROPOSAL

Mr. SCHUMER. Mr. President, today President Trump unveiled his budget proposal for fiscal year 2021. For the third year in a row, the President's budget puts a magnifying glass on the endemic, pervasive hypocrisy of this administration.

He says one thing in the State of the Union and does the opposite in his budget. But the budget is what he does. The State of the Union is just what he says. So, 1 week removed from the State of the Union Address, President Trump's budget doublecrosses the American workers and middle-class families he promised to help in that speech.

Let's take healthcare. Candidate Trump promised to protect the social safety net programs like Medicare and Medicaid, unlike other Republicans. Once in office, President Trump has proposed cutting—cutting—Medicare and Medicaid every year he sent us a budget. Once again, the President proposed steep cuts to Medicaid, as well as onerous new qualification requirements, policies that would take coverage away from millions.

Medicaid affects poor people, but it affects a whole lot of middle class people whose parents are in nursing homes and healthcare facilities. Dramatic cuts to Medicaid hurt large, large numbers of Americans, both poor and middle class.

On top of that, the budget proposes cutting funding for the Department of Health and Human Services by 9 percent. That is the Department in charge of the coronavirus. He is cutting the budget. Then, when something bad happens, he will blame somebody else. That is his MO.

The President stood in front of the Nation and promised his administration would protect Americans with preexisting conditions. It was a lie when he said it, and his budget makes that very, very clear. If the President's budget became reality, hundreds of billions of dollars would be taken away from healthcare services, and tens of millions of Americans would see their coverage disappear, including millions with preexisting conditions.

There is one term that appears nowhere in the President's budget. It is called ''climate change.'' One of the greatest challenges of our time, the No. 1 threat facing our planet, climate change is not mentioned once among the hundreds of pages of the President's budget, except it does propose cutting the Environmental Protection Agency by 26 percent—more than a quarter.

The Earth is on fire. Antarctica had a 64-degree record temperature this week. What is the President's response? He douses the fire with the lighter fluid of weakened pollution regulations and then proposes cutting the fire department.

He cares about the oil companies. Lots of those Big Oil wildcatters send him tons of money. He doesn't care

about the future of this globe and that we are leaving something awful to our children and grandchildren.

Going further, in the President's budget, hundreds of billions would be slashed from Federal housing assistance, student loan forgiveness, and Federal disability insurance. Nutrition assistance to hungry families, long on the President's chopping block, would see another round of severe cuts. Food—food for children. They are poor. Take it away. Is that what this country stands for? Is that what our Judeo-Christian tradition stands for? Absolutely not. Absolutely not.

If you are an American struggling with student loan debt or health problems or housing costs or hunger, the President's budget says you are out of luck. Meanwhile, if you are a millionaire or a billionaire or a corporation or a Big Oil wildcatter, the President's budget says you are in luck.

When it comes to taxes, the President thinks the tax cuts should be extended for an additional 10 years. So, so much for this deficit reduction that the Republican Party used to stand for. Now it is clear. A few years after the tax cuts—2 years after them—the deficit is increasing. It hasn't produced that dramatic increase in revenues that everyone talked about. But let's do it for 10 years. No Republican should complain to Democrats about deficit reduction when we are talking about things that matter to average middle-class people, like Medicare and Medicaid, when the tax cuts are proposed for 10 years.

So the budget reveals once again where President Trump's priorities truly lie: not with the working Americans he touts in his speeches but with the ultrarich and the corporate elites he rewards with his policies. It can't be discarded soon enough.

One more point—I said it the night of the President's State of the Union. I said the truth serum will be his budget. Let's see if the President, for once, is telling a little bit of the truth.

The budget shows all the rhetoric is one way, and the actual budget is another. How long will the American people stand for this man's hypocrisy—blatant? I have never seen it in a President—Democrat or Republican—before.

WHISTLEBLOWERS

Mr. President, now, on whistleblowers, in the aftermath of the President's impeachment trial, the President has begun dismissing members of the administration who testified in Congress, including Lieutenant Colonel Vindman and Ambassador Sondland. The President also dismissed LTC Eugene Vindman. This was vindictive, nasty, typical of President Trump, and for no other reason than he was the brother of LTC Alexander Vindman.

This morning, senior adviser to the President Kellyanne Conway said these were not likely the last of the firings. This is a textbook case of witness retaliation. Not only is the retaliation against Lieutenant Colonel Vindman, the anonymous whistleblower, and others like them shameful; it is also illegal. It is illegal. All Federal employees have the right—the legal right—to make protected disclosures to Congress and to inspectors general anonymously and free from reprisals. Even the Founding Fathers were concerned about whistleblowers and protecting them.

This country is being turned inside out, and too many people are going along. If something is going on that is wrong in government, don't we want to encourage government employees to bring that forward? Don't we? Well, not President Trump, because he is the government, and what is good for him—or what he thinks is good for him—he thinks is good for America, even when they diverge.

So the rights of whistleblowers are being challenged like never before, creating a chilling effect among those who in previous administrations might have come forward to expose abuses of power, waste, and fraud. Whistleblowers save the taxpayers money. Again, it used to be bipartisan. The Senator from Iowa has always been defending whistleblowers, but all of that goes away now that Trump is President. Without the courage of whistleblowers and the role of inspectors general, the American people would never have known how the President abused his power in Ukraine.

Now the President is taking steps to punish anyone who came forward, out of spite and out of a desire to prevent future whistleblowers from potentially reporting on the President's misconduct. Make no mistake about it, the President is conducting a deliberate campaign to intimidate anyone who might blow the whistle on his conduct or the conduct of those under his direction. He feels this cannot be tolerated.

So today I sent a letter to all 74 inspectors general in the executive branch, requesting that they immediately investigate any and all instances of retaliation against anyone who has made or in the future makes protected disclosures of Presidential misconduct to Congress or to an inspector general.

Members of the administration take an oath to protect and defend the Constitution. Some of them bravely stepped forward to tell the truth about the President's efforts to solicit foreign interference in the 2020 elections, and for that, for telling the truth under oath—which the President didn't allow his allies to do—for these people doing their patriotic duty to their country, they are being summarily dismissed from their jobs by a vindictive President.

Our Founders believed that truth was fundamental to the government and, indeed, the survival of the Republic. As the President takes steps to punish anyone in his administration who tells the truth, it is incumbent on the independent watchdogs in our government to protect whistleblowers like Lieutenant Colonel Vindman and others who put their lives and livelihoods on the line to protect our freedoms. I was glad to hear the Chief of Staff say that Vindman, within the military, was protected. At least there is some honor left in this government.

NOMINATION OF ANDREW LYNN BRASHER

Mr. President, now, about the nomination of Mr. Brasher, now that the impeachment trial of the President is over, Leader MCCONNELL is wasting no time getting us back to what seems to be his primary goal: rubberstamping unqualified and extreme judicial nominations.

This week the Senate will consider the nomination of Andrew Brasher to the Eleventh Circuit Court of Appeals. Mr. Brasher's primary qualification to sit on the Federal bench seems to be the 6½ months—6½ months—he spent on the district court in Alabama. Let me repeat that. Senate Republicans installed Brasher as district court judge less than 7 months before moving to elevate him to an appellate court. I have never heard of anything like this. The Senate majority is asking us to promote a candidate for circuit court judgeship who has less than a year of experience as a judge. But he is not just unqualified. Maybe they are promoting him so quickly because they love the fact that his views are so wildly out of the mainstream. As Alabama's solicitor general, Brasher fought against women's reproductive rights, which three-quarters of Americans believe in; commonsense gun safety laws, which 90 percent of Americans believe in; and marriage equality, which the majority of Americans believe in. He employed farfetched legal theories that were overruled by the courts, including Justice Scalia. Mr. Brasher shamefully spent his career defending voter suppression efforts. So less than 1 week after covering up the President's attempt to cheat in the next election, Senate Republicans are moving forward to reward a nominee who supports voter suppression. Both actions smack of contempt for the democratic process and a blatant disregard for the franchise of American citizens, the thing many of our young men and women have died for throughout the century—the right to vote.

Mr. Brasher's nomination to the circuit court is another disgrace—an absolute disgrace—to our Federal judiciary. Every Senator should vote against it.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

CLOTURE MOTION

The PRESIDING OFFICER. Pursuant to rule XXII, the Chair lays before the

Senate the pending cloture motion, which the clerk will state.

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit.

Mitch McConnell, Cindy Hyde-Smith, Thom Tillis, John Thune, Mike Crapo, Mike Rounds, Steve Daines, Kevin Cramer, Richard Burr, John Cornyn, Shelley Moore Capito, Todd Young, John Boozman, David Perdue, James E. Risch, Lindsey Graham, Roger F. Wicker.

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

The question is, Is it the sense of the Senate that debate on the nomination of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The legislative clerk called the roll.

Mr. THUNE. The following Senators are necessarily absent: the Senator from North Dakota (Mr. CRAMER), the Senator from South Carolina (Mr. GRAHAM), the Senator from North Dakota (Mr. HOEVEN), the Senator from Louisiana (Mr. KENNEDY), the Senator from Kentucky (Mr. PAUL), the Senator from Florida (Mr. SCOTT), and the Senator from Pennsylvania (Mr. TOOMEY).

Further, if present and voting, the Senator from North Dakota (Mr. HOEVEN) would have voted ''yea.''

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Massachusetts (Mr. MARKEY), the Senator from Vermont (Mr. SANDERS), the Senator from Hawaii (Mr. SCHATZ), 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 yeas and nays resulted—yeas 46, nays 41, as follows:

[Rollcall Vote No. 35 Ex.]

YEAS—46

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

NAYS—41

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

NOT VOTING—13

Bennet	Klobuchar	Scott (FL)
Cramer	Markey	Toomey
Graham	Paul	Warren
Hoeven	Sanders	
Kennedy	Schatz	

The PRESIDING OFFICER. On this vote, the yeas are 46, the nays are 41.

The motion is agreed to.

The majority leader.

ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that notwithstanding rule XXII, at 2:15 tomorrow, all postcloture time on the Brasher nomination be considered expired. I further ask that if the nomination is confirmed, the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. Finally, I ask that following disposition of the Brasher nomination, the Senate vote on cloture motions with respect to the Kindred, Schelp, Kness, and Halpern nominations, and if cloture is invoked on any of these nominations, the confirmation votes occur on Wednesday, February 12, at a time to be determined by the majority leader in consultation with the Democratic leader.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

LEGISLATIVE SESSION

MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to legislative session for 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.

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. JAMES E. RISCH,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 20–02 concerning the Navy's proposed Letter(s) of Offer and Acceptance to the Government of Australia for defense articles and services estimated to cost $990 million. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA, Director.

Enclosures.

TRANSMITTAL NO. 20–02

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of Australia.

(ii) Total Estimated Value:

Major Defense Equipment* $690 million.

Other $300 million.

Total $990 million.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase:

Major Defense Equipment (MDE):

Up to two hundred (200) AGM–158C, Long Range Anti-Ship Missiles (LRASMs).

Up to eleven (11) ATM–158C LRASMs Telemetry Variant (Inert).

Non-MDE: Also included are DATM–158C LRASM, Captive Air Training Missiles (CATM–158C LRASM), containers, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor representatives technical assistance, engineering and logistics support services, and other related elements of logistics support.

(iv) Military Department: Navy (AT–P–ANT).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission, Fee, etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 7, 2020.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

Australia—Long Range Anti-Ship Missiles (LRASMs)

The Government of Australia has requested to buy up to two hundred (200) AGM–158C, Long Range Anti-Ship Missiles (LRASMs); and up to eleven (11) ATM–158C LRASM Telemetry Variant (Inert). Also included are DATM–158C LRASM, Captive Air Training Missiles (CATM–158C LRASM), containers, support and test equipment, publications and technical documentation, personnel training and training equipment, U.S. Government and contractor representatives technical assistance, engineering and logistics support services, and other related elements of logistics support. The total estimated cost is $990 million.

This proposed sale will support the foreign policy and national security objectives of the United States. Australia is one of our most important allies in the Western Pacific. The strategic location of this political and economic power contributes significantly to ensuring peace and economic stability in the region.

Australia intends to use the missiles on its F–18 aircraft and will provide enhanced capabilities in defense of critical sea-lanes. The proposed sale of the missiles and support will increase the Australian Navy's maritime partnership potential and align its capabilities with existing regional baselines. This is Australia's first purchase of the missiles. Australia will not have any difficulty absorbing these weapons into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The prime contractor will be Lockheed Martin, Orlando, Florida. There are no known offset agreements proposed in connection with this potential sale.

Implementation of this proposed sale will require annual trips to Australia involving U.S. Government and contractor representatives for technical reviews, support, and oversight for approximately five years.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 20–02

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) *Sensitivity of Technology:*

1. The AGM–158C, Long Range Anti-Ship Missile (LRASM) system is classified SECRET. The LRASM is a non-nuclear tactical weapon system. It provides a day, night, and adverse weather, standoff air-to-surface capability and is an effective Anti-Surface Warfare missile. The LRASM incorporates components, software, and technical design information that are considered sensitive. The following components being conveyed by the proposed sale that are considered sensitive include:

a. RF Seeker.
b. GPS/INS System.
c. Datalink.
d. Warhead.
e. IR Seeker.

2. These elements are essential to the ability of the LRASM missile to selectively engage hostile targets under a wide range of operations, tactical and environmental conditions.

3. If a technologically advanced adversary were to obtain knowledge of the specific hardware and software elements, the information could be used to develop countermeasures, which might reduce weapon system effectiveness or be used in the development of a system with similar or advanced capabilities.

4. A determination has been made that Australia can provide substantially the same degree of protection for the sensitive technology being released as the U.S. Government. This proposed sale is necessary to further the U.S. foreign policy and national security objectives outlined in the Policy Justification.

5. All defense articles and services listed on this transmittal have been authorized for release and export to the Government of Australia.

ARMS SALES NOTIFICATION

Mr. RISCH. Mr. President, section 36(b) of the Arms Export Control Act requires that Congress receive prior notification of certain proposed arms sales as defined by that statute. Upon such notification, the Congress has 30 calendar days during which the sale may be reviewed. The provision stipulates that, in the Senate, the notification of proposed sales shall be sent to the chairman of the Senate Foreign Relations Committee.

In keeping with the committee's intention to see that relevant information is available to the full Senate, I ask unanimous consent to have printed in the RECORD the notifications which have been received. If the cover letter references a classified annex, then such annex is available to all Senators in the office of the Foreign Relations Committee, room SD–423.

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

DEFENSE SECURITY COOPERATION AGENCY,
Arlington, VA.

Hon. JAMES E. RISCH,
Chairman, Committee on Foreign Relations, U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: Pursuant to the reporting requirements of Section 36(b)(1) of the Arms Export Control Act, as amended, we are forwarding herewith Transmittal No. 19–55, concerning the Army's proposed Letter(s) of Offer and Acceptance to the Government of India for defense articles and services estimated to cost $1.867 billion. After this letter is delivered to your office, we plan to issue a news release to notify the public of this proposed sale.

Sincerely,

CHARLES W. HOOPER,
Lieutenant General, USA,
Director.

Enclosures.

TRANSMITTAL NO. 19–55

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act, as amended

(i) Prospective Purchaser: Government of India.

(ii) Total Estimated Value:
Major Defense Equipment* $ 0.492 billion.
Other $ 1.375 billion.
Total $ 1.867 billion.

(iii) Description and Quantity or Quantities of Articles or Services under Consideration for Purchase: India has requested a possible sale of an Integrated Air Defense Weapon System comprised of:

Major Defense Equipment (MDE):

Five (5) AN/MPQ–64F1 Sentinel Radar Systems.

One hundred eighteen (118) AMRAAM AIM–120C–7/C–8 Missiles.

Three (3) AMRAAM Guidance Sections.

Four (4) AMRAAM Control Sections.

One hundred thirty-four (134) Stinger FIM–92L Missiles.

Non-MDE: Also included are thirty-two (32) M4A1 rifles; forty thousand three hundred twenty (40,320) M855 5.56mm cartridges; Fire Distribution Centers (FDC); Handheld Remote Terminals; Electrical Optical/Infrared (EO/IR) Sensor Systems; AMRAAM Non-Developmental Item-Airborne Instrumentation Units (NDI–AIU); Multi-spectral Targeting System-Model A (MTS–A); Canister Launchers (CN); High Mobility Launchers (HML); Dual Mount Stinger (DMS) Air Defense Systems; Vehicle Mounted Stinger Rapid Ranger Air Defense Systems; communications equipment; tool kits; test equipment; range and test programs; support equipment; prime movers; generators; technical documentation; computer based training equipment; training equipment; training towers; ammunition storage; training and maintenance facilities; infrastructure improvements; U.S. Government and contractor technical support, engineering and logistics support services; warranty services; Systems and Integration Checkout (SICO); field office support; and other related elements of logistics and program support.

(iv) Military Department: Army (IN–B–UAP) and Air Force (IN–D–YAC).

(v) Prior Related Cases, if any: None.

(vi) Sales Commission. Fee. etc., Paid, Offered, or Agreed to be Paid: None.

(vii) Sensitivity of Technology Contained in the Defense Article or Defense Services Proposed to be Sold: See Attached Annex.

(viii) Date Report Delivered to Congress: February 7, 2020.

*As defined in Section 47(6) of the Arms Export Control Act.

POLICY JUSTIFICATION

India—Integrated Air Defense Weapon System (IADWS) and Related Equipment and Support

The Government of India has requested to buy an Integrated Air Defense Weapon System (IADWS) comprised of: five (5) AN/MPQ–64F1 Sentinel radar systems; one hundred eighteen (118) AMRAAM AIM–120C–7/C–8 missiles; three (3) AMRAAM Guidance Sections; four (4) AMRAAM Control Sections; and one hundred thirty-four (134) Stinger FIM–92L missiles. Also included are thirty-two (32) M4A1 rifles; forty thousand three hundred twenty (40,320) M855 5.56mm cartridges; Fire Distribution Centers (FDC); Handheld Remote Terminals; Electrical Optical/Infrared (EO/IR) Sensor Systems; AMRAAM Non-Developmental Item-Airborne Instrumentation Units (NDI–AIU); Multi-spectral Targeting System–Model A (MTS–A); Canister Launchers (CN); High Mobility Launchers (HML); Dual Mount Stinger (DMS) Air Defense Systems; Vehicle Mounted Stinger Rapid Ranger Air Defense Systems; communications equipment; tool kits; test equipment; range and test programs; support equipment; prime movers; generators; technical documentation; computer based training equipment; training equipment; training towers; ammunition storage; training and maintenance facilities; infrastructure improvements; U.S. Government and contractor technical support, engineering and logistics support services; warranty services; Systems and Integration Checkout (SICO); field office support; and other related elements of logistics and program support. The total estimated cost is $1.867 billion.

This proposed sale will support the foreign policy and national security of the United States by helping to strengthen the U.S.-Indian strategic relationship and to improve the security of a major defensive partner, which continues to be an important force for political stability, peace, and economic progress in the Indo-Pacific and South Asia region.

India intends to use these defense articles and services to modernize its armed forces, and to expand its existing air defense architecture to counter threats posed by air attack. This will contribute to India's military goal to update its capability while further enhancing greater interoperability between India, the U.S., and other allies. India will have no difficulty absorbing these systems into its armed forces.

The proposed sale of this equipment and support will not alter the basic military balance in the region.

The principal contractors involved in this program are The Raytheon Corporation and Kongsberg Defense and Aerospace. There are

no known offset agreements proposed in conjunction with this proposed sale; however, the purchaser typically requests offsets. Any offset agreement will be defined in negotiations between the Purchaser and the prime contractor(s).

Implementation of this proposed sale will require 60 U.S. Government or contractor representatives to travel to India for a period of six weeks (non-concurrent). Activities will include de-processing/fielding, training, and technical/logistics support.

There will be no adverse impact on U.S. defense readiness as a result of this proposed sale.

TRANSMITTAL NO. 19–55

Notice of Proposed Issuance of Letter of Offer Pursuant to Section 36(b)(1) of the Arms Export Control Act

Annex Item No. vii

(vii) Sensitivity of Technology:

1. The Integrated Air Defense Weapon System (IADWS) is a System of Systems (SOS) consisting of the National Advanced Surface-to-Air Missile System (NASAMS), a Very Short Range Air Defense (VSHORAD) capability consisting of the Stinger FIM–92 Reprogrammable Micro-Processor (RMP) Block I missile, and small arms. The IADWS is designed for mid-range air defense and can be deployed to engage fixed wing and rotary wing aircraft, cruise missiles, and unmanned aerial vehicles (UAVs). The IADWS is not a Program of Record (POR) for the U.S. Department of Defense, but the SOS architecture does consist of four PORs: The U.S. Army's AN/MPQ–64 Sentinel radar, the U.S. Army's FIM–92L Stinger Missile, U.S. Air Force's Multi-Spectral Targeting System-A (MTS-A), and the U.S. Air Force's AIM–120 Advanced Medium Range Air-to-Air Missile (AMRAAM). The NASAMS is comprised of U.S. and Norwegian manufactured components. Norwegian components will be procured by the Raytheon Company. Norwegian involvement will be managed by Raytheon using export authorizations received from the U.S. Department of State.

2. The NASAMS Fire Unit (FU) consists of one fire distribution center (FDC), one AN/MPQ–64F1 surveillance, acquisition, and tracking radar, 3 truck-mounted Canister Launchers (LCHR) and the High Mobility Launcher (HML) with 6 AMRAAM missiles each, and one truck-mounted Electrical Optical/Infrared (EO/IR) Sensor System, the MTS-A, for visual target identification and raid size assessment.

3. The command and control entity, FDC, is the major operator interface in NASAMS. It provides all command and control functionality necessary to effectively conduct Air Defense missions, both in a standalone (autonomous) configuration as well as in a netted configuration integrated to other units. The FDC interfaces and controls the MPQ–64F1 Sentinel radar, the MTS-A EO/IR Sensor and the Canister and High Mobility-Launchers. In addition, it interfaces and sends commands to any connected Very Short Range Air Defense (VSHORAD) Stinger platforms. The FDC also interfaces (voice and data) to the national command and control structure.

4. The AN/MPQ–64F1 Sentinel Radar is the organic mobile Air Defense acquisition and tracking sensor for the United States Army. Sentinel provides persistent air surveillance and fire control quality data through command and control systems to defeat Unmanned Aerial System (UAS), cruise missiles, and fixed-wind and rotary-wing aircraft threats.

5. The purpose of the Canister Launcher (LCHR) and the High Mobility Launcher (HML) is to transport, aim, and fire the AMRAAM missiles. Under the remote control of the Fire Distribution Center (FDC), the LCHR/HML permits rapid launching of one or more missiles against single or multiple targets. The LCHR/HML provides 360-degree, all weather, day and night, missile launch capability.

6. The AN/AAS–52 and AN/AAS–44C(V) Multi-Spectral Targeting System–A (MTS–A) is a multi-use infrared (IR), electro optical (EO), and laser detecting ranging-tracking set originally developed and produced for use by airborne platforms. This advanced EO and IR system provides long-range surveillance, target acquisition, target tracking, range finding, and laser designation. It has been adapted for towers, aerostats, and ground based applications.

7. The AIM–120C–7/C–8 Advanced Medium Range Air-to-Air Missile (AMRAAM) is a supersonic, aerial intercept, guided missile featuring digital technology and micro-miniature solid-state electronics that is also able to operate as a ground-based air defense missile capable in all-weather against multiple targets in a sophisticated electronic attack resistance to electronic countermeasure, and interception of high- and low-flying maneuvering targets. The AIM–120C–8 is a form, fit, function refresh of the AIM–120C–7 and is the next generation to be produced.

8. The VSHORAD system consists of the four Dual Mount Stinger (DMS) systems, two Rapid Ranger (RR) Stinger Mobile Integrated Defense Systems, and the Stinger 92L Reprogrammable Micro-Processor (RMP) Block I missile.

9. The Stinger 92L Reprogrammable Micro-Processor (RMP) Block I missile is an infrared homing surface-to-air missile that can be adapted to fire from a wide variety of ground vehicles.

10. The DMS System provides a man-transportable pedestal system that can be used day or night in any environment. The DMS fires two Stinger missiles, and includes fully integrated day/night sights with optical zoom capability. Included as part of the DMS is a ruggedized tablet from which video output from the visible band day-sight, IR scene from the night-sight, and target cueing data are integrated. Slew-to-cue- information provides guidance to the gunner for target selection. The OMS can interface with the NASAMS FDC for Target Designation and Target Engagement Authorization as well as autonomous operation.

11. The Rapid Ranger (RR) consists of a High Mobility Vehicle operated by a crew of three. The RR is integrated by Raytheon with two Stinger Vehicle Universal Launchers (SVULs), a Fire Control System (FCS), and a Command, Control and Communications (C3) System. The RR can interface with NASAMS FDC for Target Designation and Target Engagement Authorization as well as autonomous operation.

12. This sale is necessary in furtherance of the U.S. foreign policy and national security objectives outlined in the Policy Justification. Moreover, the benefits to be derived from this sale, as outlined in the Policy Justification, outweigh the potential damage that could result if the sensitive technology were revealed to unauthorized persons.

13. All defense articles and services listed in this transmittal have been authorized for release and export to the Government of India.

IMPEACHMENT

Mr. BARRASSO. Mr. President, I come to the floor today following Senate acquittal in the impeachment trial of President Trump.

After a 2-week trial, the U.S. Senate has delivered impartial justice. Make no mistake: Senate acquittal is the final judgment, forever clearing President Trump.

The House clearly made serious mistakes. Never before has a President been impeached with no underlying crime, no defense counsel, and not a single Republican vote. It was purely partisan and totally political.

The House overstepped its authority. The Senate, however, according to the Constitution, has the final word. The Senate followed the law. The Senate held a fair trial. We used the bipartisan Clinton trial format. These rules ensured both sides full and equal time.

Let's not forget: In the House, the President's rights were ignored. He had no voice, no due process, no defense. The Senate allowed the President to defend himself, and his defense team presented a fact-based case. White House lawyers detailed the President's legitimate, long-held concerns over Ukraine corruption. The President's legal team made a strong case against the House impeachment articles.

House managers, meanwhile, failed to prove their case. Rather than focus on facts, they appeared to be playing to the cameras. Incredibly, House managers attacked the Senate jury, accusing Republicans of ''corruption'' and ''cover-up.'' House managers played for time, repeating speeches, demanding more witnesses we didn't need. In reality, it was a weak case. There were no offenses that rose to the Constitution's requirement of ''Treason, Bribery, or other high Crimes and Misdemeanors.''

The House process was one-sided from the start. For political purposes, Speaker PELOSI rushed the impeachment vote by Christmas, claiming urgency. Then her sense of urgency disappeared. She proceeded to delay the Senate trial for 4 weeks. The Speaker waited 33 days to send us the Articles of Impeachment. This begs the question: Why delay the removal of a President the Democrats in the House claim is ''dangerous''?

Still, the Speaker insisted this spectacle was ''solemn,'' even prayerful. Then came her strangely irreverent signing ceremony. Nothing says solemn like souvenir signing pens.

The bottom line is: Partisan impeachment is poison—poison—for our democracy. Senate acquittal is the antidote. Impeachment has hurt and divided this country. It has also delayed important work on behalf of the American people. Congress needs to now come together and move forward.

Look at the incredible results we are already seeing under this President. Thanks to tax and regulatory relief, our economy is booming. American workers are winning.

We are seeing record job growth: 7 million new jobs, 500,000 new manufacturing jobs, and 50-year-low unemployment. Middle-class and blue-collar wages are rising. Household wealth is soaring. Consumer confidence is at record highs. Add to that the President's America-first trade deals. The

U.S.-Mexico-Canada deal, deals with China, Japan, they are a boon for our farmers and for our workers. What is more, we have unleashed American energy. The U.S. is now No. 1 in oil and in natural gas. We no longer need Middle East oil. We have also confirmed 187 highly qualified Federal judges. Above all, we are keeping the country safe and secure. President Trump has completely rebuilt our military.

Yet partisan impeachment has blocked progress. Congress has learned its lesson: Impeachment, if it is to ever happen again, must be bipartisan, fair, and rare. Senate acquittal is the final judgment.

Now, we are back to work for the American people. We are looking forward to the important work ahead, to continuing our progress on priorities like lowering prescription drug costs, securing our border, and fixing our aging roads and bridges.

The 2020 Presidential election is fast approaching. In fact, voting has already occurred in Iowa. It is time for the American people to decide who serves as President. It is time for Congress to get back to work. Thank you.

Ms. MCSALLY. Mr. President, on Wednesday, I voted against convicting President Trump of the two Articles of Impeachment. The Senate has spent the last 3 weeks in a Presidential impeachment trial for only the third time in our Nation's 244-year history. ADAM SCHIFF and House Democrats demanded that the Senate overturn the results of the 2016 Presidential election, remove President Trump from office, and take him off the 2020 ballot. These outcomes would be deeply disruptive to the functioning of our government, would further divide our Nation, and would prevent the American people from deciding who their President should be at the ballot box. The American people collectively are better fit to judge Donald Trump's Presidency as a whole than the partisan politicians in Washington who brought forth this impeachment. Despite the celebrations by NANCY PELOSI and House Democrats, this is a grave and serious matter with implications far beyond this President, this Congress, and this generation.

During the trial, I have remained committed to my oath to administer impartial justice with the same seriousness as my oath to protect the Constitution that I put my life on the line for in uniform. I listened carefully to the presentations by both the House managers and the President's counsel. I researched the law, reviewed historical precedents, and asked questions. I discussed the evidence and the issues with colleagues, and I came to my own conclusion.

The text, history, and purpose of the Constitution support acquittal. Our founding document gives the House the sole power of impeachment and the Senate the sole power to try all impeachments. Further, it requires a two-thirds vote to convict and remove any President. The Founding Fathers were concerned that impeachment would be frequently used as a partisan political weapon. Because of this concern, they deliberated whether to include Presidential impeachment at all. Then, they considered the scope of the offenses subject to the grievous, divisive, and disruptive punishment of decapitating one branch of our government. At the constitutional convention, the Founders rejected vague, standard-less terms like ''malpractice,'' ''neglect of duty,'' and ''maladministration.'' James Madison, the father of our Constitution, objected that vague terms would be ''equivalent to a tenure during the pleasure of the Senate.'' Madison's view prevailed, and the framers settled on ''treason, bribery, or other high crimes and misdemeanors'' to minimize the risk of partisan abuse of impeachment.

Madison and the other Founders intended impeachment to be an extremely disruptive last resort to save the Republic. What our constitutional text and tradition teach us is that no President should be impeached and removed from office without the support of both parties and the American people. The reason that President Andrew Johnson avoided conviction in his trial was that a mixed group of both Democrats and Republicans voted to find the President not guilty. Richard Nixon's impeachment inquiry vote passed the House 410 to 4. Senator CHUCK SCHUMER and Speaker NANCY PELOSI used to agree. ''I expect history will show that we've lowered the bar on impeachment so much, we've broken the seal on this extreme penalty so cavalierly—that it will be used as a routine tool to fight political battles,'' SCHUMER said in 1998. ''My fear is that when a Republican wins the White House, Democrats will demand payback.'' Likewise, Speaker PELOSI stated last March: ''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.'' Before a few months ago, the consensus—articulated well by Senator SCHUMER and Speaker PELOSI, was that a partisan impeachment is not a proper impeachment.

The first Article of Impeachment for ''abuse of power'' does not warrant removal from office and the ballot. The President is not perfect, and the way in which he evidently attempted to address his legitimate concerns about corruption involving the Bidens was inappropriate. But even if all that the House Democrats allege in fact occurred, even if John Bolton supports their allegations in his book, even if other negative information comes out in the future, this does not rise anywhere near the level of throwing the President out of office or off the ballot for the first time in American history. Abuse of power is a vague offense that the House managers have failed to define with precision, but even accepting all the House managers' facts as true, the alleged conduct does not justify conviction.

The second Article of Impeachment for ''obstruction of Congress'' is frivolous and dangerous for the separation of powers that is foundational to our Republic. Presidential clashes with Congress are not just routine but are baked into our constitutional DNA. The separation of powers painstakingly negotiated by our Founders is working—and that is a positive thing. The Framers designed tension between the coequal executive and legislative branches of our government. Congress often wants access to everyone and everything in the executive branch. The executive branch, in contrast, has legitimate grounds to prevent certain advisors or documents from being hauled before Congress. This article, if legitimized, would cede unprecedented power to one Chamber and would permit the House to remove a President from office any time that it does not get what it wants from the President, exactly as James Madison feared.

Not only do the two articles fail, but I also cannot in good conscience vote to convict because every step of this slapdash impeachment process has been characterized by a lack of fundamental fairness. I am troubled by the speed and cheerful eagerness with which the House Democrats railroaded through their investigation and vote on the articles. Unlike the Nixon and Clinton impeachments, the investigation into the alleged wrongdoing was hastily conducted and sloppily executed. The House Democrats made it clear that their objective was to impeach the President by Christmas, and they trampled over fairness and well-established legal processes on the way. After initially failing to vote to authorize the inquiry, they went from a vote authorizing an inquiry to impeaching the President in just 48 days.

What is more, the House Intelligence Committee failed to afford the President with procedural rights. The House should have voted to authorize the impeachment before investigating and should have attempted the usual accommodation process to resolve the tensions with the executive branch. The fundamentals of due process also include the right to have counsel present during interviews with investigators, the right to cross-examine witnesses, the right to call your own witnesses, and the right to submit evidence. Here, House Democrats called only their preferred witnesses, and they denied President Trump's counsel the opportunity to be present for examinations. The Democrats conducting the investigation also failed to subpoena individuals whom they now claim are key witnesses. If ADAM SCHIFF genuinely wanted to hear from John Bolton, he should have subpoenaed him, should have allowed the President to assert immunity, and should have gone to the courts to sort out the competing claims. But that wouldn't have fit the House Democrats' rushed timeline or narrative.

Once the process was handed over to the House Judiciary Committee, House Democrats had a single hearing with law professors on December 4 before announcing on December 5 that they were committed to drafting Articles of Impeachment. The committee approved the articles on December 13. To put this in perspective, this meant that the relevant committee spent 1 week drafting the articles before Speaker PELOSI spent 4 weeks sitting on the articles. And on the Senate side, I am likewise concerned that ADAM SCHIFF, House Democrats, and CHUCK SCHUMER demanded that the Senate do the House's job and clean up the House's shoddy work. Democrats have insisted that the Senate subpoena witnesses that the House refused to call and that the Senate shut itself down for weeks or months to allow for an investigation that the House should have conducted before proceeding to a final impeachment vote. The House Democrats showed testimony of 13 witnesses during the trial and submitted 28,000 pages of documents. Having repeatedly stated that their evidence was overwhelming, they then claimed that they needed more witnesses and documents to make their case. You can't have it both ways.

I am particularly troubled that in the Senate, the House managers sought to have the Senate address issues of executive privilege in a way that it has never done before. Executive privilege is a right—asserted by all Presidents of different parties for decades—to prevent close advisers from divulging confidential communications. But now, for the first time in our Nation's history, the Democrats sought to have the Senate displace the judiciary and resolve, by majority vote, highly complicated questions on executive privilege—a task that would raise substantial constitutional and institutional questions.

Even more disturbing was the House and Senate Democrats' casual attempt to drag the Chief Justice of the Supreme Court into this process. With a straight face, ADAM SCHIFF repeatedly called for the Chief Justice to be the decisionmaker on serious and complex issues, as if attempting to remove a President and adjust the relationship between the House and the Senate forever weren't enough. On top of this, Democrats tried to bring the third branch of government into this partisan political exercise with no concern for the seismic implications for our Republic.

Although my vote against convicting President Trump lies with the failure of House Democrats to prove impeachable conduct, I would be remiss if I did not emphasize one crucial fact: The historical record is clear that President Obama was weak on Russia and trivialized the geopolitical threat posed by Putin. In 2009, Obama's Secretary of State presented the Russian Foreign Minister with a ''reset'' button, grinning alongside him in a photo opportunity. That year, President Obama, at Russia's request, cancelled plans to build a missile defense system in Eastern Europe. In 2011, an open microphone caught Obama telling Russian President Medvedev that he would ''have more flexibility'' with easing pressure on Russia—''particularly with missile defense''—after the Presidential election. During the 2012 election, President Obama mocked his opponent for expressing geopolitical concern about Russia. ''The 1980s are now calling to ask for their foreign policy back,'' Obama said. Two years later, Russia annexed Crimea and then invaded eastern Ukraine. Obama refused to provide lethal aid to Ukraine to defend itself and his policies toward Russia were a national security disaster.

In contrast, President Trump has placed unprecedented sanctions on Russia and provided lethal weapons like the Javelin anti-tank missile to Ukraine to defend itself. Several of the House managers who attempted to remove President Trump for a minor delay in security-assistance funding, which was separate from the Javelin missile purchases, voted against providing lethal aid to Ukraine in multiple defense authorization and funding bills. Should we have impeached Obama for not providing lethal aid to Ukraine? No. It was bad policy and weak compared to what Trump has done but not impeachable.

This Presidential impeachment is historic for dangerous reasons. It is the first partisan House impeachment with bipartisan opposition. It is the first to deny procedural fairness protections to the President during the House inquiry. It is disturbing because this entire matter should have been handled via the normal oversight processes available to Congress with subpoena disputes resolved in the courts.

With all the above in mind, I conclude that the President did not engage in conduct rising to the level of treason, bribery, or other high crimes and misdemeanors. Democrats have been trying to impeach President Trump repeatedly since he was elected. They filed eight impeachment resolutions for everything from undermining the freedom of the press to using insulting language.

Our country has a Presidential election in 9 months, with the first votes in Iowa already completed. The American people deserve to be represented by the President they elected. They also deserve to choose who is the President for the next 4 years. While I have concerns about the upcoming 9 months, I am likewise concerned about the next 90 years. Looking at the process that unfolded in the House and the constitutional contortionism that the Democrats displayed in the Senate, it would be a dangerous precedent to normalize how House Democrats have carried out this process. If rewarded, this precedent would trivialize impeachment, distort the relationship between the two Chambers, and forever alter the relationship among the three branches. In the future, any House controlled by the opposite party of the President could trample on due process, ram through an unfair impeachment for vague accusations, and demand that the Senate shut down its legislative work to investigate on behalf of the House. No future House of Representatives run by Democrats or Republicans should take this path.

I have heard it said repeatedly throughout this trial that Benjamin Franklin left Americans ''a Republic—if you can keep it.'' I vote to keep it.

TRIBUTE TO JACQUELINE WICECARVER

Mr. BOOZMAN. Mr. President, it is my honor to pay tribute to an exceptional leader and member of the Senior Executive Service of the Department of Defense Office of Inspector General, Ms. Jacqueline Wicecarver.

A native of Rector, AR, Jackie joined the Department of Defense in 1978 as a member of the U.S. Army Materiel Command in Rock Island, IL. Within the next 10 years, Jackie and her family moved five times. During this time, Jackie held a variety of positions within the Department of Defense and received high praise in each position for her exceptional level of professionalism, dedication to duty, and outstanding contributions to the mission.

In 1990, Jackie joined the Department of Defense Office of Inspector General as a staff auditor and rose through the ranks, joining the Senior Executive Service as the Assistant Inspector General for Acquisition and Contract Management in 2011. In January 2017, she was selected to lead nearly 600 auditors and support personnel as the Deputy Inspector General for Audit.

In her role as the Deputy Inspector General for Audit, Jackie has provided guidance, counsel, and mentorship to many auditors as they worked to complete more than 320 audit reports that identified over $7 billion in potential savings to the Department of Defense. Most significantly, under Jackie's direction, the Office of Inspector General completed two full financial statement audits of the Department of Defense. These financial statement audits have been described as the largest in history.

Jackie has been honored with the Department of Defense Inspector General Medal for Distinguished Civilian Service Award, the Meritorious Civilian Service Award, and the President's Council on Integrity and Efficiency Award.

Jackie has served her country for more than 40 years as a Department of Defense civilian. On behalf of the Senate, I thank Jackie and her family—her husband James of 50 years, their children Christopher and Jennifer and four grandchildren, Caitlyn, Wade, Tate and Quinn—for their continued commitment and sacrifice in service to our Nation. I wish her future success as she transitions into retirement.

TRIBUTE TO DR. WALLY COVINGTON

Ms. MCSALLY. Mr. President, I rise today to recognize one of the most influential and well-known forest ecologists in the Nation, Dr. Wally Covington of Flagstaff, AZ.

Last month, Dr. Covington retired from his current position as regents' professor at the School of Forestry and the executive director of the Ecological Restoration Institute at Northern Arizona University.

When we talk about the wildfire crisis afflicting the West, we frequently reference the need to thin our forests of the enormous number of small, dead, and dying trees that have fueled some of largest, deadliest, and most destructive mega fires ever seen in the United States.

In my home State of Arizona, about one-quarter of our pine forests have been impacted by fire over the past two decades. In 2011, the largest wildfire in State history, the Wallow Fire, incinerated over a half million acres in a matter of weeks before finally burning out. And a nation mourned the loss of 19 brave wildland firefighters from Prescott, AZ, who gave their lives battling the Yarnell Hill Fire in 2013.

These fires burn so hot and fast that they barrel through rural communities, insatiably consuming property in its path and, sometimes, human life too.

We recognize that the fuel load is too high in many forests and that prescribed fires and fuel breaks alone are not enough to prevent mega-fires that crown atop forest canopies.

Today, it is common sense that our fire-prone public lands need to be restored to their natural, fire-adapted state. It is difficult to imagine how this conventional wisdom shared across both sides of the aisle, and among the timber industry and environmental groups alike, was foreign, controversial, and, frankly, heretical only two decades ago. It was Dr. Covington's applied research in forest ecology and his tireless advocacy that showed us how reducing tree density through timber harvesting is not only beneficial, but also necessary if we want to reduce the threat of catastrophic wildfires.

So when we talk about forest thinning, the country should know just how influential Dr. Wally Covington's contributions were to the practice of forest ecosystem restoration.

Let me share a little bit of Dr. Covington's story with you. From a young age, Wally was exposed to the wonders of the great outdoors by his parents who first met and fell in love in Flagstaff. They instilled in him a profound appreciation for nature and a humbling perspective on humanity's impact on the land. At his father's urging, Wally studied the works of conservationist Aldo Leopold, who is regarded as the founder of the wilderness preservation movement and the philosophy of ''land ethics,'' which espouses the belief that man is not a conqueror of his environment, but a unique component of it.

Later, Wally graduated from the University of North Texas with a degree in biology, and he planned to become a physician in pediatric oncology. However, the emotional toll of working with children with cancer left Wally disheartened. He departed medical school never to return. Still, that heart-wrenching experience taught Wally that he was a healer.

Shaped by the burgeoning environmental movement of the 1970s, Wally answered another calling. He decided to pursue a master's in ecology from the University of New Mexico. It wasn't long before Wally's academic achievements led him to Yale University where he earned a doctorate in forestry in 1976.

Dr. Covington was already an accomplished forest ecologist by the time he joined NAU. At Yale, he developed an innovative theory for predicting the carbon budgets of unharvested forests, a calculation known as ''Covington's curve'' that is still widely used in modern forestry.

His next achievement, however, would transform how we view and manage our forestlands. For some time, Wally had been studying ponderosa pine trees, a type of evergreen species that dominates the landscape in the West. These iconic conifers span more than 27 million acres in the United States. Wally observed that our Nation's pine forests were out of balance, unhealthy, and highly susceptible to drought, insect infestation, and disease. A majority of the mega-fires or ''conflagrations'' impacting northern California, Montana, Arizona, and elsewhere were occurring in ponderosa pine forests.

As a forest ecologist, Wally understood that fire plays a natural role in our forests. Historically, in North America, low intensity ground fire led to large, mature pine trees and forests that are naturally adapted to withstand fire. But modern wildfires in the West were now burning with such ferocious intensity that even the sturdiest of pine trees would literally boil to the point of exploding. Postfire conditions were no longer the regenerative force that ecologists had once studied. Soils were damaged, taking years to replenish their nutrients, and watersheds were more likely to experience long-term flooding and erosion.

Wally once poignantly described the situation in an article he authored in the journal Nature in 2002: ''The dry forest ecosystems of the American West, especially those once dominated by open ponderosa pine forests, are in widespread collapse. We are now witnessing sudden leaps in aberrant ecosystem behavior long predicted by ecologists and conservation professionals. Trends over the past half-century show that the frequency, intensity and size of wildfires will increase—by orders of magnitude—the loss of biological diversity, property and human lives for many generations to come.''

Like any good healer, Dr. Covington worked tirelessly to diagnose the illness and devise a cure. As part of his research, Wally pored through historical records, old photographs, and land surveys dating back to the turn of the century. He listened to Native American Tribal members, the first inhabitants of our forests, who shared stories told and retold through the generations about elk and deer hunts in open canopied forests teeming with bountiful grasslands. Wally discovered that, in a very short time, about 50 years, the forest landscape of the West had substantially changed.

He hypothesized, correctly, that man's presence had transformed our once fire-adapted, low-density forests into overstocked tinderboxes. Before there was a Forest Service, before westward expansion brought pioneers and homesteaders, the land, he estimated, supported around 50 to 100 pine trees per acre. In contrast, today's modern forests host roughly 300 percent more trees—sometimes as much as 1,000 trees per acre—a number far greater than the natural ecosystem can support. This meant that the West was overloaded with a dangerous amount of kindling fuel.

To prove his theory, Wally ran experiments. Beginning in 1992, on a modest 10-acre parcel of Forest Service land in the Gus Pearson Natural Area, Wally established three test plots. The first plot was used as the control, its post-settlement state preserved as-is. The second plot was thinned of excess pine trees. On the third plot, the trees were thinned to simulate pre-settlement conditions and then subjected to prescribed fire, the kind of controlled burns routinely used by the Forest Service to clear our low-lying fuels from the forest floor.

His test showed that fire behavior dramatically decreased on the plot that was thinned. Trees didn't suffer the same trauma found on the other two plots and in fact responded positively by producing increased resin, which meant increased resistance to bark beetle infestation. Also, the number of species and amount of native grasses and plants increased improving both forage and habitat quality. Wally had successfully conducted the first science-based forest restoration project in history.

Dr. Covington took his findings to Congress, the Department of the Interior, the Forest Service, and the National Academy of Sciences. He met with Interior Secretary Bruce Babbitt under the Clinton administration and, later, Secretary Gale Norton under the George W. Bush administration, to convince them to implement forest restoration treatments. In many of his meetings, he would echo the old adage, ''an ounce of prevention is worth a pound of cure.''

They listened, and Congress listened, as did my Arizona predecessors in the Senate. In 2003, he worked with Senator Jon Kyl to enact legislation like the Health Forests Restoration Act and also established the congressionally chartered Southwest Ecological

Restoration Institutes at NAU, Colorado State University, and New Mexico Highlands University, which assist the Forest Service in developing restoration projects across millions of acres of land.

Today, the Forest Service and the Department of the Interior are working to mechanically thin millions of acres of forestlands across the West to make our forests more resilient to fire. It is a slow, expensive, and time-consuming prospect to reverse 50 years of forest mismanagement across a territory as vast as the United States, but the reward is worth it. In doing so, we are saving our forests, our homes, and human lives.

I cannot overstate Dr. Covington's tremendous contribution to the field of forest ecology. Had it not been for Wally's work, his compassion for healing our unhealthy forests, and his drive to educate policymakers on the sound science behind forest restoration, I suspect our forests would be in far worse shape today. I am proud to recognize Dr. Covington, a fellow Arizonan. Our Nation owes Wally a debt of gratitude that we can never repay.

ADDITIONAL STATEMENTS

TRIBUTE TO RYAN MICOZZI

● Mr. BARRASSO. Mr. President, I would like to take the opportunity to express my appreciation to Ryan for his hard work as an intern in the Senate Republican Conference. I recognize his efforts and contributions to my office, as well as to the State of Wyoming.

Ryan is a native of New York. He is a graduate of the University of Buffalo, where he studied political science and business administration: human resources. He has demonstrated a strong work ethic, which has made him an invaluable asset to our office. The quality of his work is reflected in his great efforts over the last several months.

I want to thank Ryan for the dedication he has shown while working for me and my staff. It is a pleasure to have him as part of our team. I know he will have continued success with all of his future endeavors. I wish him all my best on his journey.●

TRIBUTE TO JOHN FERRIOLA

● Mr. BROWN. Mr. President, I rise today to recognize the career and service of John Ferriola, who will retire at the end of this year after serving Nucor Steel for nearly three decades. Mr. Ferriola has served as CEO since 2013, and under his leadership, the company has grown and created thousands of good-paying manufacturing jobs here in the U.S. He worked to upgrade Nucor's facility in Marion, OH, with a new rolling mill that began operating this year.

John has been a passionate advocate for American manufacturing and for a fairer trade policy that works for American workers and businesses. We worked together to pass the Leveling the Playing Field Act in 2015, the first strengthening of our trade remedy laws in more than two decades. That law has helped us win key trade cases for Ohio steel companies over the past 4 years.

When John started at Nucor in 1991, it was a small steel company with just two mills. Last year, Nucor was the largest steel producer in the United States. John understands that workers in Ohio and around the U.S. are the engine behind that success. I look forward to continuing to our fight together for a fair trade policy that puts American workers first, and I wish John Ferriola all the best in his retirement.●

MESSAGES FROM THE PRESIDENT

Messages from the President of the United States were communicated to the Senate by Ms. Roberts, one of his secretaries.

PRESIDENTIAL MESSAGE

REPORT RELATIVE TO AN ALTERNATIVE PLAN FOR PAY ADJUSTMENTS FOR CIVILIAN FEDERAL EMPLOYEES COVERED BY THE GENERAL SCHEDULE AND CERTAIN OTHER PAY SYSTEMS IN JANUARY 2021—PM 44

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred to the Committee on Homeland Security and Governmental Affairs:

To the Congress of the United States:

I am transmitting an alternative plan for pay adjustments for civilian Federal employees covered by the General Schedule and certain other pay systems in January 2021.

Title 5, United States Code, authorizes me to implement alternative plans for pay adjustments for civilian Federal employees covered by the General Schedule and certain other pay systems if, because of ''national emergency or serious economic conditions affecting the general welfare,'' I view the increases that would otherwise take effect as inappropriate.

Under current law, locality pay increases averaging 20.67 percent, costing $21 billion in the first year alone, would go into effect in January 2021, in addition to a 2.5 percent across-the-board increase for the base General Schedule.

We must maintain efforts to put our Nation on a fiscally sustainable course; Federal agency budgets cannot sustain such increases. Accordingly, I have determined that it is appropriate to exercise my authority to set alternative pay adjustments for 2021 pursuant to 5 U.S.C. 5303(b) and 5 U.S.C. 5304a.

Specifically, I have determined that for 2021 the across-the-board base pay increase will be limited to 1.0 percent and locality pay percentages will remain at their 2020 levels. This alternative pay plan decision will not materially affect our ability to attract and retain a well-qualified Federal workforce.

As noted in my Budget for Fiscal Year 2021, our pay system must reform to align with mission-critical recruitment and retention goals, and to reward employees whose performance provides value for the American people.

For this purpose, my Budget further directs agencies to increase awards spending in FY 2021 by an amount equal to no less than 1 percent of total salary spending. My Administration will continue to support reforms that advance these aims.

The adjustment described above shall take effect on the first day of the first applicable pay period beginning on or after January 1, 2021.

DONALD J. TRUMP.

THE WHITE HOUSE, *February 10, 2020.*

PRESIDENTIAL MESSAGE

BUDGET OF THE UNITED STATES GOVERNMENT FOR FISCAL YEAR 2021—PM 45

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States, together with an accompanying report; which was referred jointly, pursuant to the order of January 30, 1975, as modified by the order of April 11, 1986; to the Committees on Appropriations; and the Budget:

To the Congress of the United States:

Over the past 3 years, my Administration has worked tirelessly to restore America's economic strength. We have ended the war on American workers and stopped the assault on American industry, launching an economic boom the likes of which we have never seen before.

While our incredible economic turnaround came as a shock to most career politicians in Washington, it is no surprise to millions of hard-working families across the Nation. Their natural talent, ingenuity, and strength simply needed an opportunity to flourish, free from the massive regulations and taxes heaped upon them by their Government.

As my Administration continues to remove these burdens, our economy continues to surpass expectations. We are growing faster than the experts thought possible. The unemployment rate is at 3.5 percent, the lowest it has been in 50 years. And more Americans are working today than at any point in our history.

Today's tremendous job market is leading employers to realize the vast potential of many individuals they previously overlooked. Over the past 3

years, the employment rate of our prime-age workers has skyrocketed, and wages are growing the fastest for historically disadvantaged workers, reversing trends under the previous administration.

With this 2021 Budget, my Administration is placing a special focus on these forgotten Americans, because every individual deserves to experience the dignity that comes through work. The truth is, jobs do not just provide paychecks: they give people purpose; allow them to engage with their communities; and help them reach their true potential. As we have shown, the right policies offer Americans paths to independence rather than trapping them in reliance on Government programs.

The era of putting American workers second and doubling down on the failed policies of the past is over. While job creation during my Presidency has surpassed expectations, the credit belongs to the job creators and workers who risk everything and devote themselves to building a better future for themselves, their families, and their Nation. The Federal Government does not create jobs; hardworking Americans create jobs. My Administration's role is to follow our foundational policy pillars and allow our job creators and workers to do what they do best.

To ensure this economic strength continues, I have called on the Government to reduce wasteful, unnecessary spending, and to fix mismanagement and redundancy across agencies. This includes prioritizing spending for programs that are a core function of the United States Government.

As we enter the 2020's, our Nation confronts new challenges and opportunities. The 21st century requires us to focus on great power rivals; prioritize artificial intelligence, 5G, and industries of the future; and to protect our research and environment from foreign government influence. To meet these challenges and seize these opportunities, we must shift the Government out of its old and outdated ways. This will require each and every Government agency to do more to prepare for the demands of tomorrow.

The following are key priorities of my Administration:

Better Trade Deals. Renegotiated or new trade deals with Canada and Mexico, China, South Korea, and Japan are modernizing international trade and creating freer, fairer, and more reciprocal trade between the United States and our largest economic partners. These deals will enable our country's manufacturing renaissance to continue. Trade deals are in development with the United Kingdom and the European Union, as well as other countries that desire access to the coveted American market. These deals will expand American markets abroad and keep businesses here in America, which means keeping jobs here at home.

Preserving Peace through Strength. To sustain security at home and promote American interests abroad, my Administration has rebuilt the military. A strong military, fully equipped and integrated with our allies and all our instruments of power, enables our Nation to deter war, preserve peace, and, if necessary, defeat aggression against the United States and her people. To that end, my Budget requests $740.5 billion for national defense.

Overcoming the Opioid Crisis. Because of my Administration's aggressive tactics to fight over-prescription of opioids, promote effective treatment for addiction, and secure the border, we are turning the tide of the opioid crisis. Since my term began, we have seen a more than 30 percent decrease in the total amount of opioids prescribed, and deaths from drug overdose fell for the first time in nearly 30 years in 2018.

Failure is not an option when it comes to helping people avoid the pain, suffering, and death caused by addiction. Work must play an integral role in any solution. Research shows that holding a job is a key factor in helping people overcome drug addiction. For the duration of my Presidency, I will continue to promote policies that will beat back this deadly crisis and promote job training and employment opportunities for Americans who are rebuilding their lives after struggling with addiction.

Regulation Relief. Many pundits and Washington insiders laughed when I promised to cut two regulations for every new regulation. They were correct that two-for-one was the wrong goal. Instead, the Federal Government has cut more than seven regulations for every significant new regulation. After only 3 years, my Administration has cut a historic number of regulations, and we have put the brakes on an endless assault of new, costly actions by Federal agencies.

Our commitment to regulatory reform stems from the simple truth that the vast majority of business owners want to do the right thing, comply with the law, and treat their workers fairly. The Federal Government ignored this reality for far too long and abused its authority to go after businesses, especially small businesses and entrepreneurs, in ways that can only be described as arbitrary and abusive.

At the same time, we are maintaining America's world-class standards of environmental protection. Emissions of all criteria pollutants dropped between 2016 and 2018. The United States environmental record is one of the strongest in the world and continues to have some of the cleanest air and water in the world.

American Energy Independence. American energy powers our cities and towns, empowers innovators, drives our economy, and protects our sovereignty. Energy companies across the world are ready to build in our Nation, and permitting reform that cuts red tape shows that we welcome their investments. My Administration continues to support growth in the energy sector by removing unnecessary regulations and unleashing America's vast natural and human resources. Through these actions, the United States is now on track to be a net exporter of crude oil and natural gas for all of 2020, a major milestone not achieved in nearly 70 years. In addition to being the world's largest natural gas producer, we also became the world's top crude oil producer in 2018.

The records of our energy boom are widespread. Energy production has created jobs in areas of the United States where job opportunities were scarce. It also provides enormous benefits to families across the Nation by lowering energy prices. And it further distances us from geopolitical foes who wish to cause us harm. More jobs, lower costs, and American dominance—these are predictable results of our pro-energy policies.

Today, there is hope throughout America. There is optimism that was not here before 63 million Americans asked me to work for them and drain the swamp. For decades, Washington elites told us that Americans had no choice but to accept stagnation, decay, and decline.

We proved them wrong. Our economy is strong once more, and America's role as leader of the Free World has been restored.

America is the single greatest country in the world. We must never believe for one moment that this great Nation is destined for a diminished future. When we take hold of our freedom, and take our destiny in our hands, we choose to reject a future of American decline. My 2021 Budget sets the course for a future of continued American dominance and prosperity.

DONALD J. TRUMP.

THE WHITE HOUSE, *February 10, 2020*.

MESSAGE FROM THE HOUSE

At 3:02 p.m., a message from the House of Representatives, delivered by Mr. Novotny, one of its reading clerks, announced that the House has passed the following bills and joint resolutions, without amendment:

S. 375. An act to improve efforts to identify and reduce Governmentwide improper payments, and for other purposes.

S. 394. An act to amend the Presidential Transition Act of 1963 to improve the orderly transfer of the executive power during Presidential transitions.

S.J. Res. 65. Joint resolution providing for the reappointment of John Fahey as a citizen regent of the Board of Regents of the Smithsonian Institution.

S.J. Res. 67. Joint resolution providing for the reappointment of Risa Lavizzo-Mourey as a citizen regent of the Board of Regents of the Smithsonian Institution.

The message further announced that the House has passed the following bills, in which it requests the concurrence of the Senate:

H.R. 1132. An act to amend the Federal Water Pollution Control Act to establish a grant program to support the restoration of San Francisco Bay.

H.R. 1620. An act to amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program.

H.R. 2247. An act to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound, and for other purposes.

H.R. 2382. An act to amend title 5, United States Code, to repeal the requirement that the United States Postal Service prepay future retirement benefits, and for other purposes.

H.R. 2474. An act to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes.

H.R. 3317. An act to permit the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones, and for other purposes.

H.R. 3830. An act to provide taxpayers with an improved understanding of Government programs through the disclosure of cost, performance, and areas of duplication among them, leverage existing data to achieve a functional Federal program inventory, and for other purposes.

H.R. 3941. An act to enhance the innovation, security, and availability of cloud computing services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes.

H.R. 3976. An act to designate the facility of the United States Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the ''Aretha Franklin Post Office Building''.

H.R. 4031. An act to amend the Federal Water Pollution Control Act to reauthorize the Great Lakes Restoration Initiative, and for other purposes.

H.R. 4044. An act to amend the Federal Water Pollution Control Act to reauthorize the National Estuary Program, and for other purposes.

H.R. 4275. An act to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program, and for other purposes.

H.R. 4279. An act to designate the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the ''Melinda Gene Piccotti Post Office''.

H.R. 4305. An act to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy.

H.R. 4794. An act to designate the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the ''Mother Frances Xavier Cabrini Post Office Building''.

H.R. 4981. An act to designate the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the ''Julius L. Chambers Civil Rights Memorial Post Office''.

H.R. 5037. An act to designate the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the ''Walter B. Jones, Jr. Post Office''.

H.R. 5214. An act to amend title 5, United States Code, to prevent fraud by representative payees.

H.R. 5687. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

The message also announced that pursuant to 14 U.S.C. 1903(b), and the order of the House of January 3, 2019, the Speaker appoints the following Member on the part of the House of Representatives to the Board of Visitors to the United States Coast Guard Academy: Mr. Thompson of Mississippi.

The message further announced that pursuant to 20 U.S.C. 4303, and the order of the House of January 3, 2019, the Speaker appoints the following Member of the House of Representatives to the Board of Trustees of Gallaudet University: Ms. SHALALA of Florida.

The message also announced that pursuant to 20 U.S.C. 4303, and the order of the House of January 3, 2019, the Speaker appoints the following Member of the House of Representatives to the Board of Trustees of Gallaudet University: Mr. BUCSHON of Indiana.

MEASURES REFERRED

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

H.R. 1620. An act to amend the Federal Water Pollution Control Act to reauthorize the Chesapeake Bay Program; to the Committee on Environment and Public Works.

H.R. 2247. An act to amend the Federal Water Pollution Control Act to provide assistance for programs and activities to protect the water quality of Puget Sound, and for other purposes; to the Committee on Environment and Public Works.

H.R. 2474. An act to amend the National Labor Relations Act, the Labor Management Relations Act, 1947, and the Labor-Management Reporting and Disclosure Act of 1959, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

H.R. 3317. An act to permit the Scipio A. Jones Post Office in Little Rock, Arkansas, to accept and display a portrait of Scipio A. Jones, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3941. An act to enhance the innovation, security, and availability of cloud computing services used in the Federal Government by establishing the Federal Risk and Authorization Management Program within the General Services Administration and by establishing a risk management, authorization, and continuous monitoring process to enable the Federal Government to leverage cloud computing services using a risk-based approach consistent with the Federal Information Security Modernization Act of 2014 and cloud-based operations, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

H.R. 3976. An act to designate the facility of the United States Postal Service located at 12711 East Jefferson Avenue in Detroit, Michigan, as the ''Aretha Franklin Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4031. An act to amend the Federal Water Pollution Control Act to reauthorize the Great Lakes Restoration Initiative, and for other purposes; to the Committee on Environment and Public Works.

H.R. 4275. An act to amend the Federal Water Pollution Control Act to reauthorize the Lake Pontchartrain Basin Restoration Program, and for other purposes; to the Committee on Environment and Public Works.

H.R. 4279. An act to designate the facility of the United States Postal Service located at 445 Main Street in Laceyville, Pennsylvania, as the ''Melinda Gene Piccotti Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4305. An act to direct the Secretary of Veterans Affairs to carry out a pilot program on dog training therapy; to the Committee on Veterans' Affairs.

H.R. 4794. An act to designate the facility of the United States Postal Service located at 8320 13th Avenue in Brooklyn, New York, as the ''Mother Frances Xavier Cabrini Post Office Building''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 4981. An act to designate the facility of the United States Postal Service located at 2505 Derita Avenue in Charlotte, North Carolina, as the ''Julius L. Chambers Civil Rights Memorial Post Office''; to the Committee on Homeland Security and Governmental Affairs.

H.R. 5037. An act to designate the facility of the United States Postal Service located at 3703 North Main Street in Farmville, North Carolina, as the ''Walter B. Jones, Jr. Post Office''; to the Committee on Homeland Security and Governmental Affairs.

MEASURES READ THE FIRST TIME

The following bill was read the first time:

H.R. 5687. An act making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

EXECUTIVE AND OTHER COMMUNICATIONS

The following communication was laid before the Senate, together with accompanying papers, reports, and documents, and was referred as indicated:

EC–3930. A communication from the Chief Management Officer, Office of the Chief Management Officer, Department of Defense, transmitting, pursuant to law, a report entitled ''Department of Defense Response to the Good Accounting Obligation in Government Act (GAO–IG Act)''; to the Committee on Homeland Security and Governmental Affairs.

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. LEE (for himself, Mr. TILLIS, Mr. DAINES, Mr. CRAMER, Mr. INHOFE, Mr. MORAN, Mr. COTTON, Mr. SASSE, Mr. RUBIO, Mr. BRAUN, Mr. SCOTT of Florida, Mr. SCOTT of South Carolina, Mrs. HYDE-SMITH, Mrs. CAPITO, Mr. BLUNT, Mr. LANKFORD, Mr. CRUZ, Mrs. BLACKBURN, Ms. ERNST, Mr. ROBERTS, Mrs. LOEFFLER, Mr. BURR, and Mr. ROUNDS):

S. 3259. A bill to restrict the availability of Federal funds to organizations associated with the abortion industry; to the Committee on Foreign Relations.

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

S. 3260. A bill to designate the facility of the United States Postal Service located at

3703 North Main Street in Farmville, North Carolina, as the ''Walter B. Jones, Jr. Post Office''; to the Committee on Homeland Security and Governmental Affairs.

By Mr. GARDNER (for himself and Ms. SINEMA):

S. 3261. A bill to amend the Internal Revenue Code of 1986 to allow qualified distributions from health savings accounts for certain home care expenses; to the Committee on Finance.

By Mr. SULLIVAN (for himself and Mr. VAN HOLLEN):

S. 3262. A bill to state the policy of the United States regarding the need for reciprocity in the relationship between the United States and People's Republic of China, and for other purposes; to the Committee on Foreign Relations.

SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. ERNST (for herself, Mrs. BLACKBURN, Mrs. CAPITO, Mrs. HYDE-SMITH, Mrs. LOEFFLER, Mrs. FISCHER, and Mr. BRAUN):

S. Res. 494. A resolution denouncing female genital mutilation or cutting as a violation of the human rights of women and girls and urging the international community and the Federal Government to increase efforts to eliminate the harmful practice; to the Committee on Foreign Relations.

ADDITIONAL COSPONSORS

S. 190

At the request of Mr. LEE, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 190, a bill to amend the Foreign Assistance Act of 1961 to prohibit assistance to nonprofits, foreign nongovernmental organizations, and quasi-autonomous nongovernmental organizations that promote or perform abortions.

S. 206

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 206, a bill to award a Congressional Gold Medal to the female telephone operators of the Army Signal Corps, known as the ''Hello Girls''.

S. 227

At the request of Ms. CORTEZ MASTO, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 227, a bill to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, and for other purposes.

S. 251

At the request of Ms. CORTEZ MASTO, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 251, a bill to establish the Interdiction for the Protection of Child Victims of Exploitation and Human Trafficking Program to train law enforcement officers to identify and assist victims of child exploitation and human trafficking.

S. 285

At the request of Ms. ERNST, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 285, a bill to require U.S. Immigration and Customs Enforcement to take into custody certain aliens who have been charged in the United States with a crime that resulted in the death or serious bodily injury of another person, and for other purposes.

S. 524

At the request of Mr. SULLIVAN, the name of the Senator from North Dakota (Mr. HOEVEN) was added as a cosponsor of S. 524, a bill to establish the Department of Veterans Affairs Advisory Committee on Tribal and Indian Affairs, and for other purposes.

S. 593

At the request of Ms. HARRIS, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 593, a bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes.

S. 651

At the request of Mr. CASEY, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 651, a bill to amend the Internal Revenue Code of 1986 to increase the age requirement with respect to eligibility for qualified ABLE programs.

S. 696

At the request of Mr. MERKLEY, the name of the Senator from California (Mrs. FEINSTEIN) was added as a cosponsor of S. 696, a bill to designate the same individual serving as the Chief Nurse Officer of the Public Health Service as the National Nurse for Public Health.

S. 697

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 697, a bill to reform sentencing, prisons, re-entry of prisoners, and law enforcement practices, and for other purposes.

S. 738

At the request of Mr. UDALL, the names of the Senator from New Jersey (Mr. BOOKER) and the Senator from South Carolina (Mr. GRAHAM) were added as cosponsors of S. 738, a bill to require the Federal Communications Commission to make the provision of Wi-Fi access on school buses eligible for E-rate support.

S. 839

At the request of Mr. KAINE, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 839, a bill to extend Federal Pell Grant eligibility of certain short-term programs.

S. 903

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

S. 980

At the request of Mr. BURR, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 980, a bill to amend title 38, United States Code, to improve the provision of services for homeless veterans, and for other purposes.

S. 1093

At the request of Mr. UDALL, the name of the Senator from Montana (Mr. TESTER) was added as a cosponsor of S. 1093, a bill to award a Congressional Gold Medal to the troops from the United States and the Philippines who defended Bataan and Corregidor, in recognition of their personal sacrifice and service during World War II.

S. 1188

At the request of Mr. SULLIVAN, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 1188, a bill to promote United States-Mongolia trade by authorizing duty-free treatment for certain imports from Mongolia, and for other purposes.

S. 1399

At the request of Mr. MERKLEY, the names of the Senator from Illinois (Ms. DUCKWORTH)) and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 1399, a bill to amend title VIII of the Public Health Services Act to revise and extend nursing workforce development programs.

S. 1443

At the request of Ms. ERNST, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 1443, a bill to amend the Internal Revenue Code of 1986 to provide a nonrefundable credit for working family caregivers.

S. 1744

At the request of Mr. DURBIN, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 1744, a bill to provide lawful permanent resident status for certain advanced STEM degree holders, and for other purposes.

S. 1757

At the request of Ms. ERNST, the names of the Senator from New Mexico (Mr. HEINRICH) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1791

At the request of Mrs. GILLIBRAND, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1791, a bill to prohibit discrimination on the basis of religion, sex (including sexual orientation and gender identity), and marital status in the administration and provision of child

welfare services, to improve safety, well-being, and permanency for lesbian, gay, bisexual, transgender, and queer or questioning foster youth, and for other purposes.

S. 1941

At the request of Mrs. MURRAY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1941, a bill to amend the Richard B. Russell National School Lunch Act to establish a permanent, nationwide summer electronic benefits transfer for children program.

S. 1970

At the request of Ms. HIRONO, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1970, a bill to secure the rights of public employees to organize, act concertedly, and bargain collectively, which safeguard the public interest and promote the free and unobstructed flow of commerce, and for other purposes.

S. 2085

At the request of Ms. ROSEN, the names of the Senator from Delaware (Mr. COONS) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S. 2085, a bill to authorize the Secretary of Education to award grants to eligible entities to carry out educational programs about the Holocaust, and for other purposes.

S. 2267

At the request of Ms. CORTEZ MASTO, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2267, a bill for the relief of Cesar Carlos Silva Rodriguez.

S. 2499

At the request of Mr. MERKLEY, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2499, a bill to effectively staff the public elementary schools and secondary schools of the United States with school-based mental health services providers.

S. 2530

At the request of Mr. PERDUE, the name of the Senator from Georgia (Mrs. LOEFFLER) was added as a cosponsor of S. 2530, a bill to require the Secretary of Homeland Security to establish a School Safety Clearinghouse, and for other purposes.

S. 2626

At the request of Mr. MERKLEY, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 2626, a bill to remove limitations on inmate eligibility for Medicare, the Children's Health Insurance Program, and veteran's health benefits.

S. 2651

At the request of Ms. SINEMA, the name of the Senator from Indiana (Mr. BRAUN) was added as a cosponsor of S. 2651, a bill to amend title 38, United States Code, to authorize the Secretary of Veterans Affairs to provide inscriptions for spouses and children on certain headstones and markers furnished by the Secretary, and for other purposes.

S. 2661

At the request of Mr. GARDNER, the names of the Senator from North Dakota (Mr. HOEVEN) and the Senator from South Dakota (Mr. THUNE) were added as cosponsors of S. 2661, a bill to amend the Communications Act of 1934 to designate 9–8–8 as the universal telephone number for the purpose of the national suicide prevention and mental health crisis hotline system operating through the National Suicide Prevention Lifeline and through the Veterans Crisis Line, and for other purposes.

S. 2671

At the request of Mr. BOOKER, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 2671, a bill to build safer, thriving communities, and save lives by investing in effective violence reduction initiatives.

S. 2715

At the request of Mr. BLUNT, the names of the Senator from Kansas (Mr. MORAN) and the Senator from Michigan (Mr. PETERS) were added as cosponsors of S. 2715, a bill to develop and implement policies to advance early childhood development, to provide assistance for orphans and other vulnerable children in developing countries, and for other purposes.

S. 2743

At the request of Mr. GARDNER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 2743, a bill to establish the China Censorship Monitor and Action Group, and for other purposes.

S. 2949

At the request of Mrs. FISCHER, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 2949, a bill to direct the Secretary of Veterans Affairs to make grants to eligible organizations to provide service dogs to veterans with severe post-traumatic stress disorder, and for other purposes.

S. 2973

At the request of Mr. SCOTT of South Carolina, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 2973, a bill to amend the Fair Labor Standards Act of 1938 to harmonize the definition of employee with the common law.

S. 3007

At the request of Mrs. BLACKBURN, the name of the Senator from New Hampshire (Ms. HASSAN) was added as a cosponsor of S. 3007, a bill to amend title 18, United States Code, to require a provider of a report to the CyberTipline related to online sexual exploitation of children to preserve the contents of such report for 180 days, and for other purposes.

S. 3020

At the request of Ms. BALDWIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) 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. 3154

At the request of Mr. THUNE, the name of the Senator from Kansas (Mr. ROBERTS) was added as a cosponsor of S. 3154, a bill to improve the effectiveness of tribal child support enforcement agencies, and for other purposes.

S. 3167

At the request of Mr. BOOKER, the name of the Senator from Massachusetts (Ms. WARREN) was added as a cosponsor of S. 3167, a bill to prohibit discrimination based on an individual's texture or style of hair.

S. 3170

At the request of Mr. MERKLEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 3170, a bill to amend the Fair Labor Standards Act of 1938 to expand access to breastfeeding accommodations in the workplace, and for other purposes.

S. 3173

At the request of Mr. LEE, the name of the Senator from South Dakota (Mr. THUNE) was added as a cosponsor of S. 3173, a bill to amend the Internal Revenue Code of 1986 to provide that amounts paid for an abortion are not taken into account for purposes of the deduction for medical expenses.

S. 3220

At the request of Mr. PORTMAN, the names of the Senator from Kansas (Mr. ROBERTS) and the Senator from New Hampshire (Ms. HASSAN) were added as cosponsors of S. 3220, a bill to amend title XIX of the Social Security Act to clarify that the provision of home and community-based services is not prohibited in an acute care hospital, and for other purposes.

S. 3239

At the request of Mr. WICKER, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 3239, a bill to designate the headquarters building of the Department of Transportation located at 1200 New Jersey Avenue, SE, in Washington, DC, as the ''William T. Coleman, Jr., Federal Building'' .

S. 3244

At the request of Ms. ROSEN, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S. 3244, a bill to require the Secretary of Health and Human Services to improve the detection, prevention, and treatment of mental health issues among public safety officers, and for other purposes.

S. 3252

At the request of Mr. CASSIDY, the names of the Senator from Texas (Mr. CRUZ) and the Senator from Florida (Mr. RUBIO) were added as cosponsors of S. 3252, a bill to prohibit chemical abortions performed without the presence of a healthcare provider, and for other purposes.

S.J. RES. 68

At the request of Mr. KAINE, the name of the Senator from Nevada (Ms. CORTEZ MASTO) was added as a cosponsor of S.J. Res. 68, a joint resolution to direct the removal of United States Armed Forces from hostilities against the Islamic Republic of Iran that have not been authorized by Congress.

S. CON. RES. 35

At the request of Ms. SINEMA, the names of the Senator from Indiana (Mr. BRAUN) and the Senator from Georgia (Mr. PERDUE) were added as cosponsors of S. Con. Res. 35, a concurrent resolution providing for a joint hearing of the Committee on the Budget of the Senate and the Committee on the Budget of the House of Representatives to receive a presentation from the Comptroller General of the United States regarding the audited financial statement of the executive branch.

S. RES. 481

At the request of Ms. ROSEN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. Res. 481, a resolution commemorating the 75th anniversary of the liberation of the Auschwitz extermination camp in Nazi-occupied Poland.

SUBMITTED RESOLUTIONS

SENATE RESOLUTION 494—DENOUNCING FEMALE GENITAL MUTILATION OR CUTTING AS A VIOLATION OF THE HUMAN RIGHTS OF WOMEN AND GIRLS AND URGING THE INTERNATIONAL COMMUNITY AND THE FEDERAL GOVERNMENT TO INCREASE EFFORTS TO ELIMINATE THE HARMFUL PRACTICE

Ms. ERNST (for herself, Mrs. BLACKBURN, Mrs. CAPITO, Mrs. HYDE-SMITH, Mrs. LOEFFLER, Mrs. FISCHER, and Mr. BRAUN) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 494

Whereas female genital mutilation or cutting (referred to in this preamble as ''FGM/C'') is recognized internationally as a violation of the human rights of women and girls;

Whereas FGM/C comprises all procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for nonmedical reasons;

Whereas an estimated 200 million girls and women alive as of January 2020 have been victims of FGM/C, with girls under the age of 15 representing 44 million of those who have been cut;

Whereas more than 3 million girls are estimated to be at risk of FGM/C annually;

Whereas the practice of FGM/C is mostly carried out on young girls between infancy and age 15;

Whereas the practice of FGM/C is rooted in gender inequality and is often linked to other elements of gender-based violence and discrimination, such as child marriage;

Whereas the World Health Organization asserts that FGM/C—

(1) has no health benefits for women and girls; and

(2) can have long-term impacts on the physical, psychological, sexual, and reproductive health of the women and girls who experience FGM/C;

Whereas the impacts of FGM/C on the physical health of women and girls can include bleeding, infection, obstetric fistula, complications during childbirth, and death;

Whereas, according to the United Nations Children's Fund, FGM/C is reported to occur in all parts of the world, but is most prevalent in parts of Africa, the Middle East, and Asia;

Whereas, although the practice of FGM/C is highly concentrated in specific regions and associated with several cultural traditions, it is not tied to any one religion;

Whereas, in 2016, the Centers for Disease Control and Prevention published a report estimating that 513,000 women and girls in the United States were at risk of, or may have been subjected to, FGM/C;

Whereas, in 2015, the United Nations adopted a set of 17 Sustainable Development Goals that includes a target to eliminate FGM/C by 2030, having previously recognized in 2010 that ''the abandonment of this harmful practice can be achieved as a result of a comprehensive movement that involves all public and private stakeholders in society'';

Whereas the elimination of FGM/C has been called for—

(1) by numerous intergovernmental organizations, including the African Union, the European Union, and the Organization of Islamic Cooperation; and

(2) in 3 resolutions of the United Nations General Assembly;

Whereas the Annual Country Reports on Human Rights Practices prepared by the Department of State include information on—

(1) whether FGM/C is prevalent;

(2) the type and category of genital cutting that is most common; and

(3) international and governmental efforts to address the practice of FGM/C;

Whereas the Federal Government recognized FGM/C as a form of gender-based violence in—

(1) the United States Strategy to Prevent and Respond to Gender-Based Violence Globally, released in August 2012 and updated in June 2016; and

(2) the United States Global Strategy to Empower Adolescent Girls, released in March 2016;

Whereas a Government Accountability Office report released in 2016 concluded that ''State and USAID currently have limited international assistance efforts to address FGM/C''; and

Whereas, in 2012, the United Nations General Assembly designated February 6 as the ''International Day of Zero Tolerance for Female Genital Mutilation'' to enhance awareness of, and encourage concrete actions by governments and individuals against, the practice of FGM/C: Now, therefore, be it

Resolved, That the Senate—

(1) denounces female genital mutilation or cutting as a violation of the human rights of women and girls;

(2) affirms the importance of ending the practice of female genital mutilation or cutting globally for the safety and security of women;

(3) calls upon the international community to increase efforts to accelerate the elimination of female genital mutilation or cutting; and

(4) urges the Secretary of State and the Administrator of the United States Agency for International Development to incorporate coordinated efforts to eliminate female genital mutilation or cutting into the gender programs of the Department of State and the United States Agency for International Development, respectively.

MEASURE PLACED ON THE CALENDAR—H.R. 5687

Mr. MCCONNELL. Mr. President, I understand there is 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 bill clerk read as follows:

A bill (H.R. 5687) making emergency supplemental appropriations for the fiscal year ending September 30, 2020, and for other purposes.

Mr. MCCONNELL. I now ask for a second reading, and in order to place the bill on the calendar under the 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.

ORDERS FOR TUESDAY, FEBRUARY 11, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 10 a.m., Tuesday, February 11; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, and morning business be closed; further, that following leader remarks, the Senate proceed to executive session and resume consideration of the Brasher nomination under the previous order; and finally, I ask that the Senate recess from 12:30 p.m. until 2:15 p.m. to allow for the weekly conference meetings.

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

ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order, following the remarks of Senator BROWN and Senator ENZI.

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

The Senator from Ohio.

BUDGET PROPOSAL

Mr. BROWN. Mr. President, thank you, and I thank the Republican leader.

Last month, while this body was trying, as we know—and failing—to hold the President accountable for betraying the American people, President Trump went to Davos, and he doubled down on another betrayal of the American people.

While he was hobnobbing with the global elite in Switzerland, he let slip his plan, after his tax handouts to billionaires and corporations blew up the deficit—we know deficits now. Thanks to Republican governing, thanks to

this President's tax cut and my Republican colleagues going along with this tax cut that went overwhelmingly to the wealthiest people in this country, the budget deficit has just skyrocketed. We know all that. President Trump now wants to pay for it by cutting Social Security and Medicare. He wants to pay for it by cutting Social Security and Medicare.

Today we got President Trump's budget. This document makes it clear how he wants to pay for his tax scam—on the backs of working families and seniors.

I want to start with one that is of special interest in Ohio. We all know that just in the last 2 or 3 years—well, starting soon after President Trump was elected and then over about a year-and-a-half period, the Lordstown auto plant—about 4,500 jobs—shut down. President Trump had promised those workers—he said to Mahoning Valley: Don't sell your homes. These jobs are coming back. This is going to work for us. And then the President Trump did absolutely nothing. The third shift was laid off. The second shift laid was off. The first shift was laid off. The plant closed, and there were 4,500 lost jobs.

I have been working with Senator PORTMAN—my Republican colleague—and others on getting somebody to come into that plant. It will not just be the 4,500 good UAW jobs, but it could be, potentially, a good many jobs. There was a loan program that we and this company were going to use to make sure they could, if you will, reindustrialize part of the Lordstown complex. Well, the President's budget axed that plan, that loan program. We were counting on that as a way to replace some of those jobs that the President of the United States promised would come back, and now we can't even count on that. There is that.

Then, in addition to the cuts to Medicare and Social Security, he is taking a sledgehammer to Medicaid, to food stamps, to investments in infrastructure, and support for rural communities and small towns. He wants to make it harder to clean up our drinking water and stop polluters.

At a time when one in four renters spends more than half of their income in housing, he wants to make it harder to help families find and afford loans for a home. Pretty much the only ones who escaped unscathed, the only ones the President's budget acts didn't hit: corporations and their wealthy, unaccountable CEOs. To fund their tax cuts—again, the tax cuts 2 years ago—70 percent of the tax cuts went to the wealthiest 1 percent of people in this country. To pay for those tax cuts that have exploded the Federal budget deficit—you don't have to be an accountant like my friend from Wyoming to understand what has happened to this deficit—President Trump wants to ask more from families struggling to make ends meet, the families he promised to fight for, the families he has betrayed. He wants to ask more of seniors and people with disabilities and students and kids who need healthcare, all to pay for this tax scam.

President Trump sold us a tax cut for working people, but the jig is up. We know people aren't seeing more money in their paychecks. People see Trump's tax scam for what it really was: a giveaway to corporations and the wealthiest, tiny sliver of the population.

Remember the promises the President made that his tax law would mean raises for workers? He said it over and over. I was in the President's Cabinet room with the President and a handful of Senators from both parties. He promised, before it passed, With this tax bill, everybody will get a $4,000 raise, he said—well, not exactly true.

He told workers last year, the month after he signed the law, You are going to start seeing a lot more money in your paycheck.

One lie after another lie after another lie. Instead of investing in workers, corporations bought back trillions—literally, trillions—of dollars of their own stock to line investors' pockets. Meanwhile, the deficit exploded.

We know what the corporate crowd's plan always is to deal with the deficit, every single time: cut taxes, blow a hole in the deficit, and then go back and pay for it by cuts to Social Security and Medicare. How do we know that is what they are going to do? Because they told us that is what they are going to do. In spring 2017, right after President Trump was elected, the Wall Street Journal ran an op-ed by economist Martin Feldstein, who has built his career pushing tax cuts for his rich friends.

Guess how he wanted President Trump to pay for his corporate giveaway? In those days, the President said, We will have so much economic growth that it will pay for itself. Well, the economic growth has been less in these 3 years of Trump than in the last 3 years of Obama, but that is not the point. The point is he said it would pay for itself.

Well, Martin Feldstein didn't believe that. He knew. He said in this article that it will not pay for itself; it will pay a little bit. But he said the best way to do it is raise the Social Security retirement age. It looks like President Trump was listening to Martin Feldstein.

It always comes back to whose side are you on. You stand with workers, or you stand with corporations. You stand with insurance companies, or you stand with patients. You stand with Wall Street, or you stand with consumers.

Do you fight for Wall Street wealth? Or do you fight for the dignity of work? If you love this country, you fight for the people who make it work. The President promised to fight for American workers and their families. This budget he released today is the latest in a long line of broken promises and betrayals.

I yield the floor.

The PRESIDING OFFICER. The senior Senator from Wyoming.

BUDGET PROPOSAL

Mr. ENZI. Mr. President, I suspect I couldn't have come to the floor at a better time. The President's budget did come out today. It consists of a set of documents a foot high. In my opinion, the whole pile should be replaced with a list from the President of what he thinks are pretty good ideas to do this year.

I want to encourage people, including the Senator from Ohio, not to waste any time searching out the President's budget cuts. Nobody has listened to the President in the 23 years that I have been here. Congress doesn't pay attention to the President's budget exercise. I don't know why we put him through that. That is all it is.

Congress holds the pursestrings, according to the Constitution. Congress is very protective of that constitutional authority. If you don't believe me, watch all the rhetoric that comes out on the President's budget. I am hoping that I hear something positive on it, but it is pretty hard to find anything positive with the funding situation that we are in. I do have to take issue with something that was just said here, that the Tax Cuts and Jobs Act hasn't worked. It has worked.

Now, a very important thing for everybody to know: The problem that we are in right now with our deficits doesn't have to do with the dollars that are coming in. The first year after the Tax Cuts and Jobs Act, we took in more revenue than ever before. More people had jobs. More people were paying taxes. Companies were paying more taxes. They were doing more business. That results in more taxes. So, that first year, we got more money than we had ever had to spend before.

The second year, we had more money than the first year. We keep getting more money to spend. The problem is we have no control over our urge to spend. Since CBO's June 2019 Long-Term Budget Outlook, Congress has passed and the President has signed legislation that would add more than $2 trillion to our national debt over the next 10 years. That is how we are spending.

The increased spending caps from the Bipartisan Budget Act of 2019 are responsible for $1.7 trillion of that $2.1 trillion. It does include interest costs, but that is what we have to pay any time we have a debt. That $1.7 trillion passed with no debate. There was a budget point of order. I had established a budget point of order, which takes 60 votes. I missed by four being able to stop that. We can't spend that way. But that isn't the President's budget. That is our budget.

Over the next few days, you will hear lots of complaints about the President's budget. Seldom will anybody mention anything good, and it has been that way for every President. You will

hear lots of terrible things about the President's budget. You won't hear anything positive. In the present political atmosphere, you probably will not learn anything from the comments. Little of a positive nature is getting any coverage in Washington these days.

Recently, I went to a hearing on the dangers of youth vaping. It turned into a diatribe about President Trump. Presidents' budgets, regardless of what President, are a chance for Members not in his party to beat up verbally on whoever is President. For that reason, I didn't hold a hearing on President Obama's last budget, and I will not be holding one on this President's budget for that reason. Let me repeat that. Because it turns into a diatribe against the President, I did not hold a hearing on President Obama's last budget, and, for that same reason, I am not going to hold a hearing on this President's budget.

If you want the animosity of a budget hearing, the House of Representatives will have the Office of Management and Budget, OMB, for a hearing this Wednesday. You can take that in and get your dose of animosity if you want. It will be a chance for the House to ask loaded, venomous questions of the Director.

The budget process is not working. The only thing of real value in any President's budget is our history of spending. That is what has already been done. We ought to look at that. We ought to see the mistakes that we have made, the way that we have piled up this debt. If Congress, for once, could spend a portion of the scrutiny they give to the President's projected cuts and, instead, look at the history of our spending, we might be able to gain ground. Yes, only cuts will be blasted, even though we never make cuts; we just keep spending.

The official budget is done in the Senate and separately in the House and is only official if the House and Senate can reach agreement. When the two Chambers of Congress are opposite majorities, there is little chance for agreement. From history, I can assure you cuts will not be made. I can also assure you that seldom does any program get as big of an increase as the participants request, but that is changing. There is no spending constraint. There is seldom an attempt to find money to cover the costs, especially on new services that are dreamed up.

I will do a budget. I will ask the Democrats to help put together a responsible budget, working with Republicans. That is really the only way it can work responsibly. What do I mean by ''responsibly''? The Budget Committee only sets limits on spending. A lot of people think that we dig into every detail and decide how much everybody is going to get. No. We set limits in a broad number of categories. It is the Appropriations Committee that allocates the specific dollars, but we always wind up spending beyond the limit set by the budget, even if a budget can be agreed on.

How can that happen? When a spending bill or a spending idea comes to the Senate floor, the bill technically needs 60 votes to pass. To bust the budget limits also only takes 60 votes, so any idea or spending bill that is able to pass already, it already has the votes to bust the budget and put us deeper into debt.

Congress also doesn't meet spending deadlines. If Congress passes a continuing resolution, which means we couldn't agree by the end of the fiscal year, the government stays open with permission to spend each month 1/12 of what it was allocated the previous year. That is what a continuing resolution does; it allows them to keep operating at what they had before.

Continuing resolutions continue until both sides are able to negotiate what they want, but the new method of compromise is you can have everything you want as long as you will let me have everything I want. What kind of negotiation is that?

Well, as I mentioned before, it is $1.7 trillion and one vote with no debate. Yeah. How would your Christmas shopping for your family work under those circumstances where everybody could have whatever they wanted? Wouldn't it even be worse if you were spending someone else's money for those Christmas presents? What if it appeared to be an unlimited supply of money? How long would that last?

Of course, if a continuing resolution doesn't pass, the government is shut down. The employees are sent home. Federal public places are shut down and closed to the public. When agreement is finally reached, the employees come back. They are paid for the time they were off. They are way behind in their work, which hurts the economy when permits aren't released—and other things. We also have to pay lots of overtime to catch up for the time they were off.

There are several proposals out there that could stop shutdowns and put pressure on Congress to get the spending job done on time. How long can we overspend? Well, interest, I think, is currently in the area of 2½ percent. If people lose confidence in the Federal Government, we will have to pay a higher interest rate in order to get the money to cover the debt. Yes, we have to pay the interest. If we default on the interest, the country defaults. If that interest rate were to go from the current 2½ percent to the normal 5 percent, we would only be able to pay for Social Security, Medicare, and Medicaid.

You didn't hear me say anything about defense. You didn't hear me say anything about education. You didn't hear me say anything about infrastructure. You didn't hear me say anything except Social Security, Medicaid, and Medicare. That is what happens if people lose confidence in this, if they think we are overspending continually and that we don't intend to get control over it.

I will tell you a few other things that you might not be aware of. Did you know that most Federal dollars are spent without Congress ever voting on it a second time? Those are called mandatory programs. Once a program is approved in the mandatory category, that spending is never voted on again. Worse yet, no one hardly ever looks at the program to see if it does what it was supposed to do. Nothing should be mandatory that doesn't have a source of revenue—that is, money—sufficient to fund it into the future. Do you know what that would amount to if we had that kind of rule on mandatory?

Social Security no longer brings in as much money as we pay out. Medicare doesn't bring in the money that we pay out. Medicaid doesn't bring in the money that we pay out. In the mandatory programs, there are probably only about four that have a source of revenue to fund them. The rest all take money from the general fund, which means that the general fund doesn't really have any money for the discretionary things that we vote on—you know, that big fight we have once a year come October 1 to fund the rest of government—and mostly defense is in that category.

I don't get invited to speak at many places. It is kind of depressing.

But once the program is approved, mandatory spending is never voted on again, and no one looks at the program to see what it is supposed to do. They still get their annual money, even though some of these programs have expired. They had an expiration date, and we went past the expiration date, which means the program shouldn't exist anymore, but it does, and we continue to fund it, not only at its previous, expired level. We keep adding cost-of-living increases for it. Yes, it is probably needed, but what is the money really doing?

No business would be in business if they didn't check even more than annually to see what is working effectively and eliminating those that aren't. We should be doing that task. When was the last time you saw a program eliminated around here? I have been here 23 years. Nope.

Then there is the problem with program duplication. When I got to Washington, there were 119 preschool children's programs. Those are really important. If kids get the learning they need before they go to kindergarten, it makes a difference in the rest of their life—but 119 programs? Senator KENNEDY and I worked together and merged quite a few of those. We eliminated some—so there are some programs that got eliminated—and we got that down to 45 programs. Five would probably do the job. We did pass an amendment to a bill that said that those had to be pared down to five programs, and that all of them had to be under the Department of Education. The reason we weren't able to get

below 45 is because we didn't have jurisdiction over those in Health, Education, Labor, and Pensions. Those were all in other groups.

In the area of housing, we have 160 programs—160 programs—and they are administered by 20 different agencies. So really, nobody is in charge. So nobody is setting goals. So nobody is checking to see if it is working. Nobody is checking to see if the program over here in one of those 20 is the same as the program over here in another one of the 20, which would allow them to be merged.

Merging saves money. If you merge, you only need one director, instead of two, and you don't need all the assistants there were. You only need the assistants for one program, and the money that would be stuck in Washington can actually go to what we thought was going to get done. Every merger results in savings. Elimination results in more savings. How much better would it be to move the money to where the results are?

The proposed budget reforms that Senator WHITEHOUSE and I have worked on would provide for portfolio reviews. Here is how that works. Each committee would have to look at all of the programs, of the type that would be in their jurisdiction if it weren't handled in a bunch of other places. So those other places would have to look at the ones under their jurisdiction. If we can get that portfolio review, I think we would find that some of those areas where we are doing it time after time, mostly by just adding to Washington bureaucracy.

We want the money out there where the problem is. We think we are solving problems, but we are not solving problems. We are just hiring more people in DC. We used to have a policy that the last person hired would be the first person fired and that resulted in an increase in government, too, because as soon as you got hired, you could expand your workload so you needed an assistant, and now you weren't the first in line to be fired. That has resulted in a lot of people working in Washington. How much money actually makes it to the problem? We ought to see if the money makes it to the people or if we are just increasing Washington bureaucracy.

Over the next few weeks, I will be going into some detail on each of these problems with budgeting. I will also be promoting the budget reforms that Senator WHITEHOUSE and I and the Budget Committee have put out favorably. I think that is the first budget provision in about the last 2 two decades that has come out of the committee in a bipartisan way.

Now, I could tell you that the reforms that we proposed will not solve all of the problem. You can't take that big of a leap when you have that big of a problem. But while those reforms will not solve the problem, they should help to make the solutions more noticeable.

We are having trouble getting that on the floor, too.

I really came to the floor to eliminate some of the concerns about the President's budget. I want people to know that they don't all have to fly to Washington to make their case to the Budget Committee for their program. Once the Budget Committee sets the parameters, then, the detail comes into play with the Appropriations Committee.

Talk to your appropriators. They spend the money—the exact dollars. Do your work there, but be sure your program is as effective as it can be. Also, take a little look at how many similar Federal programs there are. See if there can be a savings by merging some, thus getting more money out in the field where you are and getting more money on the problem.

Once again, the President's budget came out today. It consists of a set of documents a foot high. In my opinion, the whole pile should be replaced with a list from the President of what he thinks are pretty good ideas to do this year and, hopefully, there will also be a little piece in there that says how you can pay for it.

So don't waste any time searching out the President's budget program cuts. Congress doesn't pay any attention to the President's budget exercise. That is all it is—an exercise. Congress holds the purse strings, according to the Constitution, and Congress is very protective of that constitutional authority. Now we need to do the work that goes with that authority.

I yield the floor.

ADJOURNMENT UNTIL 10 A.M. TOMORROW

The PRESIDING OFFICER (Mr. SULLIVAN). Under the previous order, the Senate stands adjourned until 10 a.m. tomorrow.

Thereupon, the Senate, at 6:38 p.m., adjourned until Tuesday, February 11, 2020, at 10 a.m.