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No. 9

## House of Representatives

The House met at 10 a.m. and was called to order by the Speaker pro tempore (Mr. CUELLAR).

### DESIGNATION OF SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

January 15, 2020.

I hereby appoint the Honorable HENRY CUELLAR to act as Speaker pro tempore on this day.

NANCY PELOSI,

Speaker of the House of Representatives.

### MORNING-HOUR DEBATE

The SPEAKER pro tempore. Pursuant to the order of the House of January 7, 2020, the Chair will now recognize Members from lists submitted by the majority and minority leaders for morning-hour debate.

The Chair will alternate recognition between the parties, with time equally allocated between the parties and each Member other than the majority and minority leaders and the minority whip limited to 5 minutes, but in no event shall debate continue beyond 11:50 a.m.

### HONORING THE LIFE OF TIM STAPLES

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. AGUILAR) for 5 minutes.

Mr. AGUILAR. Mr. Speaker, today I rise to honor the life of Tim Staples, a devoted husband, brother, son, and teacher. Tim gave his life working to save the life of another.

As a volunteer for search and rescue team of the San Bernardino County Sheriff's Department, Tim joined the search for a missing hiker last month on California's Mount Baldy. Trag-

ically, this would be Tim's final rescue operation.

Despite the risks, Tim's endless dedication to serving others guided him through 9 years as a volunteer with the search and rescue team, where he assisted countless operations to help save the lives of fellow San Bernardino County residents.

But his passion for search and rescue was not the extent of Tim's desire to serve his community. Tim's desire to serve the community spanned across education and community and civic activities.

He grew up in San Bernardino County, attending Damien High School in La Verne before getting his college education at Gonzaga University in Spokane, Washington.

Tim was a Cub Scout and Boy Scout before becoming an Eagle Scout. He completed the Buckskin Leadership training and dedicated his time to training other Scouts.

Tim was an educator, spending his career as a teacher and coach at both St. Lucy's High School in Glendora and at his alma mater in Damien.

He is remembered by his family and friends for his love of helping others and often helping complete strangers. From stopping traffic to help push a car through a crowded intersection to driving over 2,000 miles to help a friend move, Tim was always willing to put his full energy and effort behind helping other people, including on his last day.

He is survived by his two sisters, his parents, and his loving wife, Katie.

Tim's students, athletes, friends, family, and all of San Bernardino County are better off as the result of Tim's endless compassion and drive to serve others.

### HONORING THE LIFE OF SERGEANT HARRY AMIGH

The SPEAKER pro tempore. The Chair recognizes the gentleman from

Pennsylvania (Mr. THOMPSON) for 5 minutes.

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today to recognize and honor Sergeant Harry Amigh, a resident of Ebensburg, Pennsylvania, and a Korean war veteran.

Sergeant Amigh enlisted in the United States Army in 1948 and would go on to serve in the Battle of Chosin Reservoir, one of the Korean war's greatest battles. Sergeant Amigh was killed in action during that battle at just 20 years old.

Though his military career ended far too soon, Sergeant Harry Amigh left an incredible legacy behind. I am humbled to be joining the Amigh family this Friday, January 17, to honor his legacy and present the family with seven military awards and medals in his memory.

Sergeant Amigh is the recipient of a: Purple Heart; National Defense Service Medal; Korean Service Medal with one Bronze Star;

Combat Infantryman Badge; United Nations Service Medal; Republic of Korea-Korean War Service Medal; and.

Republic of Korea Presidential Unit Citation.

The men and women who have chosen to dedicate their lives to defending the United States are among the most courageous citizens.

Sergeant Amigh loved his country, and he fought valiantly for his country. For that, we are forever indebted to Sergeant Amigh and the many men and women like him who made the ultimate sacrifice.

### IN SUPPORT OF IRANIAN PROTESTERS

Mr. THOMPSON of Pennsylvania. Mr. Speaker, I rise today in support of and as a cosponsor of House Republican Leader KEVIN MCCARTHY's H. Res. 791, supporting the protesters in Iran. H. Res. 791 serves notice to the Iranian regime that the United States is watching and the world is watching.

□ This symbol represents the time of day during the House proceedings, e.g., □ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



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Sadly, yesterday, my Democratic colleagues blocked a vote on this resolution that expressed support of antigovernment protestors in Iran and condemned Iran's role in the downing of a Ukrainian civilian aircraft last week.

So what was in this resolution that motivated my Democratic colleagues to prevent consideration?

The resolution would have condemned the Government of Iran for killing 1,500 Iranian citizens who were protesting their government as well as condemned the Government of Iran for shooting down Ukraine International Airlines flight 752, killing 176 people.

In addition, the resolution, in section 3, "condemns the Government of Iran for repeatedly lying to its people and to the world about its responsibility for the downing of Ukraine International Airlines flight 752"; section 4, "calls on the Government of Iran to, A, refrain from the use of violence, and, B, protect the rights of freedom of expression and peaceful assembly; and," section 5, "supports the protestors in Iran, their demands for accountability, and their desire for the Government of Iran to respect freedom and human rights."

Mr. Speaker, I am deeply disappointed that my Democratic colleagues would block a measure expressing support of freedom and human rights, principles that should be afforded to all persons.

#### HONORING THE LIFE OF ENEDINA CELIZ RAPAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. RUIZ) for 5 minutes.

Mr. RUIZ. Mr. Speaker, I rise to remember and recognize the incredible life of Enedina Celiz Rapan, who passed away this month at the age of 93.

I was raised in a farmworker community with farmworker parents in the eastern Coachella Valley, where, for many of us, hardship and injustice can feel like the norm; and if it weren't for women like Enedina Rapan, many of us would still believe that it is true, and we would not be standing where we are today.

Enedina came to America at a young age to work hard, earn her living, and give her children a better life. And while she was working away in the fields, sweating in 120-degree heat with calloused hands, she witnessed the mistreatment of her fellow farmworkers and she saw their suffering.

If there is one thing about Enedina, it is that, when she saw injustice, she would speak up and get to work to fix it. So, when she saw farmworkers laboring for hours on end with no bathrooms nearby, she fought to bring restrooms to the fields. And when she saw seniors in the community going hungry, she organized, asking for donations and cooking meals so they could have dinner to eat.

And Enedina devoted her life to standing up for people who were mis-

treated, discriminated against, and vulnerable. There was no voice too soft that Enedina didn't hear and elevate.

Enedina was a giant for our community, working with the United Farm Workers of America, Cesar Chavez, and Lideres Campesinas to stand up for the rights of farmworkers. She used her tireless will and unmatched strength to pick people up, fight for what is right, and make the Coachella Valley a better place for everyone who lives there.

I am better off because of Enedina's work. My family and the entire farmworker community of the Coachella Valley, we are all better off because of Enedina's work.

And she would not be happy with me for being up here talking about her, because she was so humble. A woman who elevated everyone's voice around her, she would never seek this type of recognition.

Mr. Speaker, today, I want to make sure the country knows Enedina's story. I want to make sure you know about her contributions to our community and her unrelenting pursuit of justice.

Enedina will be sorely missed, but her presence will be felt and her life, an inspiration for years to come.

#### RECOGNIZING THE LIFE AND LEGACY OF PETRA RUIZ OF COACHELLA VALLEY

Mr. RUIZ. Mr. Speaker, I rise today to tell the Nation about the life and legacy of Petra Ruiz of the Coachella Valley.

Petra Ruiz was an organizer, activist, and leader who used her life to stand up for farmworking women across California.

As the son of farmworkers in the eastern Coachella Valley, I am all too familiar with the social, economic, and political hardships the farmworking community faces on a daily basis. The struggles can often be so great that you have to have someone or something to look to for inspiration. For me, and for so many of us in the Coachella Valley, Petra Ruiz was one such inspiration.

Petra was a fierce and loving leader who was held in high esteem, even by the people who didn't agree with what she had to say. But it was hard not to agree with what she had to say. You see, Petra believed in helping farmworking women across California advocate for themselves, for their families, and for their communities in the struggle for equality and their basic human rights.

Petra got involved in the union movement in the 1970s and was a warrior for justice and equality within the farmworking community through her final days.

A phrase that I have heard repeatedly in talking with members of the community and with her family is "she was always there." Petra was always there.

Even as a mother and a grandmother to a big family, she worked with the United Farm Workers of America and as a member of Lideres Campesinas to

advocate for the rights of the farmworker community. Petra led marches; she attended meetings; she would even go door-to-door with flyers making sure that farmworkers knew their rights.

Petra was a remarkable woman, revered, admired, a mover and shaker, an effective leader who led with her actions as much as she did by her words. She inspired me to never say no to my dreams, to pursue justice at every turn, and to always believe I could make a difference.

Mr. Speaker, while she is missed dearly, Petra's legacy didn't end with her passing. Her impact is felt today and will continue in the lives of generations to come.

#### TIME TO BURN THE BEETLE IN NORTH DAKOTA

The SPEAKER pro tempore. The Chair recognizes the gentleman from South Dakota (Mr. JOHNSON) for 5 minutes.

Mr. JOHNSON of South Dakota. Mr. Speaker, this weekend will be time to burn the beetle. I am talking about the mountain pine beetle and the damage it has done to the majestic Black Hills National Forest. In recent years, that pine beetle has infected 430,000 acres in the Black Hills, leaving millions of dead trees.

Now, the pine beetle thrives in an overly crowded forest. It craves density. So to tackle this problem, Federal, State, and local governments and private citizens have set to work thinning the forest.

Initially, from the very beginning, it has been the State and local partners that have been most proactive and aggressive; but, in recent years, Federal policies have helped as well.

The Forest Service started utilizing the categorical exclusions in the 2014 and the 2018 farm bills, allowing them to more quickly utilize sound forest management practices like tree thinning and controlled burns.

This picture tells the story well. In areas where the forest has been actively managed, the trees live; in areas where they have not been, they die. And now, today, after years of battle, it seems as though we are nearing the end of this particular outbreak.

That is good news, but it is no time to take our foot off the gas. One key action needed is to continue working with the timber industry to set and meet good harvest targets so we can get that excess timber out of the forest.

Mr. Speaker, I started my comments by noting that it was time to burn the beetle, and in Custer, South Dakota, this weekend, that is exactly what they will do at their Burning Beetle arts festival.

It is a good opportunity for us to remember the damage that has been done—430,000 acres—but also to remember the importance of good management, of good stewardship, and of good

Federal policy when it comes to protecting great resources like the Black Hills of South Dakota.

□ 1015

#### AMERICAN HERO RETURNING TO INDIANA'S SIXTH DISTRICT

The SPEAKER pro tempore. The Chair recognizes the gentleman from Indiana (Mr. PENCE) for 5 minutes.

Mr. PENCE. Mr. Speaker, I rise today to honor an American hero, PFC Louis Wiesehan, Jr., of Richmond, Indiana, and celebrate his return home to the Sixth District of Indiana.

PFC Wiesehan was a fellow marine who gave the ultimate sacrifice while fighting on the island of Betio in the Pacific Ocean during World War II. After 77 years, PFC Wiesehan is finally coming home. His remains will be buried in his hometown.

Thank you, PFC Wiesehan, for your service and sacrifice. You will never be forgotten. Semper Fi.

#### MARCH FOR LIFE

Mr. PENCE. Mr. Speaker, I rise today to give my wholehearted support for the upcoming March for Life rallies taking place across the Nation next week.

I am a passionately pro-life American and I will always fight for unborn children. It is our duty to protect the most vulnerable and speak for those who cannot speak for themselves.

As millions of Americans march across the Nation next week, I pledge to always stand with their cause.

#### GREENFIELD-CENTRAL HIGH SCHOOL RADIO STATION

Mr. PENCE. Mr. Speaker, I rise today to congratulate the Greenfield-Central High School Radio Station WRGF for being on air for 20 years. The high school station was established in 1999 and is now a 24/7 on-air public radio station run completely by students and their teacher, Jonathan Hudson.

Greenfield-Central's radio/TV classes draw 70 students a semester who are able to learn and gain professional experience before they enter college or the workforce. I was able to witness the advantages that these students are able to gain while visiting the facility last fall.

Happy anniversary to WRGF and all the students who participate in the program.

#### CONGRATULATING NEW PALESTINE COACH KYLE RALPH

Mr. PENCE. Mr. Speaker, I rise today to congratulate New Palestine football coach, Kyle Ralph.

Coach Ralph is among the list of only 32 coaches nationwide who are finalists for the 2019 Don Shula NFL High School Coach of the Year Award. In his 7 years as head coach at New Palestine, Coach Ralph has built a program that has become a statewide powerhouse.

Throughout his tenure, Coach Ralph has amassed an amazing 88-4 record and has brought three State championships home to New Palestine.

Mr. Speaker, I wish Coach Ralph the best of luck during the ceremony at the NFL Pro Bowl.

#### NEPA UPDATE

Mr. PENCE. Mr. Speaker, I applaud the Trump administration for proposing to update the totally outdated National Environmental Policy Act regulations.

These policies haven't seen reform in over 4 decades. As a result countless infrastructure projects have been backlogged for years.

It is time to roll back burdensome regulations that stifle growth.

Modernizing NEPA regulations will allow schools, bridges, and other vital projects to finally move forward safely and efficiently.

I pledge my support for these updates and look forward to the continued improvement of America's infrastructure.

#### TRADE WITH CHINA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Iowa (Mr. KING) for 5 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my honor to be recognized to address you here on the floor of the United States House of Representatives.

I come to the floor today to raise the issue and be thankful of the progress that we have made with regard to trade. We have been through a year and a half or more of intense trade negotiations. I have watched as our markets took a hard hit and tailspinned down for a couple of days, down the limit awhile back, and slowly creep back in again.

We produce a lot of corn, soybeans, cattle, hogs, eggs, and renewable energy in the Fourth Congressional District of Iowa. In fact, it is the number one egg-producing congressional district in all of America.

We saw a publication on the part of Bloomberg that when the tariffs were put onto Chinese goods coming into the United States by President Trump, the Chinese retaliated with tariffs on products like pork and soybeans. Bloomberg just showed a map of the United States where that hit the hardest and it happened to hit exactly over the red counties in America that produce a lot of corn and soybeans, and you could add to that the other products I mentioned, Mr. Speaker.

The situation that we are dealing with now is that we have gotten a long way through these trade negotiations, and we are coming around to the other side of it with China. In spite of all of this difficulty in all these markets that have been suppressed over this period of time, we found some new trade outlets.

For one thing, instead of having one big pipe going to China, we have got multiple, smaller pipes going to other locations in the world. And today the President signed phase 1 of the trade agreement that will increase by about \$16 billion a year our egg product exports to China. That includes a lot of

soybeans, it includes a lot of pork, and it fixes that component.

It also addresses the intellectual property issue that has been a big barrier for the trade negotiations with China. The value of U.S. intellectual property—the creation that comes out of the minds of Americans—is pirated by the Chinese somewhere between \$500 and \$600 billion a year. That gets addressed to a degree in this agreement and it gets addressed again in the next phase of the agreement.

U.S. Trade Representative Lighthizer has spoken on that issue to me, and he seems to be, I will say, fairly confident that we are going to get at least a reasonable beginning to something that is awfully hard to fix.

I would add also that it isn't just China. We are waiting now for the U.S. Senate to pass the USMCA Agreement. It is only the impeachment trial that stands in the way of getting that done. That will happen soon, within about a month or so, or perhaps less.

Further we have Japan, we have South Korea, and by the end of this month the United Kingdom will be out of the E.U., and the door is open for a bilateral trade agreement with the British.

If we could get that all done, as I said to the President the other day, we may find ourselves in the very best position we have ever been in, at least in our lifetime, with regard to trade in multiple locations, so that we are diversified in our markets so that we can send out to multiple countries and at the same time have a strong relationship with China and other countries.

We are moving into an excellent position here. We have got a strong economy, and we have got a strong Dow. This really is a great time to make investments in America, and they are doing that from around the world.

Mr. Speaker, I congratulate the President today.

#### 2020 RESOLUTION

The SPEAKER pro tempore. The Chair recognizes the gentleman from Pennsylvania (Mr. MEUSER) for 5 minutes.

Mr. MEUSER. Mr. Speaker, as we begin the new year and a new decade, let's all commit in this House to doing the job that the people sent us to the people's House to do. Let us remember the words of Alexander Hamilton: "Here, sir, the people govern; here they act by their immediate Representatives."

Let us commit to working every day 9 to 5 on delivering real results on the issues that matter to our constituents and our country.

These include working to reduce the cost of healthcare, including ending surprise billing, decreasing the cost of prescription drugs, ending prohibitions on association health plans, and ensuring there is no loss of insurance for preexisting conditions.

Also, continuing to ensure that veterans receive the care they deserve and

have earned. As well as having the backs of our troops by keeping our forces strong and prepared.

Fixing our broken illegal immigration process, first by securing our border and then reforming our laws with a focus on high fences and wide gates.

Making the 2017 Trump tax cuts permanent for families and small businesses. Driving workforce development by partnering with the private sector, our schools, career and technical centers, and apprenticeship programs.

Supporting trade agreements that create reciprocal trade and open markets for our U.S.-made products and agricultural goods.

Help assure our students have affordable and accountable educational opportunities.

Continue to grow our domestic energy industry including all-of-the-above and all-of-the-below: clean coal, low-carbon natural gas, and regulated and responsible oil production. We can accomplish this like no other nation on Earth.

We will work to develop and pass a transportation infrastructure bill to keep our roads and bridges safe, to modernize our highway system, and build America for the 21st century.

Finally, we will be fiscally responsible with the people's money on all spending and work to reduce our deficit.

On the district level, we plan to maximize Opportunity Zones to revitalize our small cities, focus on workforce development to match the enhanced demands of the 21st century workplace, maximize the economic opportunities of our area which will create good-paying jobs, improve our flood mitigation without putting it on the backs of our taxpayers, supporting police and first responders to maintain a high level of public safety, and continue to work to wipe out the terrible epidemic of drug addiction.

Mr. Speaker, if we can accomplish these goals, we will have an incredibly successful 2020 and pave the way for a great American decade.

Let's stop confusing activity with accomplishment. Let's keep our eyes on the prize with clear 20/20 vision to get things done for the American people.

#### IMPEACHMENT TRIAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. GREEN) for 5 minutes.

Mr. GREEN of Texas. And still I rise, Mr. Speaker, because I love my country. I rise today to address the trial that will start in the Senate, the trial to impeach the President of the United States of America.

This trial, Mr. Speaker, will not end until the last person has testified. In a sense it is like an opera, and, as you know, Mr. Speaker, the opera isn't over until there is a song that is sung; and until the last witness sings, the opera isn't over, this political opera as it were.

There are witnesses who must be heard. I believe that there are 51 Senators who will find agreement with what I have said. I believe that there are Senators who understand that when they take that oath, they have to step outside of the normal rhetoric that they may have espoused. I think they have to stand on the Constitution, and I think the Constitution requires them to hear all of the relevant and material evidence.

There are documents that should be heard. There are witnesses that must be heard. I believe that the Senators will vote such that documents and witnesses that have not been produced will be produced and the witnesses will be heard.

I believe that this is one of the seminal moments in time for the Members of the Senate, and I think they will understand that this is not just about this time, it is about all time. It is about what historians will say about this date, about the days that will follow.

It really is about who we are and what we stand for in the eyes of the world. Because it is not just about the Members of the House examining what is going on; the people of our country, and, indeed, the people of the planet Earth are viewing this, and they are doing so with great anticipation. They fully expect that the United States that has been a champion for liberty and justice for all, the United States that has the Statue of Liberty, the United States of America that stands for freedom around the world, that the United States of America will live up to its billing, will live up to what we have said, will live up to what we have done in the past, and will allow all evidence to be presented. I believe this.

I also believe that if all of the evidence is properly presented, no one can say that there wasn't a fair trial. The verdict may not be something that I would agree with, but there will have been a fair trial. If you don't do this, then it is not a fair trial. It is just a fake trial.

If you don't do this, there is no need to have the Chief Justice of the Supreme Court present if all you are going to do is receive reports from the House, that is just a briefing. You don't need the Chief Justice of the Supreme Court there with all of the majesty of the court. You don't need it.

I say have a trial, not a briefing. If we only have a briefing, this will be justice delayed if not denied. There is a court of appeals and that court of appeals will assemble in November of this year because the Senate itself is on trial. The court of appeals in November will make decisions as to whether or not the Senate has governed itself under the Constitution and has presented itself such that it should continue with its current makeup. The people of this country will have the last word.

□ 1030

#### FARMERS TO BENEFIT FROM CHINA TRADE DEAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Texas (Mr. ARRINGTON) for 5 minutes.

Mr. ARRINGTON. Mr. Speaker, I rise today in support of President Trump's effort to hold China accountable for its unfair trade practices, and I commend him and Ambassador Lighthizer on achieving the first phase of resetting that relationship.

For years, China has been taking advantage of American manufacturers and producers through currency manipulation, state ownership, stealing our intellectual property, and other unfair and unseemly behavior.

The bottom line is this, Mr. Speaker: They have been cheating Americans, and politicians have let them get away with it for far too long.

Joining me in this historic gallery today are 27 of the hardest working, God-fearing farmers in west Texas. Cochran, Lubbock, and Bailey Counties are represented here today. They know all too well the disastrous results of this trade imbalance with China.

President Trump loves the American farmer, and thanks to his hard-fought negotiations, producers from the South Plains and across the country will reap the benefit of China's new commitment to purchase up to \$50 billion in U.S. agriculture products. That is nearly twice the amount ever purchased by China.

These farmers can attest that the pain from China's retaliatory tariffs is real, resulting in higher input costs, lower commodity prices, and a significant decline in market share in one of our largest export markets.

All of this has come on the heels of record bankruptcies and the steepest decline in farm income since the Great Depression, but our farmers stand with this President because they know he is doing the right thing. They know he is fighting for them, and they also understand that when we get to the other side of this deal, there will be greener pastures for the next generation of farmers and ranchers.

Mr. Speaker, I am proud to represent the food, fuel, and fiber capital of the world in west Texas. These cowboys and plowboys who feed and clothe the American people, and fuel the American economy, are a picture of America's traditional values of hard work, faith in God, and love for their families and fellow man, which, by the way, is the real substance of what makes America great.

Mr. Speaker, on behalf of them, I thank the American people for their support through these tough times, and I thank President Trump for putting America first and fighting for a better future for the American farmer.

God bless, and go west Texas.

REMEMBERING LUBBOCK FIRST RESPONDERS

Mr. ARRINGTON. Mr. Speaker, this is a very solemn moment for me and all

west Texans. On Saturday morning, west Texas lost two of our finest and bravest first responders.

Lieutenant David Hill of Lubbock Fire Rescue and 27-year-old Lubbock Police Officer Nicholas Reyna were responding to a rollover accident when they lost their lives in the line of duty. A 30-year-old firefighter and paramedic, Matt Dawson, was also injured and remains in critical condition.

This is a tragic reminder that our heroic first responders wake up every single day and risk their lives to keep us safe. These men understood the sacred call to service. They gave the ultimate sacrifice and demonstrated the greatest love for their fellow man.

The Holy Scripture says this: "There is no greater love than this, than to lay down your life for your friends." May God welcome these earthly heroes into His heavenly kingdom. May He comfort the Reyna and Hill families. May He grant Matt a speedy and full recovery. May He continue to bless and keep those who keep watch over us.

The SPEAKER pro tempore. The Chair will remind Members that the rules do not allow references to persons in the gallery.

#### COMMEMORATING MARTIN LUTHER KING JR. DAY

The SPEAKER pro tempore. The Chair recognizes the gentleman from California (Mr. COSTA) for 5 minutes.

Mr. COSTA. Mr. Speaker, I rise today to honor Dr. Martin Luther King, Jr., and his life of service to our Nation.

Next week, on January 20, we will observe Martin Luther King's birthday. We know that Dr. King was the most influential civil rights leader in our Nation's history among so many great civil rights leaders, such as our own Congressman JOHN LEWIS.

Dr. King's commitment to public service brought historic change to our Nation, affected our entire country and society, and reshaped the way we interact. So it is fitting that we observe the 25th anniversary of Dr. Martin Luther King Jr. Day as "A Day On, Not a Day Off."

It serves to remind us to ask ourselves: What are we doing for others? Dr. King called this "life's most persistent and urgent question." What are we doing for others in our country?

As a public servant for the past 40 years, I firmly believe that every individual has an ability and an opportunity to make a change. Communities across the United States will host events to commemorate Dr. King's achievements and give back to the community, including in my own district in the San Joaquin Valley.

I will proudly participate in the Martin Luther King Day Community March in Fresno and Merced, as well. My office will join the city of Fresno at an awards ceremony to recognize individuals and organizations for their outstanding service to give back to our communities in the spirit of Dr. King.

I urge all Americans to find ways to help others in communities on Dr. Martin Luther King's birthday. You can find those options at [NationalService.gov](http://NationalService.gov), a way for us all to give back. Because in the words of Dr. King: "The time is always right to do what is right."

#### RECOGNIZING NATIONAL SLAVERY AND HUMAN TRAFFICKING PREVENTION MONTH

Mr. COSTA. Mr. Speaker, I rise today also to recognize National Slavery and Human Trafficking Prevention Month to raise awareness about this atrocity that plagues our Nation and the world.

There are estimated to be more than 40 million victims of trafficking across the planet. It happens in all of our communities here, and because of the geographic location that I represent in California's San Joaquin Valley, my district sees a disproportionately high amount of human trafficking.

The fighting of this atrocity requires all of us to be involved, and we must do more. Every year, I work hard to secure additional funding for the Crime Victims Fund and to strengthen our efforts to stop human trafficking.

We were successful in getting an additional \$2 billion to support investigations and operations to prevent human trafficking and another \$2.6 billion to improve services for these victims in the spending bill that passed just last month. This helps organizations like Breaking the Chains in Fresno, which is crucial to survivors.

We must understand that these trafficking victims are just that; they are victims of crime. We also need to bolster our efforts to prevent this from continuing to occur, from supporting law enforcement efforts to holding perpetrators accountable to educating our children about the dangers, especially in this day and age, when the internet, sadly, is oftentimes a tool for traffickers.

It is estimated that less than 1 percent of the survivors of human trafficking cases are identified. That is an astounding number, I think: less than 1 percent of the survivors of human trafficking are actually identified.

Last year, as co-chairs of the bipartisan Crime Survivors and Justice Caucus, which I helped found with Congressman Ted Poe, Congressman PETE OLSON and I introduced a resolution in the House to prevent, eradicate, and raise the awareness of human trafficking as today's modern slavery. It calls for the Federal Government to coordinate efforts to fight human trafficking between agencies and with State and local governments and other organizations that are out there trying their best.

Just yesterday, I met with John Cotton Richmond, the State Department's Ambassador-at-Large to Monitor and Combat Trafficking in Persons, both here and abroad, to discuss how we can work together to fight this injustice.

I promise you, we must fight this injustice. As a member and a co-chair of the Victims' Rights Caucus, for sur-

vivors of these kinds of crimes, we will continue to put this among our highest priorities. The Crime Survivors and Justice Caucus will continue to lead this bipartisan fight to end modern slavery and human trafficking in all its forms.

#### IN REMEMBRANCE OF COLONEL LEE FRANKLIN WITTER

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. SHIMKUS) for 5 minutes.

Mr. SHIMKUS. Mr. Speaker, Thursday and Friday of next week, I plan to visit my alma mater, the United States Military Academy at West Point. I hope to spend time with the Department of Social Sciences and thank them for their service to our country and for their current job of training our next generation of warriors.

I am sure that many of the faculty also mentor individual cadets. During my era, we called it sponsoring. This is a critical part of the job that I want to continue to encourage them to do.

You see, I am headed back to West Point to attend the burial of my sponsor, Colonel Witter. I met the Witter family during my first free Sunday morning of Beast Barracks. We met at the Lutheran service in the Old Cadet Chapel in the cemetery.

Colonel Witter and his wife, Mary Ellen, and children, Nanette, Dorinda, and Mathew, welcomed me into their home. They provided a safe haven away from the constant scrutiny of the upper class. They provided a full meal now and then when full meals during my era as a plebe were not always assured.

Having been raised in a large family, they provided a second family, a younger brother that I never had and two younger sisters that I already had plenty of.

As in any family, sometimes I was helpful and sometimes maybe a burden. The Witter family was always there for me, in good times and bad. Whether I was breaking the porch swing or kitchen chairs, seriously burning Mathew, or spending the night when I was told not to, I was also forgiven.

Colonel Witter took a special focus on my school performance. I was on the other dean's list, the list academic deans pay closer attention to. Graduation for me was not a slam dunk. Colonel Witter would summon me to his office to encourage me and help motivate me academically. When I told him I thought I was doing okay, he responded: "I get your grades."

I could not have graduated from West Point without the love and support from the Witter family. For this, I will be eternally grateful.

Colonel Witter, 84, passed away Monday, January 6, 2020, in South Carolina. This is a picture of him at the military academy as an instructor. I was blessed to have a chance to be able to visit with him and Mary Ellen a year ago last March.

Colonel Witter was a native of Wausau, Wisconsin. He was the last serving son of 20 children of the late Jerry and Amelia Witter.

Colonel Witter was a veteran of the United States Army, a retired military intelligence officer, and a United States Military Academy professor of social sciences at West Point. He was a decorated military veteran, earning the Legion of Merit, Bronze Star, Meritorious Service Medal, Air Medal, Joint Service Commendation Medal, National Defense Service Medal, Humanitarian Service Medal, Vietnam Service Medal with two bronze stars, Republic of Vietnam Campaign Medal, and the Combat Infantryman Badge. He was preceded in death by his son, Mathew, and all of his 19 brothers and sisters.

Survivors include his wife of 61 years, and my second mom, Mary Ellen; two daughters, and my second sisters, Nannette Jordan of Norwalk, Connecticut, and Dorinda Selby of Beaufort, South Carolina. He also had five grandchildren: Ashley Benusa of Hong Kong; Taylor Jordan of Boston, Massachusetts; Zachary Jordan of Waterbury, Connecticut; Senior Airman Mathew Selby of Davis-Monthan Air Force Base in Tucson, Arizona; and Thomas Selby of Beaufort, South Carolina.

Funeral services were held yesterday at St. John's Lutheran Church in Beaufort, South Carolina. I will be attending the burial service, which will take place at West Point Military Academy Cemetery on January 24, 2020, at 10 a.m.

Mr. Speaker, I conclude with Matthew 25:21: "His Lord said unto him, Well done, thou good and faithful servant: thou hast been faithful over a few things, I will make thee ruler over many things: enter thou into the joy of the Lord."

Beat Navy.

#### CELEBRATING MONROE COUNTY BICENTENNIAL

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kentucky (Mr. COMER) for 5 minutes.

Mr. COMER. Mr. Speaker, I rise today to honor my beloved Monroe County as we enter the 200th year of our county's rich and storied history.

A small rural county in south central Kentucky, Monroe County is home to communities steeped in history and tradition. Whether you are from Tompkinsville, Gamaliel, or Fountain Run, you have a shared Monroe County identity.

If you are a Monroe Countian, you more than likely enjoy our legendary barbecue and probably have countless stories to tell about our county's rich history, especially our political history.

This Sunday, January 19, hundreds of us will gather to celebrate Monroe County's 200th birthday. As we meet at the Tompkinsville National Guard Armory for this proud occasion, I will be

seeing many of the friendly faces that shaped my upbringing and remain good friends to this day.

Monroe County holds a special place in my heart; and now, more than ever, I am proud to serve as a voice for our citizens right here in our Nation's Capitol.

□ 1045

#### TAKING A STAND AGAINST SANCTUARY CITIES

Mr. COMER. Mr. Speaker, I rise today to express my concern about the upturn of sanctuary cities across the United States and push for action to enhance public safety by further cracking down on illegal immigration.

There should be consequences for not following the law. Local governments that choose not to enforce immigration laws recklessly put lives at risk. Senseless deaths occasionally result from crimes committed by criminal illegal aliens who take refuge in sanctuary cities.

Action is needed to prevent more harm from cities refusing to cooperate with Federal immigration officials. Allowing cities to tie the hands of our brave law enforcement officers and ignore the law should not be tolerated. I am calling on Congress to strengthen the safety of our communities by passing legislation banning sanctuary cities.

But while we continue to await action on this important issue, States are stepping up and making this a top priority. I want to commend the leaders in my home State of Kentucky who are taking proactive action to ban sanctuary cities and strengthen public safety. The leadership they are showing on this issue is an important step toward giving law enforcement more tools to go after major problems like drug trafficking and will benefit all Kentuckians.

#### DELAYED TRANSMISSION OF IMPEACHMENT ARTICLES

Mr. COMER. Mr. Speaker, as of today, it has been 4 weeks since House Democrats voted, in a historically partisan manner, to impeach President Donald Trump.

In voting to silence the will of 63 million Americans, they made clear that they were not here to work for the American people but to carry out a personal vendetta. Even a few House Democrats realized that impeachment was not in the best interest of our country, joining Republicans to oppose this baseless crusade.

But after their vote, Speaker PELOSI realized they had made a grave mistake. Their sham process and evidence-free case went against the wishes of the American people.

Knowing their case was baseless, Speaker PELOSI and House Democrats sat on these articles for 1 month. After originally claiming that impeachment was an urgent crisis and insisting that President Trump was a threat to national security, Democrats sat on their hands and delayed a timely trial on their own shoddy work product.

But the day has finally come where they are sending their weak case over to the Senate. I look forward to the day where Congress may finally move on from this partisan impeachment process that has wasted an amazing amount of time and resources and distracted from issues that matter most to the American people.

While I am disappointed that we have reached this sad point in this congressional body, I look forward to seeing a more fair and responsible hearing in the Senate.

#### ROE V. WADE

The SPEAKER pro tempore. The Chair recognizes the gentleman from North Carolina (Mr. BUDD) for 5 minutes.

Mr. BUDD. Mr. Speaker, the Supreme Court decision in Roe v. Wade was decided 47 years ago this month. Since abortion was made legal, more than 60 million unborn children have had their lives prematurely ended.

This is a matter of conscience, and just like the plurality of American people, I believe that life begins at conception.

In recent years, advances in science and medicine have given us an increasingly vivid picture of what life in the womb is like. A child has a heartbeat at just 6 weeks. A child feels pain at just 20 weeks. Science makes it clear that life exists in the womb, and, therefore, an unborn child is entitled to the most fundamental of human rights, and that is the right to live.

Even the plaintiff in that landmark case, Norma McCorvey, who at that time went by the name Jane Roe, changed her view and worked on behalf of the pro-life movement. She said: I think I have always been pro-life, but I just didn't know it.

Roe v. Wade is not only a human tragedy but a constitutional one as well.

In our Constitution, power is divided among three branches: Article I, Congress; Article II, the Presidency; and Article III, the courts. Congress makes the laws, the Executive enforces them, and the courts apply them.

Courts should not be in the business of striking down acts of Congress or State statutes simply because the individual judges have political disagreements with what the people's representatives have decided. In our constitutional system, judges may strike down laws only if those laws conflict with the Constitution, our country's supreme law.

But that is not what happened in Roe v. Wade. Five Justices created a right to abortion by reinterpreting the Due Process Clause of the Constitution. That clause says that no State may deprive anyone of life, liberty, or property without due process of law.

But even supporters of the decision have cast doubt on this justification. Harvard Law School's Laurence Tribe wrote: "One of the most curious things

about Roe is that, behind its own verbal smokescreen, the substantive judgment on which it rests is nowhere to be found.” And even Justice Ruth Bader Ginsberg had called the decision “heavyhanded judicial intervention” that was “difficult to justify.”

Essentially, the Court went out of its way to commit one of the most dramatic cases of judicial overreach in history. Instead of letting each State decide the issues for themselves, five Justices circumvented the system and created a decades-long human tragedy that continues to this day.

Since Roe, individual States have been valiantly trying to impose some sort of moral and legal safeguards on abortion. They have enacted laws prohibiting racial and gender discrimination in abortions; laws requiring women to see ultrasounds of their babies before committing to ending the unborn child's life; laws prohibiting abortion after a fetal heartbeat has been detected; and laws banning dismemberment abortions, where the doctor would have to physically tear the baby apart. Sadly, all of these laws have been struck down by judges claiming to follow the precedent of *Roe v. Wade*.

The human toll of this tragic overreach is staggering. Not only have over 60 million innocent children lost their lives, but the mothers of these children have had to live with the lasting psychological impacts that these abortions have had on them. Scientific studies have shown that women who have had abortions have a higher risk of mental health conditions like depression.

How could anyone turn a deaf ear and blind eye to the suffering of these vulnerable children and mothers? This issue transcends what it means to be an American and goes to the core of what makes us human.

Complex issues like this one are often fraught with controversy and, yes, heated tempers; but at the heart of that complexity and emotion lies a simple fundamental truth, and that is that unborn children deserve human rights.

I hope that one day soon the Supreme Court corrects their constitutional error so that the American people can reassert their voice in determining the moral question of our time.

#### HONORING THE SERVICE AND LEGACY OF DR. DEBORAH FRANK

The SPEAKER pro tempore. The Chair recognizes the gentleman from Massachusetts (Mr. MCGOVERN) for 5 minutes.

Mr. MCGOVERN. Mr. Speaker, today I am here to recognize the career of a colleague whose work has always been an inspiration, not just to me, but to countless healthcare providers, students, advocates, and patients alike, Dr. Deborah Frank.

Dr. Frank is a woman of many talents and passions. Notably, she has

served as a professor of pediatrics at Boston University School of Medicine.

One of Dr. Frank's most impactful community contributions began in 1984, when she founded the Grow Clinic for Children at Boston Medical Center. The Grow Clinic is an outpatient clinic that produces comprehensive specialty medical, nutritional, developmental, social services, and dietary assistance to children.

She is also the founder and principal investigator of Children's Health Watch, the Grow Clinic's outreach and research arm, which is a network of pediatric and public health researchers who, like Dr. Frank, are committed to improving child health in America.

The Grow Clinic serves a diverse patient population of mostly low-income families from some of Greater Boston's poorest communities. But what made the Grow Clinic an essential part of the community is not just its dedication to the underserved and underprivileged; it was Dr. Frank's commitment to gaining a deeper understanding about the social determinants of her patients' health.

Her patients knew that they could go to her for their needs beyond physical health. She cared about whether they had housing or warm clothing. She cared about whether they had healthy and nutritious food to eat and whether they were getting enough of it. She even started a food pantry at Boston Medical Center to address her patients' needs.

Dr. Frank knew that there is more to health than metrics and vitals. It is also your environment and support system. Part of what makes Dr. Frank's legacy remarkable is that she found a way to become part of that support system.

She came into this line of work with a vision and purpose and, in the process, has changed countless lives in Massachusetts and beyond.

Dr. Frank has testified many times before Congress on numerous occasions, raising awareness on the growing problem of national hunger and its effects on children. She has literally spoken truth to power. Her work will continue to shape the way that healthcare professionals and policymakers understand the correlation between children's nutrition and health.

Whether she is teaching medical students about “failure to thrive,” making sure her patients have food, or advocating against the criminalization and stigmatization of addicted mothers, Dr. Frank is a true fighter.

She may say she retired, but, honestly, I don't believe it. Her life's work of enriching the health and well-being of those around her will not only continue through the organizations that she has worked in her entire life and her entire career, but also through the lives of the children and the families for whom she has advocated. I am sure that she will continue to stand up for what she believes in, and I thank her for her service to her community and to our country.

Finally, I also thank her for her friendship. She is one of my heroes. She is an inspiration to me and to so many other people, and she is a believer that we can change the world. With her leadership and her inspiration, I believe we can do great things like end hunger in this country once and for all.

So, Mr. Speaker, I want to say to Dr. Frank, on behalf of all my colleagues, thank you for the incredible work that you have done, and we look forward to continuing to work with you and to be guided by your values and your passion.

#### HONORING THE SERVICE AND LEGACY OF CARL ADRIAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Washington (Mr. NEWHOUSE) for 5 minutes.

Mr. NEWHOUSE. Mr. Speaker, President Eisenhower said: “The supreme quality for leadership is unquestionable integrity. Without it, no real success is possible.” Today, I rise to recognize a man of integrity, a friend, and a true community leader.

Carl Adrian has served as president and CEO of the Tri-Cities Economic Development Council for 16 years. During his tenure, Tri-Cities has added more than 35,000 jobs, over 1,300 new businesses, and nearly 90,000 new residents, which is a 30 percent increase in population.

Tri-Cities is a national leader in agricultural food processing and viticulture, cutting-edge science and technology advancements, and energy sector development—in countless ways, due to Carl's advocacy and vision.

From his service on numerous boards, including Visit Tri-Cities and Benton-Franklin Council of Governments, and his efforts co-chairing the search for a new WSU Tri-Cities chancellor to his lasting commitment for the cleanup at Hanford, Carl Adrian demonstrates the best of what it means to be a public servant.

Mr. Speaker, I congratulate Carl and Rheta on his much-deserved retirement. Our sincere thanks for all of his service to the Tri-Cities.

#### CONGRATULATING KAYLA BARRON

Mr. NEWHOUSE. Mr. Speaker, when Kayla Barron, of Richland, Washington, graduated from high school, she attended the Naval Academy, commissioning as a Navy officer, and was among the first class of women commissioned to be a submarine officer.

Now she is one of just 48 NASA astronauts in the Nation and could be the first woman to land on the Moon. Kayla was chosen as one of more than 18,000 applicants for NASA's astronaut basic training program, graduating with her 12 classmates on January 10.

As she works to design the spacesuit for NASA's Artemis program, she and her classmates will prepare to complete the program's mission: return humans to the Moon by 2024 and send people to Mars.



Mr. Speaker, I congratulate Kayla on her remarkable accomplishments. I applaud her ability and willingness to go above and beyond to set an example for women of all ages who may be interested in going where no woman has gone before. She has made, and continues to make, our community proud. Central Washington is rooting for her.

□ 1100

CENTRAL WASHINGTON FIREFIGHTERS AIDING IN AUSTRALIA

Mr. NEWHOUSE. Mr. Speaker, over the past month, devastating bushfires have burned over 12.5 million acres of land in Australia. More than 200 American firefighters have been dispatched to Australia to help combat and contain these devastating fires, including two firefighters from central Washington.

In the West, we recognize the catastrophic impact wildfires have on local communities, on ecosystems, and on environments. My congressional district recently experienced some of the worst wildfires in our State's history. When we were in need, Australian firefighters were eager to help, and now our local heroes are returning the favor.

As we work to improve land management here at home, I am proud to cosponsor a resolution introduced by my friends Representatives PANETTA and LAMALFA of California to support the longstanding partnership between the U.S. and Australia as we share firefighting resources in times of crisis.

Mr. Speaker, I urge all of my colleagues to join me in applauding the firefighters, both American and Australian, who put their lives on the line to protect our land, our wildlife, and our loved ones.

TODAY IS A GREAT DAY FOR AMERICA

The SPEAKER pro tempore. The Chair recognizes the gentleman from Kansas (Mr. MARSHALL) for 5 minutes.

Mr. MARSHALL. Mr. Speaker, today is a great day for America. It is great day for American agriculture and American manufacturing.

Today, the President signs phase one of the China trade deal. But this news, the most important news of the day, won't be covered much by the national media. Instead, the story, the photo of the day will be Speaker PELOSI parading her tardy Articles of Impeachment to the Senate with pomp and circumstance. America can only hope this is the last chapter on this side of the capitol of this made-for-TV impeachment charade.

Why won't the national media cover this trade agreement story? Because it is another example of a promise made, promise kept by our President. It is another example of our President's policies working.

Once the Chinese trade agreement is completed, the President will have renegotiated over half of our country's

export-import business. Now, that is making America great again. That is the art of the deal.

As part of the phase one agreement, China will buy \$200 billion worth of American goods and services over the next 2 years, nearly doubling our U.S. exports to the country and further narrowing the gap of our longstanding trade agreements and deficits. Agriculture goods will account for nearly \$100 billion of these purchases, providing a much-needed boost to the industry that accounts for more than 40 percent of our Kansas State's economy. All this increase in exports only adds to our Nation's GDP.

In the near term, this deal brings an end to the threat of additional tariffs that have caused commodity prices to fluctuate, giving producers more certainty and the ability to better plan for the upcoming growing seasons. Our farmers and ranchers have borne the brunt of the effects of this trade battle, and I am happy to say things will get better soon. The patriotism our Kansas producers have shown has been nothing short of honorable.

Now, concerns about China upholding its end of the phase one agreement are indeed legitimate. Decades of China renegeing on commitments aren't lost on me, but thankfully our negotiation team, led by our trade representative Bob Lighthizer and a fellow Kansan, Gregg Doud, require that this deal include the authority for the President to swiftly reinstate all tariffs and impose new ones, if needed, and thus avoid the long, drawn-out decisions by the WTO.

Global trade disputes don't end overnight, and as the President and his team have acknowledged, there is still a lot of work to be done on China. Phase two negotiations are already well under way, and I will continue to advocate for Kansas agriculture and manufacturing directly to this administration.

President Trump's efforts to solidify deals with our four largest export markets, Mexico, Canada, Japan, and now China will give Kansans the confidence needed to move into the next decade and beyond. These four countries, along with the completed trade deal with South Korea, represent over half of our country's trade. This sets the stage for the rest of our trade agreements.

We made it through this hard pass, and better days of fair and reciprocal trade lie ahead for many generations.

I thank the President and our entire trade team at USTR for their efforts to protect and grow American jobs, to improve wages, for their commitment to make and keep America great. Keep up the good work.

RECOGNIZING ZENA CARDMAN

The SPEAKER pro tempore. The Chair recognizes the gentleman from Illinois (Mr. RODNEY DAVIS) for 5 minutes.

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to recognize Ms. Zena Cardman, a recent graduate of NASA's Astronaut Candidate Class XXII, and a native of Urbana, Illinois.

Zena was selected in 2017 from a pool of more than 18,000 applicants as some of the brightest and most skilled minds in the country. The past 2 years of training and her graduation from candidate school earned her the title of astronaut, and she is now eligible for spaceflight.

As a new grad, Zena will support NASA's current missions, such as the work aboard the International Space Station, the Commercial Crew Program, and the Artemis Program, which has set a goal of sending humans back to the Moon by 2024.

I am proud to recognize Zena today as one of the best minds in space exploration. I know she will be an invaluable asset to NASA. I extend a well-deserved congratulations to Zena and congratulate her on her graduation. I thank her for all she has done.

REMEMBERING FRANK MITCHELL

Mr. RODNEY DAVIS of Illinois. Mr. Speaker, I rise today to remember Frank Mitchell, a native of Springfield, Illinois, and the first African American House of Representatives page since Reconstruction. As a student at Feitshans High School, Frank was asked to interview for a position as a page for then-Congressman Paul Findley. When the school principal, my good friend, Irv Smith, called to say they had selected Frank, according to articles just recently, Frank said he went out and he bought some suits, got a haircut, and headed for Washington.

After his year-long stint as a House page, Frank graduated from Feitshans in 1967 and went on to work as a newspaper and TV reporter before accepting positions with the Illinois Attorney General's Office and eventually Cook County's Stroger Hospital. He is well-known across the State for his work with the Illinois Fatherhood Initiative.

Congressman Paul Findley's son, Craig, who now chairs the Illinois Prison Review Board, said Frank's appointment to the House as a page was one of his father's proudest accomplishments. Frank brought credit to the page system, Craig said, and I admired him for his service and his friendship for decades.

Almost everyone that knew Frank felt that way. They admired him for his service and his friendship. Frank was a well-loved part of the Springfield community for years. I had the opportunity to meet many of his family members and also those who helped Frank, and who Frank helped through his career in public service when I went to his services in Springfield just a few weeks ago.

For so many, Frank was a role model, he was a mentor, and he is part of the history in this institution that so many of us have had the opportunity to serve in this great Nation in the House of Representatives.



The House of Representatives is a better place because of Frank Mitchell and Washington, D.C., is a better place because of Frank Mitchell. Everybody that knew Frank Mitchell knows that their life has been blessed.

Mr. Speaker, I thank Frank for his service, and he will be missed.

### RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess until noon today.

Accordingly (at 11 o'clock and 9 minutes a.m.), the House stood in recess.

□ 1200

### AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Ms. DEGETTE) at noon.

### PRAYER

The Chaplain, the Reverend Patrick J. Conroy, offered the following prayer: Almighty God, we give You thanks for giving us another day.

You have promised, O God, that You are with us wherever we are and whatever we are doing—to heal and to help, to give strength and make us whole.

On this day, the House and the Senate draw our Nation's attention as the process of impeachment moves forward. Bless all Members of Congress with wisdom; give them the courage to honor the Constitution, as they have promised to do, so that all Americans can proudly observe their government in action.

Opinion and feelings will be on edge. May all Members be filled by Your Holy Spirit and engage each other with goodwill and respect.

May all that is done this day, and in the days to come, be for Your greater honor and glory.

Amen.

### THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House her approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

Ms. DEAN. Madam Speaker, pursuant to clause 1, rule I, I demand a vote on agreeing to the Speaker's approval of the Journal.

The SPEAKER pro tempore. The question is on the Speaker's approval of the Journal.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Ms. DEAN. Madam Speaker, I object to the vote on the ground that a quorum is not present and make the point of order that a quorum is not present.

The SPEAKER pro tempore. Pursuant to clause 8, rule XX, further pro-

ceedings on this question will be postponed.

The point of no quorum is considered withdrawn.

### PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from California (Mr. TED LIEU) come forward and lead the House in the Pledge of Allegiance.

Mr. TED LIEU of California 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.

### ANNOUNCEMENT BY THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore. The Chair will entertain up to 15 requests for 1-minute speeches on each side of the aisle.

### HONORING CLIFFORD BELL

(Mr. HIGGINS of New York asked and was given permission to address the House for 1 minute.)

Mr. HIGGINS of New York. Madam Speaker, today, on the birthday of Martin Luther King, I rise to recognize a Buffalo, New York, resident born the same year as Dr. King, who continues to serve as a local church, community, and business leader, my good friend, Clifford Bell.

Brother Bell, as he is known in western New York for the love he brings to all of those around him, has served as a senior business advisor to Buffalo State's Small Business Development Center.

He was a colleague of mine in the city of Buffalo Common Council and he has led the Martin Luther King, Jr., celebration in Buffalo for three decades. As a council member Brother Bell was known for the line: "For whom the bell tolls. This Bell tolls for you," a quote that historically references the interconnectedness of humanity and his commitment to service.

Dr. Martin Luther King, Jr., in his "Where Do We Go From Here?" address said: "Hate is too great a burden to bear. I have decided to love."

Brother Bell has lived a life of love, representing the best of our community and our country. We, as a Nation, can learn from his example.

### CONGRATULATING GENERAL JOHN RAYMOND

(Mr. WILSON of South Carolina asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. WILSON of South Carolina. Madam Speaker, I congratulate General John W. Raymond, who was sworn in yesterday as the first Chief of Space Operations for the newly established U.S. Space Force.

As a senior Member of the House Armed Services Committee, I am grateful to President Donald Trump for General Raymond's confirmation and for being able to attend the National Defense Authorization Act signing which officially established the U.S. Space Force.

General Raymond is a Clemson University alumnus and has over 30 years of military experience. "This establishment is absolutely critical to our national security," he said during his remarks after being sworn in.

I am grateful that the U.S. Space Force is in strong, capable hands.

In conclusion, God bless our troops, and we will never forget September the 11th, defeating terrorists overseas, in the global war on terrorism with the courageous leadership of President Donald Trump.

### ALPHA KAPPA ALPHA FOUNDER'S DAY

(Ms. JACKSON LEE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. JACKSON LEE. Madam Speaker, we should take a moment to honor an outstanding organization, Alpha Kappa Alpha. This is their Founders Day—112 years old.

Isn't it interesting that young women who were in the shadow of the Emancipation Proclamation and the shadow of slavery, in the midst of Jim Crowism and on the precipice of World War I, organized at Howard University to be able to give African American women a place for leadership and civic-mindedness?

As we are on the precipice of a great historic moment dealing with protecting the Constitution here in the United States Congress and the United States Senate, I am glad to honor these women that included Ethel Hedgeman, Margaret Flagg Holmes, Marjorie Hill, Lillie Burke, Beulah Elizabeth Burke, Anna Easter Brown, and many other young women who decided to take a stand for what is right in this Nation and the opportunities of diversity and leadership.

Congratulations to our national president, Dr. Glover, and congratulations to all of our Alpha Kappa Alpha members throughout the United States of America. Happy Founders Day 112.

### IMPEACHMENT COLLAPSE

(Mr. BYRNE asked and was given permission to address the House for 1 minute.)

Mr. BYRNE. Madam Speaker, after a long, embarrassing month, the House will finally transmit the Articles of Impeachment against President Trump to the United States Senate. Yet I understand Speaker PELOSI and her managers will continue to push for witnesses in the Senate trial because, in their words, they want the facts.

That claim is nonsense. House Democrats blocked the testimony of the

whistleblower, DNC staffer Alexandra Chalupa, Nellie Ohr with Fusion GPS, and, of course, the two gentlemen pictured to my left, Devon Archer and Hunter Biden.

In reality, the Democrats' entire case depended on hiding the facts. As more facts emerged last year, their case collapsed. Public support for their impeachment fell as the weakness of their case was exposed.

I remind my majority that what is good for the goose is good for the gander. I predict House Democrats will not fare as well blocking these witnesses in MITCH MCCONNELL's United States Senate.

#### FULL AND FAIR TRIAL REQUIRED IN U.S. SENATE

(Mr. TED LIEU of California asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TED LIEU of California. Madam Speaker, yesterday the House released additional documents and new text messages from Lev Parnas. He is an associate of Donald Trump's personal attorney, Rudy Giuliani. He has also been indicted. These documents and text messages show a chilling picture of surveillance, both physical and electronic, of the U.S. Ambassador to Ukraine. This is all the more reason why we need to have a full and fair trial in the United States Senate.

The House today is going to transmit the Articles of Impeachment to the Senate. Donald Trump was impeached for abusing his power and for soliciting interference in our elections from a foreign government. He will be branded for the rest of his life. It is permanent, it will not go away, and now we need the Senate to act and have a fair trial. That means witnesses and documents. If they do not do that, it will be the equivalent of a coverup.

#### RECOGNIZING DANIELLE HOUSER

(Mr. DUNN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. DUNN. Madam Speaker, I rise today to recognize an outstanding member of my staff who is moving on to a career in the defense sector, Danielle Houser.

Danielle graduated from UF in 2015 with a degree in international and global studies. She then moved to D.C. to begin her career on Capitol Hill. In January of 2017 she helped open our D.C. office as my executive assistant, later moving into a legislative role and becoming my legislative aide for military and defense affairs.

After Hurricane Michael devastated the panhandle, DJ played a key role in ensuring Tyndall Air Force Base and all of our bases had the resources they needed to begin recovery. DJ is a force of nature. She is ambitious, disciplined, hardworking, cheerful, and a

joy to work with. She has been an integral part of my office since its inception, and we will miss her greatly.

Madam Speaker, please join me in recognizing Danielle Houser for all that she has done for north Florida and our Nation and wish her luck in all her future endeavors.

#### THE 19TH AMENDMENT

(Mr. MORELLE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MORELLE. Madam Speaker, this weekend I will join hundreds of activists and supporters for the Women's March in Seneca Falls, New York, home of the historic 1848 Women's Rights Convention that sparked the suffrage movement.

We will celebrate the incredible strides we have made in the fight for women's rights and the many strong, courageous women who have shattered glass ceilings to achieve progress.

The year 2020 marks the 100th anniversary of the passage of the 19th Amendment, guaranteeing and protecting women's constitutional right to vote. Now more than ever as we face new barriers threatening to roll back the rights of women, we must take up the mantle of Susan B. Anthony and the suffragists who came before us to continue to fight for the full equality that all women deserve. Together we will keep persisting.

#### CONGRATULATING RICHARD N. REILLY

(Mr. RUTHERFORD asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. RUTHERFORD. Madam Speaker, I rise today to congratulate Richard N. Reilly on a well-deserved retirement after many years of service to the United States of America.

Richard has been a U.S. State Department Pearson Fellow in my Washington, D.C., office over this past year and has provided invaluable guidance and assistance to both my staff and my constituents.

A native of Minnesota, Rich began his service to our Nation as an Army infantryman and then he continued on later with a 20-year career as a naval officer. Following his time in the military, Rich joined the State Department as a Foreign Service officer advocating for America's interests abroad.

On behalf of the Fourth District of Florida and a grateful Nation, I offer my heartfelt thanks to Rich for his many contributions to our country and wish him a relaxing and fulfilling retirement enjoyed with wife, Susan; his children; and their new granddaughter, Peyton.

Congratulations, Rich.

#### ENOUGH ALREADY: IT IS TIME TO FREE RAIIF BADAWI

(Mr. MCGOVERN asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. MCGOVERN. Madam Speaker, I speak today for Raif Badawi, a Saudi Arabian human rights blogger unjustly imprisoned since 2012 for exercising his right to freedom of expression.

His supposed crime?

Criticizing Islam and the religious police.

His sentence?

Ten years in prison, 1,000 lashes, and a huge fine.

Monday, January 13, was Raif's 36th birthday—the eighth he spent in prison away from his wife and three children.

January 9 was the fifth anniversary of the day that Raif endured the first 50 of those 1,000 lashes. That the flogging has not continued is a small mercy, but the prolonged imprisonment and harsh conditions is taking a terrible physical and mental toll.

The Saudi authorities must end this egregious injustice.

Madam Speaker, I again demand the immediate and unconditional release of prisoner of conscience, Raif Badawi.

I renew my call for a halt to all weapons sales and military aid until the Saudi regime cleans up its human rights record which is appalling.

#### CELEBRATING THE RIGHT TO LIFE

(Ms. FOXX of North Carolina asked and was given permission to address the House for 1 minute.)

Ms. FOXX of North Carolina. Madam Speaker, life is the most precious gift from God. From conception until natural death and every moment in between, we must recognize, celebrate, and bear witness to the sanctity of life.

Next Friday tens of thousands of people from across the country will come to Washington and participate in the March for Life. This event serves as a clear reminder that preserving and protecting the lives of the most vulnerable is not simply an option, it is a mandate that we all must uphold.

Madam Speaker, I refuse to stand idly by as the unborn are brazenly targeted. Amidst the shroud of rancor and divisiveness that hangs over this House at present, I will continue to fight for their right to life. They deserve nothing less than unwavering advocates.

#### JUNE PARKINSON REMEMBRANCE

(Ms. DEAN asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. DEAN. Madam Speaker, I rise today to honor my constituent and friend, June Parkinson. June passed away on January 4 at the age of 64.

June was a loving wife, mother, and grandmother, a gifted artist and special education teacher, and a true community leader. She devoted her life in

service to others sharing her talents for the betterment of us all.

June was a longtime committee-person of the Greater Glenside Patriotic Association and chairperson of the Glenside Fourth of July Parade. The annual parade is the longest continuous Independence Day parade in America and the pride of our hometown of Glenside. June made it her mission each year to ensure this treasured tradition continued.

June was an environmental activist best remembered for spearheading the yearly Earth Day clean-up of Keswick Avenue.

Even though June was born in Boston and was a Red Sox fan, all of us Phillies fans in Glenside embraced and thanked her for her kind heart, her giving spirit, and her dedication to community.

I join June's friends, family, and the wider Glenside community in mourning her loss. I am thankful for June's example of quiet acts of service, and I am better for having known June.

□ 1215

#### RECOGNIZING NATIONAL MENTORING MONTH

(Mr. THOMPSON of Pennsylvania asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. THOMPSON of Pennsylvania. Madam Speaker, I rise today to recognize January as National Mentoring Month, when we volunteer our time to provide support and guidance for our Nation's young people so they are better equipped to tackle personal and professional challenges.

A good mentor could be a friend, a family member, a boss, or a school counselor. Effective counseling prior to graduation can assist students in making better informed decisions about their educational options and career prospects.

That is why Congressman JIM LANGEVIN and I introduced the Counseling for Career Choice Act. Despite a great deal of money being invested to improve education, very little has been spent to address career development specifically. This bill authorizes a grant program to give States and local education agencies access to current counseling programs or the means to implement new counseling frameworks.

Additionally, the bill provides resources to ensure counselors can support their students to the best of their abilities. When we equip students with the tools that they need to succeed, they embark on educational journeys that lead to rewarding careers.

Madam Speaker, I encourage my colleagues to join Congressman LANGEVIN and I in support of H.R. 5092, the Counseling for Career Choice Act.

#### SUPPORT RELIEF FOR NUCLEAR DISTRICTS

(Mr. SCHNEIDER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SCHNEIDER. Madam Speaker, I rise today for our Nation's communities saddled with stranded nuclear waste stockpiles because the Federal Government has failed to meet its obligation to find a permanent repository.

My constituents in Zion understand this all too well. After its nuclear plant closed in 1998, 2 million pounds of spent nuclear fuel remains.

Literally sitting on the shores of Lake Michigan, the more than 50 casks severely affect the quality of life of the residents of Zion. It deters economic investment, depresses home values, drives up property taxes, and stretches the city's already-thin budget.

Today, I am proud to reintroduce the STRANDED Act to, at last, provide some compensation for these affected communities. Zion is not alone. Across the country, there are more than a dozen communities with nuclear plants at various stages of decommissioning, with more to come.

Madam Speaker, I am grateful for the support and leadership of Committee on Appropriations Chairwoman NITA LOWEY and Subcommittee on Energy and Water Development, and Related Agencies Chairwoman MARCY KAPTUR in reintroducing this bill.

Together, we are fighting to make the Federal Government do right for communities like Zion, and I urge my colleagues to join us.

#### HONORING THE LIFE OF WILLIE BELTON

(Mr. ABRAHAM asked and was given permission to address the House for 1 minute.)

Mr. ABRAHAM. Madam Speaker, the people of Louisiana recently lost a respected political leader, a businessman, a war veteran, and a civil rights leader, Mr. Willie Belton.

Mr. Belton had a life of a service to others. He was awarded the Bronze Star and the Purple Heart under fire, heroically, during the Korean war.

He marched with Dr. Martin Luther King in Washington, Alabama, Tennessee, and Mississippi. Like Dr. King, Mr. Belton always advocated Christian values and nonviolent protests. He also led his local NAACP chapter in Louisiana. In February 2019, he was awarded the Louisiana Medal of Honor.

Madam Speaker, please join me in honoring his lifetime of service to Louisiana and a Louisiana treasure, Mr. Willie Belton, whose memory will, fortunately, live with us forever.

#### HONORING JULIE BORNSTEIN

(Mr. TAKANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. TAKANO. Madam Speaker, I rise today to congratulate Julie Bornstein on her retirement from the Coachella Valley Housing Coalition.

For more than 30 years, Julie has worked tirelessly as an advocate for affordable housing throughout the Coachella Valley. She has dedicated her career to making a difference in the lives of thousands of individuals in Riverside and Imperial Counties.

Her leadership has been instrumental in raising awareness about the homelessness issue so many members of our communities face. Through her efforts, we have seen an increase in the availability of affordable housing throughout the Inland Empire.

Apart from her work in the Coachella Valley Housing Coalition, Julie served in the California State Assembly and was chosen to serve as the chair of the Democratic Caucus.

She went on to serve as director of the California Department of Housing and Community Development. Later, Julie was appointed CEO and president of the Campaign for Affordable Housing.

Madam Speaker, Julie's work has not gone unnoticed, and the Coachella Valley is a better place because of her. We wish her a happy retirement.

#### CELEBRATING MARTIN LUTHER KING JR. DAY

(Mr. LAMALFA asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. LAMALFA. Madam Speaker, I rise today to honor the life and legacy of Dr. Martin Luther King, today being his actual birthday, 91 years ago, in 1929.

Dr. King has become synonymous with the civil rights movement and the right to ensure each and every one of us is treated equally, regardless of our background and upbringing.

His strong Christian beliefs helped him inspire positive social change through peaceful protests and demonstrations.

In a nation plagued by identity politics, his pursuit of liberty is as relevant now as it was during the 1960s. Dr. King demonstrated to the world that it is not the color of a person's skin that mattered but, rather, the nature of their character. Indeed, it is one of my favorite quotes and one to live by.

The work of Dr. King is not yet done. He remains a shining example of the right way to lead, the right way to peacefully protest, and the right way to inspire.

I look forward to joining the celebration at the Southside Community Center in Oroville, California, this coming Monday, where his legacy is celebrated and even brought forward by scholarships for the young people who will be there.

## HONORING MARTIN LUTHER KING JR. DAY

(Mr. DELGADO asked and was given permission to address the House for 1 minute.)

Mr. DELGADO. Madam Speaker, I rise today to honor one of my heroes, Dr. Martin Luther King, Jr., who was born on this day, 91 years ago.

Next Monday, the Nation will pay tribute to this incredible man and his life, as well as his enduring legacy, a legacy rooted in unconditional love.

In these difficult and divided times plagued by the rise of hate, I can't think of a better legacy to reflect upon as we embark upon this year.

The road ahead will be difficult for our Nation, but I am encouraged by and find great hope in the following words once spoke by Dr. King: "We can no longer afford to worship the god of hate or bow before the altar of retaliation. The oceans of history are made turbulent by the ever-rising tides of hate. History is cluttered with the wreckage of nations and individuals that pursued the self-defeating path of hate. . . . 'Love is the ultimate force that makes for the saving choice of life and good against the damming choice of death and evil. Therefore, the first hope in our inventory must be the hope that love is going to have the last word.'"

## STOP IMPEACHMENT AND SUPPORT PRESIDENT TRUMP

(Mr. BANKS asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. BANKS. Madam Speaker, during the President's upcoming State of the Union Address, he has the opportunity to deliver a strong message of unity, peace, and hope to all of those who tune in, both Americans and all who are watching abroad.

Just in the last few months, we have seen that America is the beacon of hope for the people of Hong Kong and Taipei, who are suffering under pressure from Beijing. We have seen that America is the lifeline for people in Beirut and Tehran who find themselves under the thumb of the Iranian regime.

This is a critical moment in world history. People are looking to the United States and our President for leadership more than ever.

Madam Speaker, I urge my colleagues in the majority party to refrain the impeachment antics and charades. Don't be petty. Rise above your worst impulses and support our President. The world is watching.

The SPEAKER pro tempore. Members are reminded to address their remarks to the Chair.

## PROVIDE CONSUMER PROTECTIONS FOR STUDENTS

(Mrs. HAYES asked and was given permission to address the House for 1

minute and to revise and extend her remarks.)

Mrs. HAYES. Madam Speaker, I rise in support of H.J. Res. 76, a resolution of disapproval of the Secretary of Education's new borrower defense rule.

This rule guts consumer protections for students and taxpayers and makes it more difficult for students to access relief for loans obtained for degrees that have no value.

Over 1,200 students in Connecticut have been defrauded by predatory for-profit colleges like Corinthian and ITT Tech and still await relief. The Department has made the approval process more difficult, leaving hundreds of thousands of students desperately waiting for answers.

Too many first-generation, low-income students, student veterans, and students of color are lured into these fraudulent schools that prioritize profits over helping students advance their education.

The DeVos rule eliminates automatic closed school discharges and weakens the early warning system that forces institutions to invest in the potential debt relief. It puts a greater burden of proof on students, barring them from relief if they cannot file their claims fast enough.

As a career educator who truly understands the equalizing power of education, I say it is unconscionable that the Department of Education and the Secretary do not feel a moral imperative to protect students.

Madam Speaker, I urge my colleagues to support this resolution.

## IN REMEMBRANCE OF PRESTON COPE AND BAILEY HOLT

(Mr. COMER asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. COMER. Madam Speaker, I rise today in remembrance of the precious lives of Preston Cope and Bailey Holt, two victims of a tragic school shooting at Marshall County High School in Benton, Kentucky, 2 years ago. This tragic event devastated the Benton community and took two lives away from us far too soon.

Preston and Bailey continue to be dearly missed by their families and the Marshall County community, which has shown incredible resilience in the face of trying circumstances. Preston Cope and Bailey Holt remain in our hearts and minds to this day.

## APPOINTING AND AUTHORIZING MANAGERS FOR IMPEACHMENT TRIAL OF DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES

Mr. NADLER. Madam Speaker, pursuant to House Resolution 767, I send to the desk the resolution (H. Res. 798) appointing and authorizing managers for the impeachment trial of Donald John Trump, President of the United

States, and ask for its immediate consideration.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read the resolution, as follows:

### H. RES. 798

*Resolved*, That Mr. Schiff, Mr. Nadler, Ms. Lofgren, Mr. Jeffries, Mrs. Demings, Mr. Crow, and Ms. Garcia of Texas are appointed managers to conduct the impeachment trial against Donald John Trump, President of the United States, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers so appointed may, in connection with the preparation and the conduct of the trial, exhibit the articles of impeachment to the Senate and take all other actions necessary, which may include the following:

(1) Employing legal, clerical, and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under applicable expense resolutions or from the applicable accounts of the House of Representatives.

(2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any pleadings, in conjunction with or subsequent to, the exhibition of the articles of impeachment that the managers consider necessary.

The SPEAKER pro tempore. Pursuant to House Resolution 767, the resolution is debatable for 10 minutes equally divided and controlled by the chair and ranking minority member of the Committee on the Judiciary.

The gentleman from New York (Mr. NADLER) and the gentleman from Georgia (Mr. COLLINS) each will control 5 minutes.

The Chair recognizes the gentleman from New York.

□ 1230

Mr. NADLER. Madam Speaker, I yield myself 2 minutes.

Madam Speaker, the resolution before us today appoints managers to prosecute the Senate impeachment trial of President Trump.

This trial is necessary because President Trump gravely abused the power of his office when he strong-armed a foreign government to announce investigations into his domestic political rival. He betrayed our country when he used powers of his office, including withholding vital U.S. military assistance, to pressure that government to help him win reelection.

He invited foreign interference into our elections again. He jeopardized our national security. He did all of this for his personal political gain.

And then he violated the Constitution by stonewalling Congress' efforts to investigate, ordering an absolute blockade of evidence. Despite that, the House was able to uncover powerful evidence that demonstrates, beyond a doubt, the President's betrayal and violations of the Constitution.

But we still have not heard the whole truth because the President has refused to allow a single document to be turned over to the House in response to our impeachment subpoenas, and he

has prevented us from hearing key witnesses as well. This is unprecedented.

Our Speaker has led our fight to a fair trial in the Senate. Above all, a fair trial must include additional documents and all relevant witnesses.

The American people have common sense. They know that any trial that does not allow witnesses is not a trial; it is a coverup.

The Speaker's insistence on this point has gotten results. Just yesterday, we received critical new evidence from the President's former associate, Lev Parnas, that further proves Mr. Trump's scheme to pressure Ukraine to go after his personal political opponents.

New witness testimony has become available as well, including John Bolton's announcement that he would honor a Senate subpoena.

Under today's resolution, the managers also have broad authority to submit to the Senate any additional evidence the House may acquire on its own, and we will do so.

The Senate is on trial. We will see whether they conduct a fair trial and allow the witnesses or conduct a cover-up. Today's resolution is the next step in this serious and solemn constitutional process. I urge my colleagues to vote "yes" on the resolution, and I reserve the balance of my time.

Mr. COLLINS of Georgia. Madam Speaker, I yield myself such time as I may consume.

This impeachment process has been flawed from the outset. It resembles not a congressional action; it resembles, more, a Dr. Seuss book, knowing not which way it goes.

On September 24, the Speaker declared at a press conference the House was conducting an impeachment inquiry. However, contrary to the Speaker's decree that we were all of a sudden in an impeachment inquiry, the House did not authorize the impeachment inquiry until October 30 by adopting H. Res. 660.

It was said just a moment ago that the Speaker has been leading the fight for a fair trial in the Senate. I wish the Speaker had been leading for a fair hearing in the House instead of trashing our rules.

For those 71 out of 78 days, from the time it was announced at a press conference to the time we finished, the President was not permitted to participate in these meetings. Think of that: 71 days out of 78 in which we actually did something on impeachment, he was not presented the ability to cross-examine fact witnesses, present counterarguments, no due process at all in those 71 days.

When presented with the opportunity, when it came to the Judiciary Committee, instead of the Judiciary Committee stepping up and actually acting like the Judiciary Committee, the committee of impeachment, we punted.

We had some law professors who already had their basic talking points.

He could have cross-examined them. That would have done a lot of good.

Then we could have had witnesses of staffers who testified—again, a lot of good.

Where were the fact witnesses? Instead of the rubber stamp that we were warned about 20 years ago by the current chairman, we became the rubber stamp.

Democrats repeatedly violated House rules and blatantly abused the rules they wrote in H. Res. 660. Even to this day, we will pass this out in violation of H. Res. 660.

They used inflammatory rhetoric haunting them because this is what they had to do.

One Democrat said: I call for impeachment today because it is one heck of an emergency.

Another said: We have a crime in progress. We have an emergency in our national election that is going on right now.

But my favorite, in December: It is a crime spree in progress.

Oh, the hyperbole just reeks in this room.

When we understand this, if it was such an emergency, if it was in lieu of finding a 911 call, then why did we hold this for almost a month? Well, we have been told that it is to help have a Senate fair trial—be damned the House inappropriate process we had.

But even now that the process was bad, I am going to go back, and let's make sure the facts are here because they still haven't changed:

A phone call that was put out in a transcript in which no pressure was applied, there was no conditionality on anything given in that call or since to do that.

There was also nothing given by the Ukrainians to actually get this money that was released, by the way, before—it was actually a statutory deadline of September 31. They did nothing. They got the money anyway.

But the problem is they want the Senate to do their job for them. But that is not how it works. You see, the Speaker—and what I have heard today even from folks giving 1-minutes, Madam Speaker, is this was all they wanted. It was a political impeachment. They have said he is impeached for life.

This shows the true motivation, I believe, of the other side. It is their dislike for this President and the good work he is doing.

So, Madam Speaker, before I reserve here for a moment, this has always been a political impeachment. Even today, on the floor, the talk of the President being forever impeached and this always being a stain forgets the Senate trial.

I hope this ends this political impeachment and this body never sees it again.

Madam Speaker, I reserve the balance of my time.

Mr. NADLER. Madam Speaker, I yield 1 minute to the gentleman from

California (Mr. SCHIFF), the distinguished chairman of the Intelligence Committee.

Mr. SCHIFF. Madam Speaker, I rise in strong support of the resolution.

The task before us is a grave one, but one demanded by our oath.

The impeachment inquiry undertaken by the House of Representatives found that President Donald J. Trump abused his power and sought to cover it up with an unprecedented campaign of obstruction.

He withheld hundreds of millions of U.S. dollars in vital military aid to Ukraine, a close ally at war with Russia, and withheld a coveted White House meeting critical to the Ukrainian leader's international legitimacy until Ukraine would commit to help President Trump cheat—cheat—in the next election.

President Trump put his own personal interests above the national interests, above our national security, and, if not stopped, he will do it again.

For that reason, he was impeached. And for that reason, the House managers will take the case to the Senate and to the American people, because the appropriate remedy—indeed, the only remedy—is the conviction and removal from office of President Donald Trump.

Mr. COLLINS of Georgia. Madam Speaker, I yield 1 minute to the gentleman from California (Mr. MCCARTHY).

Mr. MCCARTHY. Madam Speaker, back when this national nightmare began, Speaker PELOSI laid bare her intentions and purely partisan agenda. She told her Caucus that they needed to "strike while the iron is hot."

This was always an exercise in raw partisan politics, contrary to the warnings of our Founders. And over the last month, we saw the justification for running the fastest, thinnest, and weakest impeachment in American history crumble.

Instead of sending the Articles of Impeachment to the Senate for trial, Speaker PELOSI held them hostage in a failed play to gain leverage that she did not—and would never—have.

In terms of concessions, she got nothing: no control, no moral victories—in other words, another failed strategy.

After a month of counterproductive and harmful delays, I have three questions for my friends on the other side of the aisle, the Democrats:

What happened to impeachment being urgent?

What happened to Congress being "on the clock"?

What happened to saying the House would be "derelict in our duty" if we did not act immediately?

These were all the assertions Democrats made over the past several months. I guess it turns out none of them are true.

These delay tactics were self-serving, hypocritical, and discrediting. But they made an important admission, some might even call it a concession.



They proved a very big point: Democrats do not even believe their case was robust enough to win in a trial.

Even the Speaker's allies admit the delays undermined their case. Some have gone as far as describing it as a "failed" strategy. These are those who are closest to her.

Senator FEINSTEIN, the senior Democrat from our State of California and the hometown of the Speaker, said: "The longer it goes on, the less urgent it becomes."

And Chairman ADAM SMITH, a confidant of the Speaker, said "it was time" to transmit the articles to the Senate.

Both these statements were made last week, before the Speaker relented. They are significant because they were public and they were honest.

I am disappointed these individuals did not have the courage to stand by their initial comments. If impeachment was truly as urgent as Democrats claimed, the majority should not have waited for the Speaker to choose a politically convenient time.

Anyone could have recognized this ploy would not work. The House and the Senate are different institutions and, at this point in time, controlled by different parties.

As James Madison wrote in the *Federalist Papers*, the purpose of bicameralism is to guard against the dangers of encroachment and to stop toxic resolutions from taking effect.

We saw separation of powers prevail against an abuse of power, just as the Constitution intends.

The idea of withholding a sloppy impeachment case to force the Senate to change its rules is constitutionally and politically unheard of. Frankly, it is just ridiculous.

In Article I, section 5, the Constitution clearly states: "Each House may determine the Rules of its Proceedings." It doesn't say the House may determine the rules of proceedings in the Senate.

If anything, the Speaker's actions have only further persuaded Members of the Senate that the evidence of impeachment was neither thorough nor satisfactory.

But do you know what? Let's be honest. This was never about persuasion. It was never about the rule of law. It was what Alexander Hamilton warned us, that one party would get control and, just because of their animosity, demean the process of impeachment.

And by selecting this particular batch of managers, the Speaker has further proven she is not interested in winning minds and hearts or even following the Constitution.

Let's take a look at the first three names Speaker PELOSI announced in her anticipated announcement earlier today:

Chairman SCHIFF, a man who has already taken on the role of judge, jury, and fact witness throughout the entire House impeachment process.

Chairman NADLER, someone who campaigned for the chairmanship of

the Judiciary Committee that is responsible for impeachment, beginning as far back as December 2017, before they were even in the majority, on the notion that he would be the best person to lead the charge on potential impeachment against the President.

You see, you get a chairmanship by your conference voting for you. You campaign for it. You put your best ideas out there as to why you should be the chairman. In 2017, that was the campaign.

Congressman HAKEEM JEFFRIES, a Member who, almost 2 years ago to this date, voted in support of impeachment. That was more than a year before the Ukraine call even took place.

Those are just some of the managers. If you think about the Members, there are people who, on the day they were sworn in to this body, told those who supported them that they were going to impeach him.

As I have said in the past, there is an issue with fairness; but instead of looking to the Senate, Speaker PELOSI should be looking within her own Caucus. From the beginning, this investigation was marred by selective leaks to the media, a completely predetermined process.

Yes, we have been through impeachment before, but it was much different. We believed in the rule of law back then: that you could face your accuser, that you could cross-examine, that the minority could actually ask for witnesses.

The day that impeachment was asked to come forward, I sent a letter to the Speaker asking 10 items, none that were made up. Do you know what they were? The fair process we have always used in the past. The answer was no. Because they have been working on this for 2½ years, they could not let fairness determine the outcome.

Any other prosecutor would be disbarred for such blatant bias, especially if that prosecutor was a fact witness in the case.

The reason for this impeachment is the same reason it has taken Democrats 30 days to send the articles to the Senate: just spite. They wanted to stain the President's record without giving him a fair chance to clear his name.

Last year, we saw House Democrats invert the burden of proof during their fair investigation.

For every American watching, take, for instance, if this was your government, if they switched the burden of proof on you.

□ 1245

We have Congressman MAX ROSE, a new freshman of the majority, who characterized it this way: "The President says he is innocent, so all we are saying is 'prove it'."

God forbid the government accuses you of something as an average American and says you have to prove it. We just switched a fundamental belief of America, but only in this House do we do that.

This "guilty until proven innocent" mentality was an admission that impeachment was not about upholding justice or protecting the rule of law. Now Democrats have invented an even more destructive standard: you are guilty because they say so.

Our Founders feared this day. Alexander Hamilton warned us of this day. I hoped this day would not come. I would hope those that uphold the Constitution would believe in the rule of law, instead of the spite or the dislike of an individual. Like the kangaroo courts on college campuses where an accusation is enough for a conviction.

Even as early as last Sunday in an interview, Speaker PELOSI made that point very clear to all of us. Asked what a Senate acquittal would mean, she said it didn't matter, the President is impeached forever.

Is that what this is all about? Just a personality, just an abuse of power that you have within the House that we all feared this country would never do. You could almost see the Speaker smile as she spoke about this new standard. How incredibly solemn she was.

Madam Speaker, when Americans look back on this sad saga, they will see a rigged process that forever damaged the remedy of impeachment. Speaker PELOSI got nothing from the Senate, but the American people got worse than nothing. They got stuck with the bill for a costly never-ending investigation.

The old saying that you get what you pay for does not apply here. Congress wasted time and millions of dollars on partisan impeachment. In return, taxpayers get nothing. Democrats' misaligned priorities have cost the people solutions that could have improved the quality of their life.

There is no greater contrast than what we are doing right here today than what is happening down Pennsylvania Avenue, the President sitting down with a leader of another country and signing a trade agreement—something people said we could never get done—to make this country stronger, to make the next century in America ours.

But what are we doing here? We are doing what this majority has worked their entire time for. Before they were even sworn in they campaigned for the position of chairman for this moment, for this time, for the millions of dollars that are spent so they could say the President is impeached. That is a lofty history. Those are lofty goals that you now have authored more subpoenas than you have created laws.

Thank God we have got a President in the White House that does not sit back.

Yes, the President got the United States-Mexico-Canada Trade Agreement done with, our top two traders. He is signing a trade agreement with China today, but think about how much stronger his hand would have been had that agreement taken place

earlier, when he got it. No, it was held. Why? Because we were impeaching. That is an amazing agenda, but you promised people you would do it.

This is not a moment this body should be proud of. If Speaker PELOSI likes to say impeachment is a national civics lesson, let's use this blunder as a teachable moment.

I will make this promise to the American public, because the day will come that the majority will switch. We will uphold the Constitution. We will listen to the words of Alexander Hamilton. And just because somebody else is in an office that we may not like, we will not change the rule of law. We will not accuse them of breaking it and say they have to prove it.

We believe America is more than a country. America is an idea, an idea that, yes, would make students in Iran rise up for the freedom of what they know America to be. That the rule of law was so powerful. This is a moment and a civics lesson we should learn. This is a moment that will teach our grandchildren that, yes, more than 200 years ago the Founders crafted an amazing country, but they warned us what abuse of power would look like. The sad part is we are witnessing it. What a contrast in a day and time.

Moving forward, we must not redo these same mistakes in Congress, and my promise to you is: if power were to change, the rule of law would come back. We would have an agenda focused on people, not politics. We would have a voice that you are innocent until proven guilty. We would not abuse our power just for the sheer sake of politics, to say you are impeached forever because I dislike you.

We are better than this. It is a sad day, but the great thing about America, it will all change because the people have the voice.

The SPEAKER pro tempore. Members are once again reminded to address their remarks to the Chair.

Mr. NADLER. Madam Speaker, I yield myself 1 minute.

Madam Speaker, two points.

First, my colleagues in the minority would rather talk about anything than try to defend what President Trump actually did, because they can't.

There is overwhelming evidence that the President pressured the Ukrainian Government to interfere in our election on his behalf then he covered it up. These are high crimes and misdemeanors, and we will prove that in the Senate.

Second, our minority colleagues don't like our ongoing fight for a fair trial because it got results. New documents and additional witnesses have emerged that unmistakably point to the President's guilt, and we have exposed the efforts of some in the Senate majority to put on a sham trial.

The American people understand that a trial without evidence, without witnesses is no trial at all but a cover-up, and that will not stand. We must protect the Constitution and the integ-

rity of our elections. That is what this is about. We must remove this President to protect our country.

Madam Speaker, I reserve the balance of my time.

Mr. COLLINS of Georgia. Madam Speaker, I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman from Georgia has 30 seconds remaining. The gentleman from New York has 1 minute remaining, and the gentleman from New York has the right to close.

The gentleman from Georgia is recognized.

Mr. COLLINS of Georgia. Madam Speaker, I appreciate that. Madam Speaker, is the gentleman from New York ready to close?

Mr. NADLER. Madam Speaker, I am ready to close.

Mr. COLLINS of Georgia. Madam Speaker, there are no other speakers?

The SPEAKER pro tempore. The gentleman from Georgia is recognized.

Mr. COLLINS of Georgia. Madam Speaker, there are no speakers? A closing is no other speakers.

Mr. NADLER. Madam Speaker, I have one more speaker, and she will close.

Mr. COLLINS of Georgia. Madam Speaker, then the gentleman is not ready to close, and I reserve the balance of my time.

The SPEAKER pro tempore. The gentleman is incorrect. The gentleman from New York has one remaining speaker who will close.

The gentleman from Georgia is recognized for 30 seconds.

Mr. COLLINS of Georgia. Madam Speaker, I will take it back. Madam Speaker, give me the time one more time.

The SPEAKER pro tempore. The gentleman from Georgia has 30 seconds remaining. The gentleman from New York has 1 minute remaining.

Mr. COLLINS of Georgia. Madam Speaker, two facts just came out right here, and again, we are going to hear in just a moment, but they are facts. Undoubtedly the mics are not working on the other side, on the majority side. We have talked about the facts. There is not overwhelming evidence. We have discussed this over and over until we are blue in the face, but it doesn't matter because this is a political impeachment.

This has nothing to do with the facts. We have shown that there was nothing done wrong, but that does not matter. When the train is on the tracks, the whistle is blowing, impeachment matters, and the only thing that matters on the timeline, the only real emergency here is that there is a 2020 election in which the Democrats can't stand to see the fact this President is going to win again. They can't stand the fact of who they have got running, so what do we do? We impeach him, as they said, for life. That is wrong. Vote "no."

Madam Speaker, I yield back the balance of my time.

Mr. NADLER. Madam Speaker, again, no defense.

Madam Speaker, I yield 1 minute to the distinguished gentlewoman from California (Ms. PELOSI), the Speaker of the House.

Ms. PELOSI. Madam Speaker, I thank the gentleman for yielding and for his exceptional custodianship of the Constitution of the United States, for 13 years the top Democrat on the Constitution, Civil Rights, and Civil Justice Subcommittee of the Judiciary Committee. I thank you for your leadership in protecting and defending the Constitution, the oath that we take as Members of Congress.

As I enter into the conversation, I thank the distinguished gentleman from Georgia for his apology for his ridiculous remarks about me and House Democrats. Madam Speaker, I thank Mr. COLLINS and accept his apology.

Now, I want to go to the purpose of why we are on the floor today. My colleagues on both sides of the aisle, we are here today to cross a very important threshold in American history. On December 18, the House of Representatives passed Articles of Impeachment of Donald Trump, Articles of Impeachment for Abuse of Power and Obstruction of Congress.

By his own admission, the President stated that, yes, he had had that conversation with the President of Ukraine, but he didn't see anything wrong with it. Well, we don't agree with that assessment.

And, yes, it is a fact when someone is impeached, they are always impeached. It cannot be erased, so I stand by that comment, although I know you don't like hearing it. I stand by this picture of the American flag, as I did the day that we introduced the Articles of Impeachment onto the floor because every day all over America in classrooms as well as courtrooms and in this Congress of the United States when we meet, we pledge allegiance to the flag of the United States of America and to the republic for which it stands—and to the republic for which it stands, that is what our Nation is. That is the genius, the beautiful, exquisite genius of the Constitution, that we are a republic. That was a decision of our Founders, their vision. They didn't want a monarchy, they wanted a republic.

When Benjamin Franklin came out of Independence Hall and was asked what do we have, Mr. Franklin, a monarchy or a republic, he said: "A republic, if we can keep it." I have often wondered why he said that, why that would be in doubt. But we see why it is in doubt right now when the President of the United States has said Article II says I can do whatever I want. That is a monarchy, that is not a republic that we pledge our allegiance to every single day.

Here we are today with the Articles of Impeachment about to be transmitted to the United States Senate.

I was thinking this morning and I mentioned it in a previous public



event, the midnight ride of Paul Revere: "Listen, my children, and you shall hear of the midnight ride of Paul Revere." Listen, my children, and you will hear about an assault on the Constitution of the United States, undermining the Republic for which our flag stands by the President of the United States in using appropriated funds enacted in a bipartisan way by this Congress, funds that were meant to help Ukraine fight the Russians. The President considered that his private ATM machine, I guess, and thought he could say to the President, "Do me a favor." Do me a favor? Do you paint houses, too? What is this? Do me a favor.

So we have a situation that is very sad. Don't talk to me about my timing. For a long time I resisted the calls from across the country for impeachment of the President for obvious violations of the Constitution that he committed. But recognizing the divisiveness of impeachment, I held back. Frankly, I said this President isn't worth it. But when he acted the way he did in relationship to withholding funds from Ukraine in return for a benefit to him that was personal and political, he crossed a threshold. He gave us no choice.

So, children, our Constitution is the vision of our Founders. They were so brave they declared independence. They did it in a timeframe when in the course of human events it becomes necessary. They declared independence. They fought a war of independence and bravely succeeded. They wrote documents, our founding documents, the Constitution. Thank God they made it amendable so we could ever be expanding freedom in our country.

And that, my children, is what you pledge allegiance to, the flag of the United States of America and to the Republic contained in that Constitution of the United States.

□ 1300

We take that oath. When we become Members of Congress or other public office, we take an oath to protect and defend the Constitution of the United States.

The President of the United States takes an oath to preserve, protect, and defend the Constitution of the United States, an oath that he has blatantly violated. For this reason, he was impeached by the House of Representatives.

For this reason, we thought it would be helpful to have not only the strong case for impeachment and removal that was put forth in this House, but to know that more was to come. We didn't make it come because we said that we were going to wait until after Christmas to send this over. They would like to have had us send it over on Christmas Eve so they could dismiss it.

Perhaps they don't realize that dismissal is coverup, but that has been one of their trains of thought.

Dismissal is coverup.

I was so disappointed the other day, last Friday, I guess, or last Thursday,

when the leader of the United States Senate, rather than strengthening the institution in which he serves, became subservient and signed on to a resolution that would dismiss charges.

Dismissal is coverup.

In the course of the time since we passed the resolution, and not because of the time—we passed it on December 18—on December 20, new emails showed that 91 minutes after Trump's phone call with the Ukrainian President, a top Office of Management and Budget aide asked the Department of Defense to "hold off" on sending military aid to Ukraine.

On December 29, revelations emerged about OMB Director and Acting Chief of Staff Mulvaney's role in the delay of aid; the effort by lawyers in the administration to justify the delay; and, most importantly, the alarm that the delay caused within the administration.

On January 2, newly unredacted Pentagon emails, which the House subpoenaed and the President blocked, raised serious concerns by Trump administration officials about the legality of the President's hold on the aid to Ukraine.

On January 6, former Trump National Security Advisor John Bolton said he would comply with a subpoena compelling his testimony. His lawyer stated he has new relevant information.

On January 13, reports emerged that the Russian Government hacked the Ukrainian gas company Burisma as part of their ongoing effort to influence the U.S. election in support of Trump.

Yesterday, House committees—Mr. NADLER, Mr. SCHIFF, Mr. ENGEL, and Madam Chair MALONEY—released new evidence, pursuant to a House subpoena, from Lev Parnas—recently photographed with the Republican leader—an associate of Rudy Giuliani, that further proves that the President was a central player in the scheme to pressure Ukraine for his own benefit in the 2020 election.

The Senate leader and the President are afraid of more facts coming to light. That is why the leader signed that dismissal resolution.

A dismissal, again, is a coverup.

The American people will fully understand the Senate's move to begin the trial without witnesses and documents as a pure political coverup.

Whatever the outcome, the American people want a fair trial, fair to the President, fair to the American people. The American people deserve the truth. The Constitution requires a trial, a fair trial.

The House is now moving forward with a vote to transmit the articles and appoint managers.

As Speaker, I am proud to appoint outstanding American patriots to serve on the impeachment panel:

Chairman SCHIFF;

Chairman NADLER;

Chairwoman ZOE LOFGREN—this is her third impeachment, as a staffer to a House Judiciary Committee member

in the Nixon impeachment, as a member of the Judiciary Committee on the Clinton impeachment, and now as a House manager;

HAKEEM JEFFRIES, the chair of our Caucus, a serious, respected litigator;

VAL DEMINGS, a member of the police force in Orlando for 27 years and, for part of that time, the first woman and African American police chief of Orlando, so she knows her way around the courtroom;

JASON CROW from Colorado, an Army Ranger who served our country in the military in Iraq and Afghanistan and now in the Congress of the United States, and he too is a respected litigator; and,

SYLVIA GARCIA from Texas, a judge in a number of capacities in Texas and a member of the Judiciary Committee.

We are very honored that you have taken the responsibility, all of you, to bring the Articles of Impeachment over to the United States Senate with a case for the Constitution.

So, back to the children. We don't want this President or any President to ever violate the Constitution. It is very, very important that we see that that Constitution is central to who we are as a country, our system of government, our Constitution, so valued, so respected, hopefully, so honored by everyone who takes an oath of office to support and defend it.

We see the Russians now hacking in Ukraine. It just came out yesterday or the day before. It just reminds me that I think most Americans would think that voters in America should decide who our President is, not Vladimir Putin and Russia deciding who our President is.

I am very concerned that in all of this, whether it is withholding funds for the Ukrainian Government to fight the Russians, whether it is undermining our commitment to NATO, whether it is, again, making decisions of what happens in Syria vis-a-vis Turkey favoring the Russians, that all roads lead to Russia, all roads lead to Putin.

While some in the administration may think that is okay, I don't, but we do insist and wonder why this President and some in this Congress will not come to the defense of our electoral system by allowing that to happen, denying that it is happening, placing the blame elsewhere.

This is as serious as it gets for any of us. Only the vote to declare war would be something more serious than this. We take it very seriously.

It is not personal. It is not political. It is not partisan. It is patriotic.

Again, I thank our distinguished managers for their courage and their dedication, for being willing to spend the time to do the job to honor the oath that we take and honor the pledge that our children take of allegiance to the flag and to the Republic for which it stands.

Madam Speaker, I urge a "yes" vote.

Mr. NADLER. Madam Speaker, I yield back the balance of my time.

Mr. JOHN W. ROSE of Tennessee. Madam Speaker, I rise in strong opposition to this partisan impeachment spectacle that seeks to accomplish what President Trump's opponents failed to do at the ballot box in 2016. The bedrock of this country is our Constitution. Article II of the United States Constitution grants our President the necessary authority to deal with other nations and their leaders.

This President was lawfully elected by the American people. When President Trump was sworn into office, he assumed the role of our nation's Commander in Chief. And, as Commander in Chief, he has done absolutely nothing illegal. The impeachment vote today is a sad continuation of the partisan political efforts to undercut President Trump since he was elected in 2016, if not before.

The House majority has wrongly denied President Trump the fair process that was afforded to President Clinton and President Nixon at every stage of their investigations. I am also profoundly disappointed that the House Judiciary Committee refused to hold a minority day hearing in compliance with Clause 2(j)(1) of Rule XI of the Rules of the House, which the Democratic Majority earlier voted to approve.

It should also greatly concern all Americans that co-equal subpoena authority was not granted to the minority during this hyper-partisan process. Co-equal subpoena authority for both the minority and majority has been the backbone of past impeachment investigations. My bill, House Resolution 667, would have granted this co-equal subpoena authority to the minority and majority, and I am disappointed that the Speaker never let it be considered by the House.

House Democrats said that it was critical to move forward in an historically fast, hasty manner. Yet, after passing both Articles of Impeachment on December 18, 2019, their sense of urgency died. The House Democratic Majority has waited nearly a month to transmit the "urgent" Articles of Impeachment to the Senate. This change in tone only underscores what Tennesseans knew all along: this is a partisan stunt, motivated purely by political reasons, that mocks our Founding Fathers' great caution in undertaking decisions of this magnitude and the safeguards they designed for our Republic.

It is shameful that the majority has waited nearly a month to bring House Resolution 798 up for a vote. I am deeply alarmed that this delay by House Democrats was a thinly veiled power grab. Our Founding Fathers envisioned this scenario during the dawn of our Republic: one chamber of Congress trying to control the other. In our Founders' wisdom, a system of checks and balances was put into place to prevent the coup d'état that House Democrats attempted. Because of these safeguards, House Democrats ultimately failed. I applaud the Senators from both sides of the aisle who stood against this grave injustice and demanded that the House send over the Articles of Impeachment to the Senate without delay.

Instead of working to secure our southern border, protect religious freedom, and rein in out-of-control government spending, my colleagues on the other side of the aisle have been laser-focused on removing President Trump from office for purely political reasons.

I want to remind those who are leading this ridiculous waste of taxpayer resources that there will be another election in 2020. The

next election is the avenue for deciding a new president, not this. Throughout the history of this country, impeachment has been a rare process. With this impeachment, I worry that in the next 230 years of our Republic, it will be rare that a president is not impeached.

On behalf of my fellow Tennesseans, and on behalf of my constituents in the Sixth District of Tennessee, I stand with our President and Commander in Chief and will vote "no" to appoint and authorize managers for the impeachment trial of President Trump.

The SPEAKER pro tempore. Pursuant to House Resolution 767, the previous question is ordered.

The question is on adoption of the resolution.

The question was taken; and the Speaker pro tempore announced that the ayes appeared to have it.

Mr. COLLINS of Georgia. Madam Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 15-minute vote on adoption of the resolution will be followed by a 5-minute vote on:

Agreeing to the Speaker's approval of the Journal, if ordered.

The vote was taken by electronic device, and there were—yeas 228, nays 193, not voting 9, as follows:

[Roll No. 18]

YEAS—228

Adams	DeFazio	Kennedy
Aguilar	DeGette	Khanna
Alfred	DeLauro	Kildee
Amash	DelBene	Kilmer
Axne	Delgado	Kim
Barragán	Demings	Kind
Bass	DeSaulnier	Krishnamoorthi
Beatty	Deutch	Kuster (NH)
Bera	Dingell	Lamb
Beyer	Doggett	Langevin
Bishop (GA)	Doyle, Michael	Larsen (WA)
Blumenauer	F.	Larson (CT)
Blunt Rochester	Engel	Lawrence
Bonamici	Escobar	Lawson (FL)
Boyle, Brendan	Eshoo	Lee (CA)
F.	Españillat	Lee (NV)
Brindisi	Evans	Levin (CA)
Brown (MD)	Finkenauer	Levin (MI)
Brownley (CA)	Fletcher	Lieu, Ted
Bustos	Foster	Lipinski
Butterfield	Frankel	Loeback
Carbajal	Fudge	Lofgren
Cardenas	Galleo	Lowenthal
Carson (IN)	Garamendi	Lowe
Cartwright	Garcia (IL)	Lujan
Case	Garcia (TX)	Luria
Casten (IL)	Golden	Lynch
Castor (FL)	Gomez	Malinowski
Castro (TX)	Gonzalez (TX)	Maloney,
Chu, Judy	Gottheimer	Carolyn B.
Cicilline	Green, Al (TX)	Maloney, Sean
Cisneros	Grijalva	Matsui
Clark (MA)	Haaland	McAdams
Clarke (NY)	Harder (CA)	McBath
Cleaver	Hastings	McCollum
Clyburn	Hayes	McEachin
Cohen	Heck	McGovern
Connolly	Higgins (NY)	McNerney
Cooper	Himes	Meeks
Correa	Horn, Kendra S.	Meng
Costa	Horsford	Moore
Courtney	Houlahan	Morelle
Cox (CA)	Hoyer	Moulton
Craig	Huffman	Mucarsel-Powell
Crist	Jackson Lee	Murphy (FL)
Crow	Jayapal	Nadler
Cuellar	Jeffries	Napolitano
Cunningham	Johnson (GA)	Neal
Daids (KS)	Johnson (TX)	Neguse
Davis (CA)	Kaptur	Norcross
Davis, Danny K.	Keating	O'Halleran
Dean	Kelly (IL)	Ocasio-Cortez

Omar	Sánchez	Thompson (CA)
Pallone	Sarbanes	Thompson (MS)
Panetta	Scanlon	Titus
Pappas	Schakowsky	Tlaib
Pascarella	Schiff	Tonko
Payne	Schneider	Torres (CA)
Pelosi	Schrader	Torres Small
Perlmutter	Schrier	(NM)
Peters	Scott (VA)	Trahan
Phillips	Scott, David	Trone
Pingree	Serrano	Underwood
Pocan	Sewell (AL)	Vargas
Porter	Shalala	Veasey
Pressley	Sherman	Vela
Price (NC)	Sherrill	Velázquez
Quigley	Sires	Visclosky
Raskin	Slotkin	Wasserman
Rice (NY)	Smith (WA)	Schultz
Richmond	Soto	Waters
Rose (NY)	Spanberger	Spanner Coleman
Rouda	Speier	Welch
Roybal-Allard	Stanton	Wexton
Ruiz	Stevens	Wild
Ruppersberger	Suoizzi	Wilson (FL)
Rush	Swalwell (CA)	Yarmuth
Ryan	Takano	

NAYS—193

Abraham	Granger	Pence
Aderholt	Graves (GA)	Perry
Allen	Graves (LA)	Peterson
Amodei	Graves (MO)	Posey
Armstrong	Green (TN)	Ratcliffe
Arrington	Griffith	Reed
Babin	Grothman	Reschenthaler
Bacon	Guest	Rice (SC)
Baird	Guthrie	Riggleman
Balderson	Hagedorn	Roby
Banks	Harris	Rodgers (WA)
Barr	Hartzler	Roe, David P.
Bergman	Hern, Kevin	Rogers (AL)
Biggs	Herrera Beutler	Rogers (KY)
Billrakis	Hice (GA)	Rooney (FL)
Bishop (NC)	Higgins (LA)	Rose, John W.
Bishop (UT)	Hill (AR)	Rouzer
Bost	Holding	Roy
Brady	Hollingsworth	Rutherford
Brooks (AL)	Hudson	Scalise
Brooks (IN)	Huizenga	Schweikert
Buchanan	Hurd (TX)	Scott, Austin
Buck	Johnson (LA)	Sensenbrenner
Bucshon	Johnson (OH)	Shimkus
Budd	Johnson (SD)	Smith (MO)
Burchett	Jordan	Smith (NE)
Burgess	Joyce (OH)	Smith (NJ)
Byrne	Joyce (PA)	Smucker
Calvert	Katko	Spano
Carter (GA)	Keller	Staubert
Carter (TX)	Kelly (MS)	Stefanik
Chabot	Kelly (PA)	Steil
Cheney	King (IA)	Steube
Cline	King (NY)	Stewart
Cloud	Kinziger	Stivers
Cole	Kustoff (TN)	Taylor
Collins (GA)	LaHood	Thompson (PA)
Comer	LaMalfa	Thornberry
Conaway	Lamborn	Timmons
Cook	Latta	Tipton
Crenshaw	Long	Turner
Curtis	Loudermilk	Upton
Davidson (OH)	Lucas	Van Drew
Davis, Rodney	Luetkemeyer	Wagner
DesJarlais	Marshall	Walberg
Diaz-Balart	Massie	Walden
Duncan	Mast	Walker
Dunn	McCarthy	Walorski
Emmer	McCaul	Waltz
Estes	McHenry	Watkins
Ferguson	McKinley	Weber (TX)
Fitzpatrick	Meadows	Webster (FL)
Fleischmann	Meuser	Wenstrup
Flores	Miller	Westerman
Fortenberry	Mitchell	Williams
Fox (NC)	Moolenaar	Wilson (SC)
Fulcher	Mooney (WV)	Wittman
Gaetz	Mullin	Womack
Gallagher	Murphy (NC)	Woodall
Gianforte	Newhouse	Wright
Gibbs	Norman	Yoho
Gohmert	Nunes	Young
Gonzalez (OH)	Olson	Zeldin
Gooden	Palazzo	
Gosar	Palmer	

NOT VOTING—9

Clay	Kirkpatrick	Marchant
Crawford	Lesko	McClintock
Gabbard	Lewis	Simpson

□ 1333

Mr. HIGGINS of New York changed his vote from “nay” to “yea.”

So the resolution was agreed to.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

### THE JOURNAL

The SPEAKER pro tempore. Pursuant to clause 8 of rule XX, the unfinished business is the question on agreeing to the Speaker's approval of the Journal, which the Chair will put de novo.

The question is on the Speaker's approval of the Journal.

Pursuant to clause 1, rule I, the Journal stands approved.

### GENERAL LEAVE

Mr. NADLER. Madam Speaker, I ask unanimous consent that Members have 5 legislative days to revise and extend their remarks on H. Res. 798.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York?

There was no objection.

### COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,  
*The Speaker, House of Representatives,*  
Washington, DC.

DEAR MADAM SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on January 15, 2020, at 11:18 a.m.:

That the Senate passed S. 2547.

With best wishes, I am,  
Sincerely,

CHERYL L. JOHNSON.

### RESIGNATION AS MEMBER OF COMMITTEE ON FINANCIAL SERVICES

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Financial Services:

HOUSE OF REPRESENTATIVES,  
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,  
*Speaker, House of Representatives,*  
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the Committee on Financial Services. It has been an honor to serve in this capacity.

Sincerely,

REP. PETER T. KING,  
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.

There was no objection.

### RESIGNATION AS MEMBER OF COMMITTEE ON HOMELAND SECURITY

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Homeland Security:

HOUSE OF REPRESENTATIVES,  
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,  
*Speaker, House of Representatives,*  
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the House Committee on Homeland Security. It has been an honor to serve in this capacity.

Semper Fidelis,

VAN TAYLOR,  
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.  
There was no objection.

### RESIGNATION AS MEMBER OF COMMITTEE ON EDUCATION AND LABOR

The SPEAKER pro tempore laid before the House the following resignation as a member of the Committee on Education and Labor:

HOUSE OF REPRESENTATIVES,  
Washington, DC, January 15, 2020.

Hon. NANCY PELOSI,  
*Speaker, House of Representatives,*  
Washington, DC.

DEAR SPEAKER PELOSI: I write to respectfully tender my resignation as a member of the House Committee on Education and Labor. It has been an honor to serve in this capacity.

Semper Fidelis,

VAN TAYLOR,  
*Member of Congress.*

The SPEAKER pro tempore. Without objection, the resignation is accepted.  
There was no objection.

### PROTECTING OLDER WORKERS AGAINST DISCRIMINATION ACT

#### GENERAL LEAVE

Mr. SCOTT of Virginia. Madam Speaker, I ask unanimous consent that all Members may have 5 legislative days to revise and extend their remarks and insert extraneous material on H.R. 1230, the Protecting Older Workers Against Discrimination Act.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Pursuant to House Resolution 790 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the consideration of the bill, H.R. 1230.

The Chair appoints the gentleman from Texas (Mr. CUELLAR) to preside over the Committee of the Whole.

□ 1339

#### IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole

House on the state of the Union for the consideration of the bill (H.R. 1230) to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes, with Mr. CUELLAR in the chair.

The Clerk read the title of the bill.

The CHAIR. Pursuant to the rule, the bill is considered read for the first time.

General debate shall be confined to the bill and shall not exceed 1 hour equally divided and controlled by the chair and ranking minority member of the Committee on Education and Labor.

The gentleman from Virginia (Mr. SCOTT), and the gentlewoman from North Carolina (Ms. FOXX) each will control 30 minutes.

The Chair recognizes the gentleman from Virginia.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I rise today in support of H.R. 1230, the Protecting Older Workers Against Discrimination Act, or POWADA.

I want to thank my colleagues, particularly the gentleman from Wisconsin (Mr. SENSENBRENNER), for working to pass this bipartisan proposal to restore workplace protections for older workers.

In 1967, Congress passed the Age Discrimination in Employment Act, or ADEA, which recognizes the Federal Government's role in preventing older workers from being forced out of jobs or denied work opportunities because of their age.

Importantly, the ADEA was enforced using an evidentiary standard that gave older workers a fair shot at holding employers accountable for age discrimination. Under this standard, workers seeking to challenge age discrimination in employment only had to prove that age was a motivating factor or one of many motivating factors behind an employer's discriminatory action.

For decades, this mixed-motive standard was consistent with the evidentiary standard in title VII of the Civil Rights Act of 1964, which covers claims of unlawful discrimination on the basis of race, sex, national origin, or religion.

Unfortunately, in 2009, in the Gross v. FBL Financial Services case, the Supreme Court upended decades of precedent, significantly raising the burden of proof for older workers.

In its 5-to-4 decision, the Court held that plaintiffs must prove that age was the decisive and determinative motivating factor for the employer's conduct. Under this altered framework, older workers cannot prevail unless they can show that the adverse action would not have occurred but for the employee's age.

This higher threshold not only makes it harder for workers who have suffered

discrimination to achieve redress, it also sends a message to employers that they need not treat age discrimination as seriously as other forms of discrimination.

By amending the ADEA to clarify that the mixed-motive standard is the evidentiary standard for evaluating claims, the Protecting Older Workers Against Discrimination Act would restore workers' protections and reestablish a consistent burden of proof for claims alleging discrimination on the basis of age.

The 2009 Gross decision also opened the door for the courts to apply the but-for standard to other civil rights laws, including the Americans with Disabilities Act, the Rehabilitation Act of 1973, and the antiretaliation provisions of the Civil Rights Act of 1964. The bill before us clarifies that the mixed-motive standard also applies to those three civil rights acts as well.

Despite the bipartisan support in both Chambers for this bill, I am disappointed that the White House has already threatened to veto this legislation. In reality, the administration has a troubling pattern of blocking legislation to help the very forgotten workers it promised to support.

In addition to this legislation, the administration has placed veto threats on the Raise the Wage Act, which would gradually increase the minimum wage to \$15 an hour by 2025, and the Workplace Violence Prevention for Healthcare and Social Service Workers Act, which would support the safety of healthcare and social service workers.

□ 1345

Mr. Chairman, today the House has a chance to be on record and stand up for the average American worker. I urge a "yes" vote on the Protecting Older Workers Against Discrimination Act, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I rise today in opposition to H.R. 1230, the Protecting Older Workers Against Discrimination Act.

Let me be clear: every worker, including older workers, should be protected from workplace discrimination at his or her job. This is why Congress has passed a number of laws to protect Americans of all ages against discrimination in the workplace. The Civil Rights Act of 1964, CRA; the Age Discrimination in Employment Act of 1967, ADEA; the Rehabilitation Act of 1973, the Rehab Act; and the Americans with Disabilities Act of 1990, ADA, makes employment discrimination because of an individual's race, color, religion, sex, national origin, age, or disability unlawful.

Although I appreciate the stated purpose behind H.R. 1230, the rushed approach taken by committee Democrats and the lack of evidence and data to prove that this legislation is needed have led to a seriously flawed bill. Careful examination and scrutiny of

any legislative proposal is necessary to determine whether it is needed and whether it appropriately and effectively addresses the relevant issues. Unfortunately, in developing H.R. 1230, the committee majority failed miserably in this regard.

Committee Democrats chose not to hold a single hearing solely dedicated to examining either age discrimination or H.R. 1230; rather, they examined this bill during a hearing that covered multiple topics and several other pieces of legislation completely unrelated to the bill.

As we have seen many times during the 116th Congress with other legislation, H.R. 1230 was rushed through the Education and Labor Committee without necessary examination, discussion, or consideration. As a result, we are here debating yet another one-size-fits-all "government knows best" mandate that rewards special interests and disregards real-world workplace experience and decades of Supreme Court precedent.

However, the flawed process is far from the only issue with this legislation. The committee also has no evidence or data indicating this bill is necessary. In fact, the lone Democrat-invited witness who testified on H.R. 1230 at a committee hearing covering many bills and topics admitted the impact of the Supreme Court's 2009 decision in *Gross v. FBL Financial Services, Inc.* is unknown. She also admitted there is no data indicating workers have been discouraged from filing age discrimination charges with the EEOC or bringing cases.

The data simply does not indicate workers have been discouraged from filing discrimination or retaliation charges with the EEOC. Additionally, according to the Bureau of Labor Statistics, employment numbers for older workers have trended upwards in recent decades.

In 2018 older workers earned 7 percent more than the median for all workers, a large increase from 20 years ago. For workers age 65 and older, employment tripled from 1988 to 2018, while employment among younger workers grew by about one-third. Likewise, over the past 20 years, the number of older workers on full-time work schedules grew 2½ times faster than the number working part-time.

Rather than considering misguided proposals such as H.R. 1230 which furthers government intervention, we ought to be empowering all workers, including older workers, to continue participating and thriving in America's workforce to build upon, not stifle, these impressive trends. Unfortunately, H.R. 1230 does the opposite. This legislation will actually harm older workers while simultaneously enriching trial lawyers.

H.R. 1230 overturns Supreme Court precedent by allowing a plaintiff to argue that age was only a motivating, not decisive, factor that led to an employer's unfavorable employment ac-

tion, and it allows these kinds of mixed-motive claims across four completely different nondiscrimination laws. Moreover, allowing mixed-motive claims in cases alleging retaliation puts employers in an untenable position of trying to prove that a legitimate employment decision was not in response to a prior complaint. The only party who will be paid in nearly all mixed-motive cases is the plaintiffs' attorneys because most employers will be able to demonstrate that they would have taken the same action in the absence of the impermissible motivating factor. So the very people this legislation is intended to help will not receive any monetary damages under H.R. 1230.

H.R. 1230 will also increase frivolous legal claims against businessowners. Such undeserving claims will take valuable resources away from efforts to prevent workplace harassment and discrimination.

Finally, committee Republicans offered amendments to advance important priorities and practical solutions for older workers and highlight fundamental flaws in H.R. 1230. Unfortunately, our commonsense amendments were defeated on a party-line vote in committee.

Mr. Chairman, all workers should be protected from workplace discrimination, but by rushing today's legislation to the House floor in an attempt to make up for an abysmal first year in the majority, Democrats have failed older workers.

I encourage my colleagues to vote "no" on H.R. 1230, and I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself such time as I may consume just to respond to the idea that this has been rushed.

There have been several committee hearings over the last 10 years in the House and one of the Senate, and that information is recorded in the committee report.

I also would like to point out that the burden of but for that the Gross decision has saddled older workers with now requires them to show not only that they have been discriminated against but also that they would have gotten the job or wouldn't have been fired but for the fact that they are old. All the older person knows is that when they applied for the job they were told: We don't hire old people.

Well, that is not enough, because now you also have to show that you would have gotten the job anyway. You don't know who got hired, and you don't know what their qualifications were, and it is an almost impossible burden to prove that not only were you discriminated against but you know the action would not have been taken but for that action.

Mr. Chairman, I yield 2 minutes to the gentlewoman from Oregon (Ms. BONAMICI), who is the chair of the Subcommittee on Civil Rights and Human Services on the Education and Labor Committee.

Ms. BONAMICI. Mr. Chairman, I thank Chairman SCOTT for yielding.

Mr. Chairman, today, by supporting the bipartisan Protecting Older Workers Against Discrimination Act, we can protect the civil rights of older workers who are striving to provide for themselves and their families.

According to recent data from the Census Bureau and the Bureau of Labor Statistics, the percentage of retirement-age Americans in the labor force has doubled since 1985. Unfortunately, age discrimination in the workplace remains disturbingly pervasive. According to the AARP, three in five workers over the age of 45 reported seeing or experiencing age discrimination on the job. Americans are living and working longer, and we must do all we can to protect them from discrimination.

My home State of Oregon has one of the most rapidly aging populations in this country. I have heard from workers, many in the technology industry, who believe they have been dismissed or denied employment because of their age. My office has helped older workers who have filed age discrimination complaints at the Equal Employment Opportunity Commission, but the burden and the outcomes are very uncertain.

In 1967 Congress passed the Age Discrimination in Employment Act, or ADEA, to prohibit age discrimination in the workplace and to promote the employment of older workers. Then in 2009 the Supreme Court in the Gross case changed the burden of proof for workers and made it much harder for workers to prove age discrimination. This bipartisan bill simply returns the burden of proof to what it was for decades before the Gross case.

I joined Chairman SCOTT and Congressman SENSENBRENNER in reintroducing the bipartisan Protecting Older Workers Against Discrimination Act to amend the ADEA and our other core civil rights laws: the anti-retaliation provision of Title VII of the Civil Rights Act, the Americans with Disabilities Act, and the Rehabilitation Act of 1973. We need to make our laws clear. Unlawful discrimination in the workplace is unacceptable.

Mr. Chairman, I thank Chairman SCOTT and Congressman SENSENBRENNER for their work on this important issue, and I urge all of my colleagues to support this bill.

Ms. FOXX of North Carolina. Mr. Chair, I yield 2 minutes to the gentleman from Michigan (Mr. WALBERG).

Mr. WALBERG. Mr. Chair, I rise today in opposition to H.R. 1230.

Let's be clear. All of us are against workplace discrimination of any kind, and, Mr. Chairman, at my age I am certainly against age discrimination.

All of us want to protect all American workers from discrimination, but contrary to the bill's title, this legislation will end up harming workers. It is a payout to trial lawyers by muddying legal standards under the guise of a nice-sounding bill. Any plaintiff who files a discrimination lawsuit under

this bill is extremely unlikely to receive any monetary awards, but the trial lawyers will still get paid for their time.

Right now we have an economy that is booming. More than 7 million jobs are unfilled across this country—that is 7 million jobs going wanting right now. The pro-growth policies we put in place are working. Our focus should be on protecting workers and encouraging greater workforce participation and not rewarding lawyers through increased opportunities to garner legal fees.

Sadly, this legislation was rushed through the Education and Labor Committee for partisan purposes. It did not receive a thoughtful consideration of bipartisan ideas. We can do better but, once again, we are using precious time to debate political messaging bills instead of solving problems.

Mr. Chairman, protecting our older workers and encouraging appropriate job training are outcomes we can all agree on. But the crux of this bill is designed to help attorneys, not workers.

I urge my colleagues to look beyond the title and vote “no” on this payout to trial lawyers. We can do better, and we can protect all workers, including those of age, from age discrimination.

□ 1400

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentleman from Rhode Island (Mr. LANGEVIN), who is the co-chair of the Bipartisan Disabilities Caucus.

Mr. LANGEVIN. Mr. Chair, I thank the gentleman for yielding and for his exceptional leadership in bringing this bill to the floor.

Mr. Chair, I rise in support of Protecting Older Workers Against Discrimination Act.

Age is just a number. We hear that all the time, and there is so much truth to it. Yet, each year, too many Americans over the age of 40 face discrimination at the office. In fact, AARP reports that over half of older workers have seen or experienced age discrimination.

Congress outlawed workplace discrimination against older Americans over 50 years ago in the Age Discrimination in Employment Act. However, due to a misguided 2009 Supreme Court ruling, older Americans still face negative employment actions.

As the U.S. Equal Employment Opportunity Commission acknowledged in 2018, “Age discrimination remains a significant and costly problem for workers, their families, and our economy.” This is simply unacceptable, and it is wrong.

Employees over the age of 40 bring talent, experience, and wisdom to an office. Additionally, these workers are more likely to stay at their companies.

On average, Americans between the ages of 55 and 64 stick with their employers three times as long as employees aged 25 to 34. Even more disheartening is the effect age discrimination has on disabled workers.

Mr. Chairman, I include in the RECORD a letter from the Consortium for Citizens with Disabilities in support of the bill.

CONSORTIUM FOR CITIZENS  
WITH DISABILITIES,

Jan. 15, 2020.

DEAR MEMBER OF CONGRESS: As co-chairs of the Consortium for Citizens with Disabilities (CCD) Rights Task Force, we write to urge you to support passage of H.R. 1230, the Protecting Older Workers Against Discrimination Act. We attach our letter of June 10, 2019 in support of the bill. CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, integration, and inclusion of children and adults with disabilities in all aspects of society.

Sincerely,

JENNIFER MATHIS,  
Bazelon Center for  
Mental Health Law.

SAMANTHA CRANE,  
Autistic Self-Advocacy  
Network.

CO-CHAIRS,  
CCD Rights Task  
Force.

HEATHER ANSLEY,  
Paralyzed Veterans of  
America.

KELLY BUCKLAND,  
National Council on  
Independent Living.

CONSORTIUM FOR CITIZENS  
WITH DISABILITIES,

June 10, 2019.

Hon. BOBBY SCOTT,  
Chair, Education and Labor Committee,  
Washington, DC.

Hon. VIRGINIA FOXX,  
Ranking Member, Education and Labor Committee,  
Washington, DC.

DEAR CHAIRMAN SCOTT AND RANKING MEMBER FOXX: As co-chairs of the Consortium for Citizens with Disabilities (CCD) Rights Task Force, we write to express our strong support for the Protecting Older Workers Against Discrimination Act (POWADA) (H.R. 1230) and the Transformation to Competitive Employment Act (H.R. 873). CCD is the largest coalition of national organizations working together to advocate for federal public policy that ensures the self-determination, independence, integration, and inclusion of children and adults with disabilities in all aspects of society.

POWADA would correct a Supreme Court decision, *Gross v. FBL Financial Services, Inc.*, that narrowly interpreted the Age Discrimination in Employment Act to require that unlawful discrimination be the “but-for” cause of an employer’s conduct in order to be actionable. Some courts have also applied this but-for cause requirement to claims of disability-based employment discrimination under the Americans with Disabilities Act (ADA), making it harder for people with disabilities to prevail on workplace discrimination claims.

POWADA is an important opportunity to restore workplace rights for people with disabilities. People with disabilities have the lowest employment rates of any group tracked by the Bureau of Labor Statistics, and their labor force participation rate has consistently been less than half of that of people without disabilities. Attitudinal barriers among employers are among the top reasons for these low rates. It is critically important to address barriers to employment for people with disabilities, and POWADA would help do that.

We also support the Transformation to Competitive Employment Act, which was discussed along with POWADA in your May 21, 2019 hearing on Eliminating Barriers to Employment. This bill would provide incentives to assist providers of subminimum wage employment for people with disabilities to transform the services that they provide to focus instead on competitive integrated employment, and would make grants available to state agencies to collaborate in developing the services needed to support the individuals served by these providers to secure and maintain competitive integrated employment.

The Transformation to Competitive Employment Act represents an important step toward ending the practice of paying subminimum wages to employees with disabilities under Section 14(c) of the Fair Labor Standards Act and expanding the supported employment services needed to ensure that people with disabilities who are served in subminimum wage sheltered workshops to receive the services they need to secure and maintain competitive integrated employment. This bill is another important measure that would bring needed expansion of real employment opportunities for people with disabilities.

We stand ready to work with you to help secure passage of H.R. 1230 and H.R. 873, both of which are important steps to address barriers to full and meaningful employment of people with disabilities.

Sincerely,

JENNIFER MATHIS,  
*Bazelon Center for  
Mental Health Law.*

SAMANTHA CRANE,  
*Autistic Self-Advocacy  
Network.*

KELLY BUCKLAND,  
*National Council on  
Independent Living.*

CO-CHAIRS,  
*CCD Rights Task  
Force.*

MARK RICHERT,  
*National Disability In-  
stitute.*

HEATHER ANSLEY,  
*Paralyzed Veterans of  
America.*

Mr. LANGEVIN. Mr. Chair, as it outlines, people with disabilities already face significant barriers to competitive, integrated employment, and we cannot allow another barrier to remain in their way.

Mr. Chair, I am proud to vote in favor of strengthening the Age Discrimination in Employment Act, and I thank my good friend, Chairman SCOTT, for championing this effort.

Mr. Chair, I urge my colleagues to join me in restoring justice for American workers and voting in favor of final passage.

Mr. SCOTT of Virginia. Mr. Chair, I yield 2 minutes to the gentlewoman from Pennsylvania (Ms. WILD), a distinguished member of the Committee on Education and Labor.

Ms. WILD. Mr. Chair, I thank the gentleman from Virginia for yielding.

Mr. Chair, I rise in support of this bill, the Protecting Older Workers Against Discrimination Act.

Older workers who bring suit for age discrimination are often ostracized at their workplace. They open their lives to invasive probes by defense counsel through written discovery, by deposi-

tion, and, ultimately, testifying at a trial.

These probes are often meant to embarrass rather than seek the truth. When our older workers finally reach the courthouse door, it is often almost closed before they even get to the courtroom.

As a former civil litigator, I have brought and defended multiple age discrimination cases. These are very emotional and difficult claims.

No one likes getting older, but when one has to put one's age in full view of all because of perceived discrimination at work, an older worker then has to experience the scrutiny of lawyers, judges, and juries to prove that he or she was discriminated against because of age.

But worse, our older workers are, again, discriminated against when they seek redress from the courts. That is because the Supreme Court, in the 2009 case of *Gross v. FBL Financial Services*, ruled that an older worker bringing an ADEA claim must prove that age was the "but for" cause, the sole determining cause of an adverse employment decision.

That Supreme Court decision sent a message of impunity to employers looking to discriminate on the basis of age, and it set a precedent for denying justice to older workers across our country. That is not the standard used in other discrimination claims.

We must condemn employment discrimination in every form it takes. Yet, our employment laws treat age discrimination claims under the Age Discrimination in Employment Act differently, more harshly, than other employment discrimination claims.

We have an opportunity to restore fairness in our legal system.

The CHAIR. The time of the gentlewoman has expired.

Mr. SCOTT of Virginia. Mr. Chair, I yield an additional 1 minute to the gentlewoman from Pennsylvania.

Ms. WILD. Mr. Chair, H.R. 1230, the Protecting Older Workers Against Discrimination Act, will ensure equal access to justice for those who have suffered age discrimination. It will create uniformity in our laws that a worker need prove only that age discrimination was one of any number of motivating factors for an employer's action.

Older workers like Mr. Gross, the victim of workplace discrimination and a misguided Supreme Court decision, deserve this bill.

Mr. Chair, I urge a "yes" vote on this bill.

Ms. FOXX of North Carolina. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, my colleagues on the other side of the aisle contend that the 2009 Supreme Court decision in *Gross v. FBL Financial Services* has weakened age discrimination protections. They also contend the decision had deterred workers from seeking relief from age bias. Let's look at the data.

In the 9 years preceding the 2009 Supreme Court decision in *Gross*, the

Equal Employment Opportunity Commission, the EEOC, the primary agency that enforces Federal laws that make it illegal to discriminate, received an average of 19,320 charges of discrimination per year relating to age discrimination—19,320.

An EEOC charge is a signed statement asserting employment discrimination. In the 9 years following *Gross*, the EEOC received an average 20,973 charges per year relating to age discrimination, a slight uptick from the previous 9 years.

There is clearly no evidence workers have been discouraged from filing age discrimination charges with the EEOC since the 2009 Supreme Court decision.

We also found that age discrimination charges as a percentage of all charges filed with the EEOC are approximately the same for the 9 years before and after the *Gross* decision, 23.2 percent before and 22.8 percent afterward.

Again, this does not indicate workers are discouraged from filing age discrimination charges. Congress should make fact-based decisions. In this case, the facts do not support what H.R. 1230's proponents have asserted.

Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I yield 3 minutes to the gentlewoman from Illinois (Ms. SCHAKOWSKY), the co-chair of the Democratic Caucus Task Force on Aging and Families.

Ms. SCHAKOWSKY. Mr. Chair, I thank Chairman SCOTT for yielding to me, and I rise in strong support of H.R. 1230, the Protecting Older Workers Against Discrimination Act.

This month, House Democrats are taking historic action to fight for our older Americans across the country. As cofounder and co-chair of the Democratic Caucus Task Force on Aging and Families, I am proud to announce that our Older Americans Bill of Rights, which we will introduce in the coming weeks, already has over 100 cosponsors.

That resolution reflects a covenant with senior citizens and urges the Congress to uphold the dignity of older Americans and their families.

Through that resolution, House Democrats are affirming that seniors have the right to live with dignity and with independence, including the right to high-quality healthcare, the right to age in place, and the right to financial security, including protecting against age discrimination in the workplace.

The bill that we are voting on today signals that we are taking those rights so seriously that we are not just making statements about it, but we are taking bold action. The bill before us ensures that senior citizens who have been victims of age discrimination can have their claims adjudicated fairly without having to jump through all kinds of arbitrary hoops created by a misguided court decision.

Protecting older workers is about more than just adjudicating claims of discrimination. It is about ensuring



older workers have the dignity that they deserve.

Mr. Chair, I urge all of my colleagues to support this measure.

Ms. FOXX of North Carolina. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, older workers are doing quite well in today's modern economy. According to the Bureau of Labor Statistics, BLS, employment for workers age 65 and older tripled from 1988 to 2018, while employment for younger workers grew by a third. The number of employed people age 75 and older nearly quadrupled from 461,000 in 1988 to 1.8 million in 2018.

My colleagues on the other side of the aisle paint a bleak picture of these valued workers standing in the workforce, when, in fact, employment trends for older workers are positive in recent decades.

According to BLS, in 1998, the median weekly earnings of older full-time employees was 77 percent of the median for workers age 16 and up. In 2018, older workers earned 7 percent more than the median for all workers.

The labor force participation rate for older workers has been rising steadily since the late 1990s. Participation rates for younger age groups either declined or flattened over this period.

Over the past 20 years, the number of older workers on full-time work schedules grew 2½ times faster than the number working part time.

As I said, the picture is bright.

Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I yield 2 minutes to the gentlewoman from Florida (Ms. FRANKEL).

Ms. FRANKEL. Mr. Chair, I thank the gentleman from Virginia and my colleagues for their work on this bill.

Mr. Chair, Ben Franklin signed the Declaration of Independence at age 70. Grandma Moses started painting at age 76. We should never, ever put an age limit on our dreams or the ability to make a living.

But here is the thing, Mr. Chair: You can be a dedicated employee, having spent decades building a career that you are proud of, taking care of your family, putting your kids through college, saving for your future. You need and want to work and, one day, when you are ready, retire with dignity. But then, out of nowhere, your life is shattered. Your bosses say: "You are fired."

They list their reasons. However, you know the truth. You have been let go to make way for a younger employee. Now you are without a salary, without your health insurance. You know your odds of getting a new job are slim when you are competing with 20-year-olds and 30-year-olds who are willing to work for lower wages and fewer benefits.

For too many seniors, Mr. Chair, this is a reality.

Nearly three in five workers have experienced age-based discrimination, not only unfairly depriving the worker

of a paycheck but taking valuable workers out of the workforce.

Now, a Supreme Court decision has made it even harder to prove age discrimination.

Mr. Chair, the Protecting Older Workers Against Discrimination Act would give senior workers the protection they deserve and society the workers that we need.

The poet Robert Browning said: "Grow old with me, the best is yet to be."

Mr. Chair, I urge my colleagues to support this very, very good bill.

Ms. FOXX of North Carolina. Mr. Chair, I yield myself such time as I may consume.

Mr. Chair, I really find it puzzling that our colleagues paint such a dismal picture of employers. We hear this over and over and over again from the other side of the aisle.

As my colleague from Michigan said a little while ago, we have 7 million unfilled jobs in the country right now. Every employer I know, before I came to Congress and since I have been in Congress, cherishes his or her employees. They don't dismiss employees out of hand just because of their age. They just don't do that. They value their employees.

□ 1415

But the other side of the aisle has a real distorted picture of what happens in the private sector.

I want to say that H.R. 1230 doesn't achieve the goals espoused by the bill's sponsors, and let me provide much-needed truth in advertising about this bill.

Under the bill as written, most plaintiffs, even if they are successful, will not be entitled to receive any monetary damages, payments, or reinstatement. Here is why.

Generally, a victim of discrimination is entitled to be made whole, to be put in the position the individual would have been in without the discrimination. This can include monetary damages, back pay, reinstatement, attorney's fees, and court costs.

The Supreme Court, in the 2009 Gross case, eliminated the defense that allows an employer to demonstrate it would have taken the same employment action regardless of age. H.R. 1230 restores this employer defense.

An overwhelming majority of employers will be able to make this demonstration to the court, and when they make that demonstration, under H.R. 1230, the plaintiff will not be entitled to receive any monetary damages, payments, or reinstatement, although the plaintiffs' attorneys will be entitled to fees. So the only party who wins in these cases are the trial lawyers.

In addition, H.R. 1230 is specifically written to allow plaintiffs to survive a summary judgment motion that would end their case. But the plaintiff is in for a surprise later when, after going to court, he or she receives no monetary damages, and the only one getting paid

is his or her attorney. To add insult to injury, the employee may have to pay income taxes on the fees that are awarded to his or her attorney.

The bill's sponsors never explain how adding the provisions that include mixed-motive claims and restoring the employer defense allowing employers to demonstrate they would have taken the same action regardless of the impermissible factor, such as age, will benefit employees. In fact, these provisions will only help trial lawyers.

H.R. 1230's title and provisions are yet another case of false advertising and empty promises for older workers.

Mr. Chair, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I yield 2 minutes to the gentlewoman from New York (Ms. STEFANIK), a distinguished member of the Committee on Education and Labor.

Ms. STEFANIK. Mr. Chair, in my district, older Americans are staying in the workforce longer than previous generations, making significant contributions to our growing economy; yet these later years of a worker's career are becoming increasingly unstable.

Over half of the workers over the age of 50 are pushed out of longtime jobs before they are ready to retire.

The consequences of age discrimination are particularly harmful because, once older workers are removed from the workforce, they are more likely to remain unemployed. The economic strain that this can cause for them and their families is significant.

But losing a career is bigger than just financial security. Separating adults from the dignity of work has a broader impact on the well-being of communities like my district, where I serve one of the largest constituencies of older Americans in the entire country.

This bill strengthens the ADEA by reaffirming the pre-2009 standard, simply, that age discrimination cannot be a motivating factor in employment decisions.

I am proud to support H.R. 1230 on behalf of the many constituents of the 21st District who have advocated for this bill for over a decade.

Ms. FOXX of North Carolina. Mr. Chair, I yield myself such time as I may consume.

It is encouraging to see more and more older Americans continue to make invaluable contributions in the workplace, and committee Republicans are committed to eliminating discrimination in the workplace to ensure a productive and competitive workforce.

Unfortunately, H.R. 1230 is an unnecessary and misleading bill that does not "protect older workers" and is yet another case of false advertising and empty promises.

Committee Democrats failed to allow a proper examination of H.R. 1230, depriving Members of the opportunity to review the legislation appropriately before it was considered by the committee, and, as a result, we are left



with the ill-advised bill before us today.

This one-size-fits-all, government-knows-best approach is not the answer and will significantly benefit trial lawyers at the cost of older American workers.

I strongly encourage a “no” vote on H.R. 1230, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chair, I yield myself the balance of my time.

Mr. Chair, it has been more than a decade since the Supreme Court heightened the burden of proof for workers seeking to legally challenge age discrimination in the workplace; however, our responsibility to ensure that no older Americans are forced out of a job or denied a work opportunity because of age has not changed.

At a time when Americans are working longer into their lives, we need policy solutions that empower older workers to challenge workplace discrimination. We know that a 2018 survey by the AARP showed that three out of five workers age 45 or older had seen or experienced age discrimination in the workplace.

Some of my colleagues contend that this bill was rushed to the floor; however, we must remember that this is a bipartisan proposal that has undergone substantial debate since it was first introduced in 2009. Over the past 10 years, Congress has deliberated on this legislation through four hearings, including two hearings in the Committee on Education and Labor.

Both the House and Senate have introduced and gradually improved this legislation in the 111th, 112th, 113th, 114th, 115th, and the current 116th Congress. It is long overdue.

The Protecting Older Workers Against Discrimination Act is a bipartisan, bicameral solution that restores protections for older workers and ensures that we treat all workers facing discrimination, whether it is on the basis of sex, race, religion, national origin, or age, with consistency and fairness.

I want to thank Congressman SENSENBRENNER for working with us to bring this important legislation to the floor.

I want to remind everyone exactly what this bill does.

Under the bill and before 2009, if a person could prove discrimination, that was the beginning of the case. The defendant would be able to show that they would have been fired or not hired anyway, but that is on the defendant to show. If they don't show that, then it is proven discrimination, entitling the plaintiff to damages. If the defendant can show that it would have done it anyway, discrimination is already proved, and, as the gentlewoman from North Carolina pointed out, attorney's fees would be available.

Under the new law, after 2009, not only do you have to prove that you were discriminated against, told we don't higher old people, you also have

to prove that you would have gotten the job anyway.

Well, you don't have that information. You can't show that you would have gotten the job. You don't know the qualifications of the person who was hired.

So, Mr. Chair, we know that this legislation is extremely important. Older workers want this legislation, as evidenced by a letter of support from the Leadership Council of Aging Organizations, over two dozen organizations representing senior citizens; another letter, joined by 26 advocacy organizations supporting the bill; and, finally, a letter of support from AARP.

Mr. Chair, I include these letters in the RECORD.

LEADERSHIP COUNCIL  
OF AGING ORGANIZATIONS,  
December 9, 2019.

Hon. MITCH MCCONNELL,  
*Majority Leader,*  
Hon. CHUCK SCHUMER,  
*Minority Leader,*  
*U.S. Senate, Washington, DC.*  
Hon. NANCY PELOSI,  
*Speaker,*  
Hon. KEVIN MCCARTHY,  
*Minority Leader, House of Representatives,*  
*Washington, DC.*

DEAR MAJORITY LEADER MCCONNELL, MINORITY LEADER SCHUMER, SPEAKER PELOSI, AND MINORITY LEADER MCCARTHY: The Leadership Council of Aging Organizations (LCAO) is a coalition of 69 national nonprofit organizations concerned with the well-being of America's older population and committed to representing their interests in the policy-making arena.

We are writing to urge you to vote for passage of the Protecting Older Workers Against Discrimination Act (S. 485, H.R. 1230). The Protecting Older Workers Against Discrimination Act (POWADA) is bipartisan and bicameral legislation sponsored in the Senate by Senators Bob Casey (D-PA) and Chuck Grassley (R-IA). The House version is sponsored by Representatives Bobby Scott (D-VA) and Jim Sensenbrenner (R-WI). The House Education and Labor Committee voted on June 11, 2019 to approve POWADA.

Age discrimination is pervasive and stubbornly entrenched. Six in 10 older workers have experienced age discrimination and 90% of them say it is common. It is even more pervasive among older women and African American workers; nearly two thirds of women and three-fourths of African Americans say they have seen or experienced workplace age discrimination.

Courts have not taken age discrimination as seriously as other forms of discrimination and older workers have fewer protections as a result. Ten years ago, in *Gross v. FBL Financial Services Inc.*, the Supreme Court set a higher standard of proof for age discrimination than previously applied and much higher than for other forms of discrimination. Since *Gross*, court decisions have continued to chip away at protections. As a result, plaintiffs now have to prove that age was a determinative, “but-for” cause for their employers' adverse treatment of them. Before the *Gross* case, it was enough for plaintiffs to prove that age was one of the motivating factors. POWADA would restore the standard of proof in age discrimination cases to the pre-2009 level, and treat age discrimination as just as wrong as other forms of employment discrimination. Moreover, because courts have applied *Gross*' higher burden of proof to retaliation charges and to disability discrimination, it would also

amend the Age Discrimination in Employment Act, Title VII's provision on retaliation, the Americans with Disabilities Act, and the Rehabilitation Act of 1973.

Please vote to restore fairness for older workers by passing the Protecting Older Workers Against Discrimination Act (S. 485, H.R. 1230).

Sincerely,

The Undersigned Groups of the Leadership Council of Aging Organizations:

AARP; AFL-CIO; AFSCME; Aging Life Care Association; Alliance for Retired Americans; American Association of Service Coordinators; American Society on Aging; AMDA—The Society for Post-Acute and Long-Term Care Medicine; Association of Gerontology and Human Development in Historically Black Colleges and Universities; B'nai B'rith; Consumer Voice; International Association for Indigenous Aging; Justice in Aging; Leading Age; National Adult Protective Services Association; National Asian Pacific Center on Aging (NAPCA); National Association for Hispanic Elderly; National Association of Area Agencies on Aging (n4a).

National Association of Nutrition and Aging Services Programs (NANASP); National Association of Social Workers; National Center and Caucus on Black Aging; National Committee to Preserve Social Security and Medicare; National Council on Aging; National Hispanic Council on Aging; National Senior Corps Association; Pension Rights Center; PHI; Social Security Works; The Gerontological Society of America; The Jewish Federations of North America; Women's Institute for a Secure Retirement (WISER).

JUNE 10, 2019.

Hon. BOBBY SCOTT,  
*Chairman, Committee on Education and Labor,*  
*House of Representatives, Washington, DC.*

Hon. VIRGINIA FOXX,  
*Ranking Member, Committee on Education and Labor, House of Representatives, Washington, DC.*

DEAR CHAIRMAN SCOTT AND RANKING MEMBER FOXX: On behalf of the undersigned organizations and the millions of workers we represent, we urge all Committee Members to vote to support H.R. 1230, the Protecting Older Workers Against Discrimination Act (POWADA), sponsored by Chairman Scott and Rep. Jim Sensenbrenner (R-WI). POWADA is bipartisan, limited legislation to restore fairness and well-established legal standards on workplace discrimination that were undermined by certain court decisions.

To ensure equal treatment and equal opportunity in employment, the civil rights laws make clear that discrimination in the workplace “because of” a protected characteristic or activity is unlawful. For decades, this meant that discrimination may not play any role in employment practices.

Yet, 10 years ago this month, the Supreme Court erected a new and substantial legal barrier in the path of equal opportunity for older workers. In *Gross v. FBL Financial Services, Inc.* (2009), the Court imposed a much higher burden of proof on workers who allege age discrimination than is required of those who allege discrimination based on race, sex, national origin, or religion. Proving that discrimination tainted the employer's conduct was no longer enough; after *Gross*, older workers must prove that discrimination played a decisive role in the employer's action.

Since the *Gross* decision, the Supreme Court and lower courts have extended this same unreasonably difficult burden of proof to other types of civil rights complaints:

Retaliation—In Title VII cases in which an employer retaliates against a worker who challenges workplace discrimination based on race, sex, or other grounds, the worker

must now prove that retaliation was the decisive cause for their adverse treatment. *University of Texas Southwestern Medical Center v. Nassar* (2013).

Disability discrimination—The Supreme Court has not yet ruled on whether workers subjected to disability discrimination must also meet this much higher standard of causation, but four federal circuit courts of appeal have ruled that disability-based employment discrimination must be established under the higher, “but-for” causation standard.

This line of court decisions has made it exponentially more difficult for workers who have experienced discrimination to have their day in court and prove their case. These decisions have also sent a terrible message to employers and the courts that some types of discrimination are not as wrong, or as unlawful, as other forms of discrimination.

POWADA would restore the causation standard that was in effect and consistently applied by the courts before 2009, and make Congress’ intent clear that discrimination in the workplace is never acceptable. Please support H.R. 1230 and swiftly pass this bipartisan legislation.

Sincerely,

AARP, American Association of People with Disabilities (AAPD), American Association of University Women (AAUW), American Civil Liberties Union (ACLU), American Federation of State, County, and Municipal Employees (AFSCME), Bazelon Center for Mental Health Law, Disability Rights Education & Defense Fund (DREDF), Easterseals, Equal Rights Advocates, Justice for Migrant Women, Justice in Aging, Leadership Conference on Civil and Human Rights.

National Council on Aging, National Disability Institute, National Domestic Workers Alliance, National Education Association (NEA), National Employment Law Project, National Employment Lawyers Association, National Partnership for Women & Families, National Women’s Law Center, NETWORK Lobby for Catholic Social Justice, Paralyzed Veterans of America, The Arc, The Gerontological Society of America, Women Employed, Women’s Institute for a Secure Retirement (WISER).

AARP,  
June 10, 2019.

Hon. ROBERT C. SCOTT,  
Chairman, Education and Labor Committee,  
House of Representatives, Washington, DC.

DEAR CHAIRMAN SCOTT: On behalf of AARP’s nearly 38 million members, including the approximately 91,000 AARP members in Virginia’s Third Congressional District, I extend our sincere thanks for leading efforts to introduce and move the Protecting Older Workers Against Discrimination Act.

Older workers are a valuable asset to their employers and to the nation’s economy. Yet, AARP polling shows that over 60% of older workers believe they have seen or experienced age discrimination in the workplace. Discrimination is especially devastating when workers are terminated from long-time jobs, and face entrenched age bias in hiring.

H.R. 1230 will correct the 2009 Supreme Court decision in *Gross v. FBL Financial Services, Inc.* (and subsequent discrimination cases that followed its reasoning) that made it much more difficult to prove job discrimination, and will clarify that proven discrimination may not play any role in employment decisions. We think the Committee’s May hearing helped to highlight the need for POWADA, and thank you for drawing attention to Jack Gross’ presence there.

We look forward to the June 11th mark-up—as you may know, this will be the first

time that POWADA has been marked up and voted on in committee—and to working with you and your staff to shepherd this legislation through the House of Representatives before the August recess. Thank you again for your leadership and support.

Sincerely,

NANCY LEAMOND,  
Executive Vice President,  
Chief Advocacy & Engagement Officer.

Mr. SCOTT of Virginia. Mr. Chair, I yield back the balance of my time.

Ms. JOHNSON of Texas. Mr. Chair, today, I rise in support of H.R. 1230, the Protecting Older Workers Against Discrimination Act, which will restore protections for older Americans against age discrimination in the workplace. This legislation will ensure that older workers will once again have the same legal protections against age discrimination as those that exist for discrimination based on race, religion, sex, or national origin.

As the cost of living rises and retirement savings shrink, Americans now more than ever before are faced with the necessity of working later into their lives. It is critical that we, as members of this body, enact protections for older workers because if older workers lose their jobs, they are far more likely to face long-term unemployment. We must guarantee that age discrimination should be treated just as seriously as any other form of workplace discrimination.

This bill amends four laws—the Age Discrimination in Employment Act, Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act, and the Rehabilitation Act. It ensures that the higher burden of proof for age discrimination claims are lowered to include mixed-motive claims. This equates to standard practices for workplace discrimination claims based on race, religion, sex, or national origin.

As a member of the House Democratic Caucus Task Force on Aging & Families, I am proud to support our seniors and their families in communities across our country through the Protecting Older Workers Against Discrimination Act.

The CHAIR. All time for general debate has expired.

Pursuant to rule, the bill shall be considered for amendment under the 5-minute rule.

In lieu of the amendment in the nature of a substitute recommended by the Committee on Education and Labor, printed in the bill, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116-46, shall be considered as adopted.

The bill, as amended, shall be considered as the original bill for the purpose of further amendment under the 5-minute rule and shall be considered as read.

The text of the bill, as amended, is as follows:

H.R. 1230

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Protecting Older Workers Against Discrimination Act”.

#### SEC. 2. STANDARDS OF PROOF.

(a) AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967.—

(1) CLARIFYING PROHIBITION AGAINST IMPERMISSIBLE CONSIDERATION OF AGE IN EMPLOYMENT PRACTICES.—Section 4 of the Age Discrimination in Employment Act of 1967 (29 U.S.C. 623) is amended by inserting after subsection (f) the following:

“(g)(1) Except as otherwise provided in this Act, an unlawful practice is established under this Act when the complaining party demonstrates that age or an activity protected by subsection (d) was a motivating factor for any practice, even though other factors also motivated the practice.

“(2) In establishing an unlawful practice under this Act, including under paragraph (1) or by any other method of proof, a complaining party—

“(A) may rely on any type or form of admissible evidence and need only produce evidence sufficient for a reasonable trier of fact to find that an unlawful practice occurred under this Act; and

“(B) shall not be required to demonstrate that age or an activity protected by subsection (d) was the sole cause of a practice.”.

(2) REMEDIES.—Section 7 of such Act (29 U.S.C. 626) is amended—

(A) in subsection (b)—

(i) in the first sentence, by striking “The” and inserting “(1) The”;

(ii) in the third sentence, by striking “Amounts” and inserting the following:

“(2) Amounts”;

(iii) in the fifth sentence, by striking “Before” and inserting the following:

“(4) Before”; and

(iv) by inserting before paragraph (4), as designated by clause (iii) of this subparagraph, the following:

“(3) On a claim in which an individual demonstrates that age was a motivating factor for any employment practice, under section 4(g)(1), and a respondent demonstrates that the respondent would have taken the same action in the absence of the impermissible motivating factor, the court—

“(A) may grant declaratory relief, injunctive relief (except as provided in subparagraph (B)), and attorney’s fees and costs demonstrated to be directly attributable only to the pursuit of a claim under section 4(g)(1); and

“(B) shall not award damages or issue an order requiring any admission, reinstatement, hiring, promotion, or payment.”; and

(B) in subsection (c)(1), by striking “Any” and inserting “Subject to subsection (b)(3), any”.

(3) DEFINITIONS.—Section 11 of such Act (29 U.S.C. 630) is amended by adding at the end the following:

“(m) The term ‘demonstrates’ means meets the burdens of production and persuasion.”.

(4) FEDERAL EMPLOYEES.—Section 15 of such Act (29 U.S.C. 633a) is amended by adding at the end the following:

“(h) Sections 4(g) and 7(b)(3) shall apply to mixed motive claims (involving practices described in section 4(g)(1)) under this section.”.

(b) TITLE VII OF THE CIVIL RIGHTS ACT OF 1964.—

(1) CLARIFYING PROHIBITION AGAINST IMPERMISSIBLE CONSIDERATION OF RACE, COLOR, RELIGION, SEX, OR NATIONAL ORIGIN IN EMPLOYMENT PRACTICES.—Section 703 of the Civil Rights Act of 1964 (42 U.S.C. 2000e-2) is amended by striking subsection (m) and inserting the following:

“(m) Except as otherwise provided in this title, an unlawful employment practice is established when the complaining party demonstrates that race, color, religion, sex, or national origin or an activity protected by section 704(a) was a motivating factor for any employment practice, even though other factors also motivated the practice.”.

(2) FEDERAL EMPLOYEES.—Section 717 of such Act (42 U.S.C. 2000e-16) is amended by adding at the end the following:

“(g) Sections 703(m) and 706(g)(2)(B) shall apply to mixed motive cases (involving practices described in section 703(m)) under this section.”.

(c) **AMERICANS WITH DISABILITIES ACT OF 1990.**—

(1) **DEFINITIONS.**—Section 101 of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111) is amended by adding at the end the following:

“(11) **DEMONSTRATES.**—The term ‘demonstrates’ means meets the burdens of production and persuasion.”.

(2) **CLARIFYING PROHIBITION AGAINST IMPERMISSIBLE CONSIDERATION OF DISABILITY IN EMPLOYMENT PRACTICES.**—Section 102 of such Act (42 U.S.C. 12112) is amended by adding at the end the following:

“(e) **PROOF.**—

“(1) **ESTABLISHMENT.**—Except as otherwise provided in this Act, a discriminatory practice is established under this Act when the complaining party demonstrates that disability or an activity protected by subsection (a) or (b) of section 503 was a motivating factor for any employment practice, even though other factors also motivated the practice.

“(2) **DEMONSTRATION.**—In establishing a discriminatory practice under paragraph (1) or by any other method of proof, a complaining party—

“(A) may rely on any type or form of admissible evidence and need only produce evidence sufficient for a reasonable trier of fact to find that a discriminatory practice occurred under this Act; and

“(B) shall not be required to demonstrate that disability or an activity protected by subsection (a) or (b) of section 503 was the sole cause of an employment practice.”.

(3) **CERTAIN ANTI-RETALIATION CLAIMS.**—Section 503(c) of such Act (42 U.S.C. 12203(c)) is amended—

(A) by striking “The remedies” and inserting the following:

“(1) **IN GENERAL.**—Except as provided in paragraph (2), the remedies”; and

(B) by adding at the end the following:

“(2) **CERTAIN ANTI-RETALIATION CLAIMS.**—Section 107(c) shall apply to claims under section 102(e)(1) with respect to title I.”.

(4) **REMEDIES.**—Section 107 of such Act (42 U.S.C. 12117) is amended by adding at the end the following:

“(c) **DISCRIMINATORY MOTIVATING FACTOR.**—On a claim in which an individual demonstrates that disability was a motivating factor for any employment practice, under section 102(e)(1), and a respondent demonstrates that the respondent would have taken the same action in the absence of the impermissible motivating factor, the court—

“(1) may grant declaratory relief, injunctive relief (except as provided in paragraph (2)), and attorney’s fees and costs demonstrated to be directly attributable only to the pursuit of a claim under section 102(e)(1); and

“(2) shall not award damages or issue an order requiring any admission, reinstatement, hiring, promotion, or payment.”.

(d) **REHABILITATION ACT OF 1973.**—

(1) **IN GENERAL.**—Sections 501(f), 503(d), and 504(d) of the Rehabilitation Act of 1973 (29 U.S.C. 791(f), 793(d), and 794(d)), are each amended by adding after “title I of the Americans with Disabilities Act of 1990 (42 U.S.C. 12111 et seq.)” the following: “, including the standards of causation or methods of proof applied under section 102(e) of that Act (42 U.S.C. 12112(e)).”.

(2) **FEDERAL EMPLOYEES.**—The amendment made by paragraph (1) to section 501(f) shall be construed to apply to all employees covered by section 501.

### SEC. 3. APPLICATION.

This Act, and the amendments made by this Act, shall apply to all claims pending on or after the date of enactment of this Act.

### SEC. 4. SEVERABILITY.

If any provision or portion of a provision of this Act, an amendment or portion of an amend-

ment made by this Act, or the application of any provision or portion thereof or amendment or portion thereof to particular persons or circumstances is held invalid or found to be unconstitutional, the remainder of this Act, the amendments made by this Act, or the application of that provision or portion thereof or amendment or portion thereof to other persons or circumstances shall not be affected.

The CHAIR. No further amendment to the bill, as amended, shall be in order except those printed in House Report 116-377. Each such further amendment may be offered only in the order printed in the report, by a Member designated in the report, shall be considered read, shall be debatable for the time specified in the report equally divided and controlled by the proponent and an opponent, shall not be subject to amendment, and shall not be subject to a demand for division of the question.

AMENDMENT NO. 1 OFFERED BY MR. DESAULNIER

The CHAIR. It is now in order to consider amendment No. 1 printed in House Report 116-377.

Mr. DESAULNIER. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end, add the following:

### SEC. 5. REPORT BY GOVERNMENT ACCOUNTABILITY OFFICE.

Not later than 2 years after the date of the enactment of this Act, the Government Accountability Office shall submit to the Congress a report analyzing how the Equal Employment Opportunity Commission investigates mixed motive age discrimination claims arising under the Acts amended by this Act, focusing on—

(1) the ability of the Commission to meet the demands of its workload under such Acts;

(2) the plans of the Commission for investigating systemic age discrimination in violation of such Acts;

(3) the plans of the Commission for litigation under such Acts; and

(4) the options for improving the ability of the Commission to respond to allegations of age discrimination in violation of such Acts.

The CHAIR. Pursuant to House Resolution 790, the gentleman from California (Mr. DESAULNIER) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from California.

Mr. DESAULNIER. Mr. Chair, the American workforce is getting older and working longer than ever before. In fact, by 2024, the Bureau of Labor Statistics estimated that 25 percent of the U.S. workforce will be composed of workers over the age of 55, and a third of those workers will be older than 65.

At the same time, complaints of age discrimination are on the rise. According to enforcement statistics, the EEOC received over 20,000 complaints of age discrimination in 2017, accounting for 23 percent of all discrimination charges filed that year. That is a jump of 4,000 charges of age discrimination since the year 2000 and is likely a severe underestimate, as cases of age discrimination often go unreported.

More so, a 2018 study published by the AARP found that more than 60 per-

cent of workers age 45 and older have seen or experienced age discrimination, and 76 percent say that they consider age discrimination to be a major obstacle to finding a new job.

The Protecting Older Workers Against Discrimination Act would help address this problem by making the burden of proof for age discrimination claims more equitable and more in line with other forms of discrimination.

This has important implications for older workers. Fewer cases could be thrown out or settled before trial, meaning long overdue justice for older Americans. It would also have important implications for the EEOC, ushering in a significant increase to the number of age discrimination claims and, therefore, EEOC’s workload.

My amendment goes one step further and ensures that Congress has a full picture of the scope of age discrimination in the American workforce and a better understanding of existing gaps in the EEOC’s ability to address and prevent workplace age discrimination. This would allow Congress to better support the EEOC in its work, meaningfully address age discrimination in the American workforce, and empower millions of older Americans.

I would like to thank my colleague, Congressman DAVIS, for his bipartisan partnership, and I urge support for this amendment.

Mr. Chairman, I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. FOXX of North Carolina. Mr. Chair, as my colleague from California and my colleague from Illinois know, I respect both of them greatly, and I would have thought that they would have come up with an amendment that would have helped us understand this issue before we pass such a bill instead of after we pass it.

As I understand it, this amendment requires the GAO to report on the Equal Employment Opportunity Commission’s ability to investigate and process age discrimination cases after H.R. 1230 unnecessarily reduces the burden of proof in these cases and nullifies decades of Supreme Court precedent.

This amendment is not needed. The EEOC already reports on its workload management and ability to respond to age discrimination charges in the agency’s annual budget request and recurring strategic plans. We should not mandate that GAO waste resources on an unnecessary, redundant report.

□ 1430

In addition, assuming this GAO report discovers new information, such information would be useful before the House votes to expand liability in four employment statutes. The new law will be in place, and the horse will have already left the barn by the time we receive the information.

We all agree, American workers should be protected from discrimination in the workplace in every form possible. It is already against the law to discriminate based on a workers' age, as it should be. Congress has enacted separate nondiscrimination statutes, including the Age Discrimination in Employment Act because age discrimination includes issues that are different from other forms of discrimination addressed in other statutes.

Under H.R. 1230, a plaintiff can argue that age was only a motivating, not a decisive factor that led to an employer's unfavorable employment action. Allowing such mixed-motive claims will lead to more frivolous litigation and upset the careful balance Congress enacted in the Age Discrimination in Employment Act.

Unfortunately, H.R. 1230 will not help workers. Under the bill, a plaintiff is very unlikely to receive any monetary damages from a defendant because most employers would be able to show to the Court that they would have taken the same employment action, regardless of the worker's age. The only parties who will win in nearly all cases in H.R. 1230 are trial lawyers.

Disappointingly, Democrats have chosen to further their pro-trial-lawyer agenda by bringing H.R. 1230 up for consideration, a bill falsely advertised as a protection for workers. H.R. 1230 is yet another one-size-fits-all mandate that fails to address the purported problem, ignores real world experiences, and disregards decades of Supreme Court decisions.

This amendment does nothing to address the fundamental flaws in H.R. 1230, is redundant with other government reports, and will not provide the House with timely information. I urge my colleagues to oppose it.

Mr. Chairman, I reserve the balance of my time.

Mr. DESAULNIER. Mr. Chairman, I yield 2 minutes to the gentleman from Illinois (Mr. RODNEY DAVIS), my friend.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I thank my good friend Mr. DESAULNIER from California for yielding. I also thank my good friend Ms. FOXX, the ranking member of the Education and Labor Committee and also Chairman SCOTT for your work on this.

I rise in support of Mr. DESAULNIER's amendment of which I am a cosponsor. This amendment will require the GAO to report on the Equal Employment Opportunity Commission's ability to meet the demands of its workload in terms of the number of cases they receive.

If this important bill is enacted, the EEOC will inevitably be required to review an increasing number of mixed-motive age discrimination claims, which are worthy of review. This amendment is important because to adequately address workplace discrimination that relates to age or any other factor, we must have the resources to address and correct the problem.

Mr. Chairman, I encourage my colleagues to vote "yes" on this amendment.

Ms. FOXX of North Carolina. Mr. Chairman, I simply will say again that I think we should vote "no" on this amendment. I think it is redundant and unnecessary.

Mr. Chairman, I yield back the balance of my time.

Mr. DESAULNIER. Mr. Chairman, I appreciate the comments by the ranking member, and I hope we will continue our respect and friendship even though we are in disagreement on this.

I urge support of this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from California (Mr. DESAULNIER).

The amendment was agreed to.

AMENDMENT NO. 2 OFFERED BY MR. RODNEY DAVIS OF ILLINOIS

The CHAIR. It is now in order to consider amendment No. 2 printed in House Report 116-377.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end, add the following:

**SEC. 5. STUDY AND REPORT TO CONGRESS.**

Not later than 1 year after the date of the enactment of this Act, the Secretary of Labor and the Equal Opportunity Employment Commission shall jointly conduct a study to determine the number of claims pending or filed, in addition to cases closed, by women who may have been adversely impacted by age discrimination as a motivating factor in workplace discrimination or employment termination. The Secretary of Labor and Chairman of the Commission shall jointly submit to the Congress, and make available to the public, a report that contains the results of the study, including recommendations for best practices to prevent and to combat gender and age discrimination as it relates to women in the workplace.

The CHAIR. Pursuant to House Resolution 790, the gentleman from Illinois (Mr. RODNEY DAVIS) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Illinois.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield myself such time as I may consume.

I rise in support of my bipartisan amendment to H.R. 1230, the Protecting Older Workers Against Discrimination Act.

I would like to thank my friends on both sides of the aisle for their cosponsorship of my amendment, including Representatives CHELLIE PINGREE, ELISE STEFANIK, HALEY STEVENS, JENNIFER GONZÁLEZ-COLÓN, MARCY KAPTUR, ABIGAIL SPANBERGER, BETTY MCCOLLUM, MARK DESAULNIER, DAVID TRONE, CHRIS SMITH, PETE STAUBER, WILL HURD, and my colleague from the great State of Illinois, MIKE BOST. I also thank Chairman SCOTT for his support for this amendment.

I was proud to cosponsor this bill, which provides an important fix caused by the 2009 Gross v. FBL Financial Services, Inc. Supreme Court decision. This bill will ensure that older workers can seek the justice they deserve when they face age discrimination in the workplace on a level playing field.

My amendment highlights the discrimination that women face in the workplace based not only on gender but on age, as well.

According to a 2018 report from the EEOC, women, especially older women, but also those at middle age, were subjected to more age discrimination than most older men. In fact, some research suggests that ageism at work begins at age 40 for women, 5 years earlier than men. This is unacceptable, and we must find ways to correct the problem.

This amendment would require the Department of Labor and the Equal Employment Opportunity Commission to conduct a comprehensive study on these age discrimination cases. DOL and the EEOC would then be required to make recommendations for best practices to combat age discrimination of women in the workplace.

The challenges that women face are not partisan issues, and together we can and should, Mr. Chairman, make every effort to address them. Employers should make, and have the right tools to make, conscious efforts to ensure that women have equal rights and opportunities in the workplace regardless of their age.

I encourage my colleagues to support my amendment to protect older adults from age discrimination.

Mr. Chairman, I reserve the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I claim the time in opposition to the amendment, even though I am not opposed to it.

The CHAIR. Without objection, the gentleman from Virginia is recognized for 5 minutes.

There was no objection.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from Maine (Ms. PINGREE), who worked hard with the sponsor of this amendment.

Ms. PINGREE. Mr. Chairman, I thank Mr. SCOTT for yielding and also his leadership on the bill we are considering this afternoon, the Protecting Older Workers Against Discrimination Act.

Maine is the oldest State in the union by median age, and older Mainers are an important part of our workforce. As we experience a tight labor market with low unemployment, it is natural to think that this workforce would have more opportunities available to them, and yet we often hear about constituents who struggle to find and keep work that supports themselves and their families.

When age discrimination is a factor, these workers deserve fair treatment under the law. I am proud to be a cosponsor of the underlying bill and urge my colleagues to vote "yes."

I am also proud to offer this important amendment with my colleague, Congressman DAVIS, that addresses the connection between age and gender discrimination. Countless studies have shown that women are hired less and paid less in many fields. Compounded by the real effects of age discrimination, that means older women are disproportionately impacted by bias in the workplace.

The National Bureau of Economic Research backs this up. In a 2015 field experiment, resumes from older women got substantially fewer call backs from employers than those from older men, younger men, and younger women. Our amendment would direct the Department of Labor and the Equal Employment Opportunity Commission to collect data on the disproportionate impact of age discrimination on older women and make recommendations for how to address that impact.

Women are deeply, materially harmed by inequities in our economy. On average, they take home lower salaries, are able to save less for retirement, and receive less in Social Security benefits.

In tandem with age discrimination, all this means that we are leaving older women vulnerable. Addressing this intersection is about economic security, making sure that older women have the chance to work in fair environments for equitable pay.

I ask my colleagues to support this amendment.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, may I inquire how much time I have remaining.

The SPEAKER pro tempore. The gentleman from Illinois has 3 minutes remaining.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I yield as much time as she may consume to the gentlewoman from Puerto Rico (Miss GONZÁLEZ-COLÓN), my good friend.

Miss GONZÁLEZ-COLÓN. Mr. Chairman, I thank Congressman DAVIS for yielding to allow me to speak on this bipartisan amendment. And thank you for allowing me to be a cosponsor of this amendment.

The Age Discrimination in Employment Act of 1967 was signed into law more than 52 years ago. Yet, according to the American Association of Retired Persons, AARP, three in five older workers have seen or experienced age discrimination. Between 1997 and 2018, 423,000 workers filed an age discrimination complaint averaging 20,142 claims per year. This figure is 22 percent of all workplace discrimination claims.

Furthermore, AARP reports that 76 percent see age discrimination as a barrier to finding a new job. The Puerto Rico Department of Labor and Human Resources states that there are more than 300,000 women age 35 or older in the labor force on the island. This population represents 28.8 percent of all workers in an economy that has experienced a structured downturn for more than a decade.

This amendment simply requires the labor secretary and the chair of the Equal Employment Opportunity Commission to submit a report determining the number of women who may have been discriminated against because of their age.

As vice chair of the Congressional Caucus for Women's Issues, I am proud to support this measure to assist aging women in the workforce.

Mr. SCOTT of Virginia. Mr. Chairman, I yield 2 minutes to the gentlewoman from Texas (Ms. JACKSON LEE).

Ms. JACKSON LEE. Mr. Chairman, I thank the gentleman from Virginia for yielding. And I thank the sponsors of this very important amendment, Mr. DAVIS and Ms. PINGREE.

I rise to support the underlying bill, the Protecting Older Workers Against Discrimination Act that I am very proud to have been a cosponsor of.

What kind of thanks are we giving to hardworking Americans who, because of the growth of this population senior citizens, older Americans, they are ready to work in the workforce and provide their experience, their thoughtfulness, and their leadership.

Unfortunately, a Supreme Court decision in the 2000s turned this upside down by requiring those older Americans to be burdened by the responsibility of saying, it is only the fact that we are old or that there are not multiple reasons why I could have been fired. How dangerous that is when an older American feels vulnerable?

The underlying amendment is also very important, dealing with women who may have had to get out of the workforce to raise their children or to not get promotions so they can tend to their children or other matters or be a caretaker for other family members.

This is an important initiative to equalize the playing field, to value those older Americans with experience who are ready to work, who have been giving their best, and who are ready to be the kind of experienced mentors in the workplace that really make America great.

I rise to support this legislation. It is vital to both impact and correct a very bad decision by the United States Supreme Court, and I believe that this will give the kind of affirmation to the value of all Americans, and particularly our older Americans.

Mr. RODNEY DAVIS of Illinois. Mr. Chairman, I urge a "yes" vote on this bipartisan amendment, and I yield back the balance of my time.

Mr. SCOTT of Virginia. Mr. Chairman, I yield myself the balance of my time.

I want to thank the gentleman for his amendment and hope it passes.

I yield back the balance of my time. The CHAIR. The question is on the amendment offered by the gentleman from Illinois (Mr. RODNEY DAVIS).

The amendment was agreed to.

AMENDMENT NO. 3 OFFERED BY MR. ALLEN

The CHAIR. It is now in order to consider amendment No. 3 printed in House Report 116-377.

Mr. ALLEN. Mr. Chairman, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

Page 8, beginning on line 3, strike "date of enactment" and insert "effective date".

Add the following at the end:

#### SEC. 5. EFFECTIVE DATE.

(a) GAO STUDY.—Subject to subsection (b), this Act and the amendments made by this Act shall not take effect until the date the Government Accountability Office reports to the Congress the results of a study such Office carries out to determine whether—

(1) the Supreme Court's decisions in *Gross v. FBL Financial Services, Inc.*, 557 U.S. 167 (2009), and *Texas Southwestern Medical Center v. Nassar*, 570 U.S. 338 (2013), have discouraged individuals from filing age discrimination charges and title VII retaliation charges with the Equal Employment Opportunity Commission,

(2) such decisions have discouraged individuals from filing age discrimination cases and title VII cases, and

(3) the success rates of age discrimination cases and title VII cases brought has decreased.

(b) LIMITATION.—If the results of the study carried out under subsection (a) show that individuals have not been discouraged as described in such subsection and that the success rate of cases described in such subsection has not decreased, then this Act and the amendments made by this Act shall not take effect.

The CHAIR. Pursuant to House Resolution 790, the gentleman from Georgia (Mr. ALLEN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Georgia.

□ 1445

Mr. ALLEN. Mr. Chair, I yield myself such time as I may consume.

When considering any legislation, the House should first determine whether the legislation is needed and, next, whether the bill under consideration will adequately address or improve the situation.

The Committee on Education and Labor, unfortunately, did not have a full hearing on H.R. 1230 and heard from only one witness, invited by the Democrats, about the bill at a general hearing on multiple topics.

This legislation, at the very least, deserved a standalone hearing so that committee members and the House could get more information to make a considered decision regarding this legislation.

Publicly available data does not show the Supreme Court decisions in *Gross v. FBL Financial Services* or *Nassar v. University of Texas Southwestern Medical Center* have discouraged individuals from filing discrimination charges with the EEOC, which is the primary agency that enforces Federal laws that make it illegal to discriminate. A discrimination charge is a signed statement asserting employment discrimination.

The lone Democrat-invited witness who testified in favor of H.R. 1230 at the Committee on Education and Labor's hearing in May, which covered

several topics and bills, acknowledged that it is difficult to quantify the impact that the Gross decision has had on the number of older workers who bring cases and the number of those who win them.

This witness also acknowledged that when we might have expected a drop in charges due to Gross-inspired discouragement from employment attorneys, there was a sizeable jump in the number of ADEA charges filed at EEOC.

EEOC data shows that the rate of EEOC age discrimination charges as a percentage of all charges filed is approximately the same for the 9 years before and after the Gross decision.

There has been a slight uptick in Title VII of the Civil Rights Act retaliation charges as a percentage of all charges filed in the 4 years following the Nassar decision, which does not indicate individuals have been discouraged from filing these charges.

Court decisions show that the plaintiffs have continued to win age discrimination and Title VII retaliation cases in the wake of the Supreme Court's decisions in Gross and Nassar.

This amendment will provide Congress much-needed data on the impact of the two Supreme Court cases at issue in H.R. 1230.

If the GAO report indicates Gross and Nassar have not discouraged individuals from seeking relief or from achieving it, the bill would not go into effect.

The House should look before it leaps, and Members should vote in favor of this amendment to ensure this happens.

Mr. Chair, I reserve the balance of my time.

Mr. LEVIN of Michigan. Mr. Chairman, I rise in opposition to the amendment.

The CHAIR. The gentleman is recognized for 5 minutes.

Mr. LEVIN of Michigan. Mr. Chairman, I rise today to speak in opposition to Mr. ALLEN's amendment to delay the effects of this bill.

We do not need a study to tell us that a substantially higher burden of proof for some forms of discrimination makes it far more difficult for workers to get their day in court and to prevail. People may be winning cases, but they are not going to court in the first place in huge numbers.

When cases become materially more difficult to win, attorneys become much less willing and able to represent workers in those cases.

We have already had a 10-year delay in restoring justice. No more delays are necessary or warranted.

Age discrimination in the workplace is disturbingly pervasive. According to an AARP study released last year, three in five older workers report that they have seen or experienced age discrimination on the job. That is 60 percent.

Nearly two-thirds of women and more than three-fourths of African American workers age 45 and older say they have seen or experienced age dis-

crimination in the workplace. Three-fourths of workers age 45 and older blame age discrimination for their own lack of confidence in finding a job.

Mr. Chairman, I ran the workforce system in the State of Michigan for 4 years. Over and over again, I met workers who had lost their jobs because of age discrimination. Most of them weren't even contemplating taking legal action. They were just seeking help to find a new job.

I remember a gentleman from Bay City in Michigan who had been in college years earlier when his dad died of a heart attack suddenly. His mom said to him: "Sorry, son. You know everybody has to help keep the family afloat." So he dropped out of college, and he went to work in retail.

I met him 30 years later. He had been a manager at a sporting goods store, and the corporation looked at him and said: "We can get somebody way younger than that to run this store for half the money," and they fired him.

Thankfully, we had the No Worker Left Behind program in the State of Michigan, and he was able to go back and finish his bachelor's degree. But he wasn't even contemplating taking legal action under this statute.

I ran into those cases over and over, Mr. Chairman.

The enactment of the Age Discrimination in Employment Act, or ADEA, in 1967 was an important part of Congress' work to define and protect civil rights in the 1960s. Over the years, the courts have failed to interpret the ADEA as a civil rights statute and, instead, have narrowly interpreted these protections and broadly construed the statute's exceptions, compounding the barriers facing older workers.

The Protecting Older Workers Against Discrimination Act is a bipartisan proposal that realigns the legal standard for proving age discrimination, to simplify the requirement so employees have a genuine mechanism to fight back under the law, just like with the standards for proving discrimination based on sex, race, or national origin. It is that simple.

This amendment is designed to keep this bill from going into effect indefinitely. There is no deadline for GAO to conduct the study this amendment requires and report back to Congress. It is a delay tactic when we already have mountains of evidence telling us that older workers are facing discrimination at work. They need protection now.

Finally, this Congress has been holding hearings on this issue for years. We have had four hearings over the last 9 years. It is time to act.

Mr. Chair, I urge my colleagues to join me in opposing this amendment, and I reserve the balance of my time.

Mr. ALLEN. Mr. Chairman, again I repeat, the lone witness, a Democratic witness at the Committee of Education and Labor's hearing in May on H.R. 1230, acknowledged that it is difficult to quantify the impact that the Gross

decision had on the number of older workers who bring cases and the numbers of those who win them.

This witness also acknowledged that we might have expected a drop in charges due to the Gross-inspired discouragement from employment attorneys, but that there was a sizeable jump in ADEA charges filed with the EEOC.

I merely present this amendment to make sure that the committee and this House look at the data before we have some law here that is going to create, really, fewer opportunities for people to file these charges.

Mr. Chair, I urge a "yes" vote on my amendment, and I yield back the balance of my time.

Mr. LEVIN of Michigan. Mr. Chairman, I remind everybody that this is a bipartisan proposal, and it has undergone substantial debate since it was first introduced over a decade ago.

Over the past 10 years, Congress has deliberated on this bill through four legislative hearings, including two hearings in the Education and Labor Committee. Both the House and the Senate have introduced and gradually improved this legislation in the 111th, 112th, 113th, 114th, 115th, and now the 116th Congress. It is long overdue that we take action.

Mr. Chair, I urge all colleagues to oppose this amendment, and I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Georgia (Mr. ALLEN).

The question was taken; and the Chair announced that the noes appeared to have it.

Mr. ALLEN. Mr. Chair, I demand a recorded vote.

The CHAIR. Pursuant to clause 6 of rule XVIII, further proceedings on the amendment offered by the gentleman from Georgia will be postponed.

AMENDMENT NO. 4 OFFERED BY MR. BROWN OF MARYLAND

The CHAIR. It is now in order to consider amendment No. 4 printed in House Report 116-377.

Mr. BROWN of Maryland. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end, add the following:

#### SEC. 5. REPORTS.

For the 5-year period beginning on the date of the enactment of this Act, the Chairman of Equal Employment Opportunity Commission shall submit to the Committee on Education and Labor of the House of Representatives and the Committee on Health, Education, Labor, and Pensions of the Senate a report at 1-year intervals on the number of age discrimination in employment claims brought under this Act with the Equal Employment Opportunity Commission in the period for which such report is submitted.

The CHAIR. Pursuant to House Resolution 790, the gentleman from Maryland (Mr. BROWN) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentleman from Maryland.



Mr. BROWN of Maryland. Mr. Chair, I yield myself as much time as I may consume.

I would like first to recognize the leadership of Chairman BOBBY SCOTT, my Potomac partner from Virginia, chairman of the Committee on Education and Labor, and the hard work and the bipartisan work done in that committee to bring this important bill to the floor.

Mr. Chair, older workers are critical to our economy and workplaces. However, 6 in 10 older Americans report seeing or experiencing age discrimination on the job. More than half of older workers are fired from their jobs before they retire. If they find a new job, 9 in 10 never match their prior earnings.

A 2009 Supreme Court decision created a higher burden of proof for workers claiming age discrimination than any other form of discrimination.

Enforcement statistics from the Equal Employment Opportunity Commission show the number of age discrimination complaints has been rising.

In the year 2000, the EEOC received roughly 16,000 age discrimination complaints. That number climbed to over 20,000 complaints in 2017, or 23 percent of all discrimination claims filed.

Mr. Chairman, my amendment would require the EEOC to submit an annual report to Congress on the number of age discrimination claims under this act.

It is important that Congress receives this information in a timely and transparent way to ensure our older workers are being properly protected and heard.

Discrimination is discrimination, whether it is age, race, gender, faith, gender identity, or sexual orientation, and all should be treated fairly under the law.

My amendment and the underlying bill are commonsense pieces of legislation that would restore fairness for all workers.

Mr. Chair, I strongly encourage my colleagues to support my amendment and the underlying proposed legislation.

Mr. Chairman, I yield back the balance of my time.

Ms. FOXX of North Carolina. Mr. Chair, I rise in opposition to the amendment.

The CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. FOXX of North Carolina. Mr. Chair, as I understand it, this amendment requires the Chair of the EEOC, the primary agency that enforces Federal laws that make it illegal to discriminate, to submit five annual reports to congressional committees on the number of age discrimination claims brought to the EEOC under this act.

These reports will come after H.R. 1230 unnecessarily reduces the burden of proof in these cases and nullifies decades of Supreme Court precedent.

Before discussing my concerns with this amendment, I admit I am puzzled

that it requires a study on how this legislation will affect future age discrimination claims when evidence is sorely lacking that there is a need for H.R. 1230 in the first place.

The lone witness who testified on H.R. 1230 before the Committee on Education and Labor acknowledged that EEOC data has not shown workers are discouraged from filing age discrimination charges with the EEOC following the Supreme Court's 2009 decision in *Gross v. FBL Financial Services*.

□ 1500

This witness testified that: "It is difficult to quantify the impact that the *Gross* decision has had on the number of older workers who bring cases and the number of those who win them."

More information on whether H.R. 1230 is needed would have been useful, but Democrats were unable to provide it.

With respect to this amendment, I have concerns about the feasibility of the mandated reports. The amendment requires the EEOC to report each year for 5 years on charges filed with the EEOC under H.R. 1230.

H.R. 1230 expands liability by allowing mixed-motive claims in cases involving the Age Discrimination in Employment Act, ADEA, and three other statutes. However, when a worker files charges with the EEOC, the worker will likely not indicate whether the charge involves mixed motives, nor is the EEOC likely to be able to classify charges as mixed motive or not. The EEOC, therefore, will be unable to determine whether charges have been filed pursuant to H.R. 1230.

I am very doubtful the EEOC would be able to comply with this amendment's requirements, and Congress should not include an unrealistic mandate on an agency.

As I said before, we don't need to be doing studies after the bill is passed, Mr. Chair. We need to know whether this bill is necessary. We don't think it is necessary, and doing the studies afterward seems a little ridiculous.

The amendment does nothing to address the fundamental flaws in H.R. 1230 and places an unrealistic mandate on the EEOC. Therefore, I urge my colleagues to oppose it.

Since the gentleman has yielded back, I believe, I will yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentleman from Maryland (Mr. BROWN).

The amendment was agreed to.

AMENDMENT NO. 5 OFFERED BY MS. TLAIB

The CHAIR. It is now in order to consider amendment No. 5 printed in House Report 116-377.

Ms. TLAIB. Mr. Chair, I have an amendment at the desk.

The CHAIR. The Clerk will designate the amendment.

The text of the amendment is as follows:

At the end, add the following:

#### SEC. 5. REPORT BY THE UNITED STATES COMMISSION ON CIVIL RIGHTS.

(a) REPORT.—With funds appropriated in advance to carry out this section, and consistent with the operational and procedural requirements of the United States Commission on Civil Rights, the Commission shall submit to the appropriate committees of the Congress a report containing an analysis of the status of Federal mixed motive age discrimination in employment claims made against Federal agencies, including—

(1) the number of such claims, specified by the Federal agency against which such claims are made; and

(2) other related information the Commission determines to be appropriate.

(b) SUBMISSION OF REPORT.—The report required by subsection (a) shall be submitted not later than 5 years after the date of the enactment of this Act.

The CHAIR. Pursuant to House Resolution 790, the gentlewoman from Michigan (Ms. TLAIB) and a Member opposed each will control 5 minutes.

The Chair recognizes the gentlewoman from Michigan.

Ms. TLAIB. Mr. Chair, I would like to begin by thanking our chairman, Chairman BOBBY SCOTT, and his staff for working with me on this and for their bipartisan leadership on this bill. I appreciate the chairman's help in allowing me to better serve what I lovingly call Michigan's 13th District strong.

Before us is an amendment that requires, within 5 years, the United States Commission on Civil Rights to submit a comprehensive analysis and review of Federal mixed-motive age discrimination in employment claims made against Federal agencies.

Unfortunately, the Supreme Court has made it harder for older workers to prove that they were discriminated against at their job based on age.

This bill will strengthen protections against age discrimination for our residents by placing greater accountability on the hiring practices of large corporations rather than placing it on the shoulders of our older working-class residents.

We know that when an older resident and worker loses their job, they are far more likely to join the ranks of the long-term unemployed community and that their age plays a significant role in this. I heard countless stories back in my district of older residents who had significant struggles landing other jobs after they were laid off during the auto bailout in Michigan.

One of my residents, Lena, was laid off at 55 years old after 22 years with Ford Motor Company. She tried for 6 months to get a similar position, to no avail. She told me: "When they see 22 years with a company, they know how old you are." Since then, she had to relocate her family after her 9 months of severance pay ran out.

Passing this bill means that we will be safeguarding our older Federal workers from having to go through similar challenges.

My amendment is a protection measure that requires the U.S. Commission on Civil Rights to submit an analysis



of mixed-motive age discrimination in Federal employment claims. We have to fight back against these motivating factors that have nothing to do with a person's experience or ability.

It is important that when we pass legislation, we ensure that it has public data on the outcome in order to be transparent and accountable to the residents who we serve back home.

For the sake of our residents and to protect our older workforce, Congress must ensure that age is not again a motivating factor in employment decisions.

Mr. Chair, I urge my colleagues to support this amendment, and I reserve the balance of my time.

Ms. FOXX of North Carolina. Mr. Chair, I claim time in opposition to the amendment.

The CHAIR. The gentlewoman is recognized for 5 minutes.

Ms. FOXX of North Carolina. Mr. Chair, I yield myself such time as I may consume.

Mr. Chairman, as I understand it, this amendment requires the U.S. Commission on Civil Rights to produce a report on mixed-motive claims in age discrimination cases filed by Federal employees against their Federal agency employers. I have several concerns with this amendment.

First, the U.S. Commission on Civil Rights is a small agency that is not well equipped to undertake such a study. This amendment requires "funds appropriated in advance," otherwise known as taxpayer dollars, to be spent to do the report, which means the agency doesn't have the resources to take on this mandate.

Second, while H.R. 1230 was only referred to the Committee on Education and Labor, this amendment involves the interests of two other committees that are not represented in this debate. The Judiciary Committee has jurisdiction over the U.S. Commission on Civil Rights, which is tasked with doing the report directed by the amendment, and the Oversight and Reform Committee has jurisdiction over the employment relationships between Federal agencies and their employees.

Third, this report will be submitted to Congress no later than 5 years after the bill goes into effect. I am not sure what good a report published 5 years from now will do for us who are being asked to vote on H.R. 1230 now.

Fourth, perhaps most importantly, there is a lack of evidence that a report is needed on age discrimination claims in Federal agencies. The Committee on Education and Labor received no evidence on this matter.

With H.R. 1230, Democrats have chosen to further their pro-trial lawyer agenda with legislation that masquerades as a protection for workers.

H.R. 1230 is yet another one-size-fits-all approach that fails to address the purported problem, neglects the experience of workers and employers, and disregards decades of Supreme Court precedent.

This amendment does nothing to address the fundamental flaws in H.R. 1230, and it directs a small agency to conduct a study without a clear basis of the need for that study.

Mr. Chair, I urge my colleagues to oppose the amendment, and I reserve the balance of my time.

Ms. TLAIB. Mr. Chairman, I think it is really important to note that this came about because the last report that we could find on age discrimination in this particular area is from the 1970s. It is about time that we bring this forward.

We could not find anything anywhere that specifically looked at this particular Federal mixed-motive age discrimination kind of study, again, since the 1970s.

The burden of proof is just too high on Federal employees. We need to go back and be very centered around making sure that there is equal access to proving a discrimination case of this type.

Mr. Chair, I urge my colleagues to support this amendment, and I yield back the balance of my time.

Ms. FOXX of North Carolina. Mr. Chair, this is a solution in search of a problem.

We all know that it is almost impossible to fire a Federal employee. In fact, I think the number is less than 1 percent who are fired each year.

Maybe the reason we haven't had an updated report is because there hasn't been the need for an updated report. I think, again, this is a totally unnecessary amendment, and I am totally opposed to it.

Mr. Chair, I yield back the balance of my time.

The CHAIR. The question is on the amendment offered by the gentlewoman from Michigan (Ms. TLAIB).

The amendment was agreed to.

Mr. SCOTT of Virginia. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Ms. TLAIB) having assumed the chair, Mr. CUELLAR, Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1230) to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes, had come to no resolution thereon.

## RECESS

The SPEAKER pro tempore. Pursuant to clause 12(a) of rule I, the Chair declares the House in recess subject to the call of the Chair.

Accordingly (at 3 o'clock and 11 minutes p.m.), the House stood in recess.

□ 1602

## AFTER RECESS

The recess having expired, the House was called to order by the Speaker pro tempore (Mr. BROWN of Maryland) at 4 o'clock and 2 minutes p.m.

## PROTECTING OLDER WORKERS AGAINST DISCRIMINATION ACT

The SPEAKER pro tempore. Pursuant to House Resolution 790 and rule XVIII, the Chair declares the House in the Committee of the Whole House on the state of the Union for the further consideration of the bill, H.R. 1230.

Will the gentleman from Texas (Mr. CUELLAR) kindly resume the chair.

□ 1602

## IN THE COMMITTEE OF THE WHOLE

Accordingly, the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H.R. 1230) to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes, with Mr. CUELLAR in the chair.

The Clerk read the title of the bill.

The CHAIR. When the Committee of the Whole rose earlier today, amendment No. 5 printed in House Report 116-377 offered by the gentlewoman from Michigan (Ms. TLAIB) had been disposed of.

## AMENDMENT NO. 3 OFFERED BY MR. ALLEN

The CHAIR. Pursuant to clause 6 of rule XVIII, the unfinished business is the demand for a recorded vote on amendment No. 3 printed in House Report 116-790 offered by the gentleman from Georgia (Mr. ALLEN) on which further proceedings were postponed and on which the noes prevailed by voice vote.

The Clerk will redesignate the amendment.

The Clerk redesignated the amendment.

## RECORDED VOTE

The CHAIR. A recorded vote has been demanded.

A recorded vote was ordered.

The vote was taken by electronic device, and there were—ayes 163, noes 257, not voting 15, as follows:

[Roll No. 19]

AYES—163

Abraham	Bost	Conaway
Aderholt	Brady	Cook
Allen	Brooks (AL)	Crenshaw
Amodei	Buck	Curtis
Armstrong	Bucshon	DesJarlais
Arrington	Budd	Diaz-Balart
Babin	Burchett	Duncan
Bacon	Burgess	Dunn
Baird	Carter (GA)	Emmer
Balderson	Carter (TX)	Estes
Banks	Chabot	Ferguson
Barr	Cheney	Fleischmann
Bergman	Cline	Flores
Biggs	Cloud	Fortenberry
Bilirakis	Cole	Foxx (NC)
Bishop (NC)	Collins (GA)	Fulcher
Bishop (UT)	Comer	Gaetz

Gallagher  
Gianforte  
Gibbs  
Gohmert  
Gonzalez (OH)  
González-Colón  
(PR)  
Gooden  
Gosar  
Granger  
Graves (GA)  
Graves (LA)  
Graves (MO)  
Green (TN)  
Guest  
Guthrie  
Hagedorn  
Harris  
Hartzler  
Hern, Kevin  
Herrera Beutler  
Hice (GA)  
Higgins (LA)  
Hill (AR)  
Holding  
Hudson  
Huizenga  
Johnson (LA)  
Johnson (OH)  
Johnson (SD)  
Jordan  
Joyce (PA)  
Keller  
Kelly (MS)  
Kelly (PA)  
King (IA)  
Kustoff (TN)  
LaHood

LaMalfa  
Lamborn  
Latta  
Long  
Lucas  
Luetkemeyer  
Marshall  
Massie  
McCaul  
McHenry  
McKinley  
Meuser  
Miller  
Mitchell  
Moolenaar  
Mooney (WV)  
Mullin  
Murphy (NC)  
Newhouse  
Norman  
Nunes  
Olson  
Palazzo  
Palmer  
Pence  
Posey  
Ratcliffe  
Reschenthaler  
Rice (SC)  
Riggleman  
Roby  
Rodgers (WA)  
Roe, David P.  
Rogers (AL)  
Rogers (KY)  
Rooney (FL)  
Rose, John W.  
Rouzer

## NOES—257

Adams  
Aguilar  
Allred  
Amash  
Axne  
Barragán  
Bass  
Beatty  
Bera  
Beyer  
Bishop (GA)  
Blumenauer  
Blunt Rochester  
Bonamici  
Boyle, Brendan  
F.  
Brindisi  
Brooks (IN)  
Brown (MD)  
Brownley (CA)  
Buchanan  
Bustos  
Butterfield  
Carbajal  
Cárdenas  
Carson (IN)  
Cartwright  
Case  
Casten (IL)  
Castor (FL)  
Castro (TX)  
Chu, Judy  
Cicilline  
Cisneros  
Clark (MA)  
Clarke (NY)  
Cleaver  
Clyburn  
Cohen  
Connolly  
Cooper  
Correa  
Costa  
Courtney  
Cox (CA)  
Craig  
Crist  
Crow  
Cuellar  
Cunningham  
Davids (KS)  
Davidson (OH)  
Davis (CA)  
Davis, Danny K.  
Davis, Rodney  
Dean  
DeFazio  
DeGette  
DeLauro

DelBene  
Delgado  
Demings  
DeSaulnier  
Deutch  
Dingell  
Doggett  
Doyle, Michael  
F.  
Engel  
Escobar  
Eshoo  
Españillat  
Evans  
Finkenauer  
Fitzpatrick  
Fletcher  
Foster  
Frankel  
Fudge  
Gallego  
Garamendi  
Garcia (IL)  
Garcia (TX)  
Golden  
Gomez  
Gonzalez (TX)  
Gottheimer  
Green, Al (TX)  
Griffith  
Grijalva  
Grothman  
Haaland  
Harder (CA)  
Hastings  
Hayes  
Heck  
Higgins (NY)  
Himes  
Hollingsworth  
Horn, Kendra S.  
Horsford  
Houlahan  
Hoyer  
Huffman  
Hurd (TX)  
Jackson Lee  
Jayapal  
Jeffries  
Johnson (GA)  
Johnson (TX)  
Joyce (OH)  
Kaptur  
Katko  
Keating  
Kelly (IL)  
Kennedy  
Khanna  
Kildee

Kilmer  
Kim  
Kind  
King (NY)  
Kinzinger  
Krishnamoorthi  
Kuster (NH)  
Lamb  
Langevin  
Larsen (WA)  
Larson (CT)  
Lawrence  
Lawson (FL)  
Lee (CA)  
Lee (NV)  
Levin (CA)  
Levin (MI)  
Lieu, Ted  
Lipinski  
Loeb sack  
Lofgren  
Lowenthal  
Lowey  
Luján  
Luria  
Lynch  
Malinowski  
Maloney,  
Carolyn B.  
Maloney, Sean  
Mast  
Matsui  
McAdams  
McBath  
McCollum  
McEachin  
McGovern  
McNerney  
Meadows  
Meeks  
Meng  
Moore  
Morelle  
Moulton  
Mucarsel-Powell  
Murphy (FL)  
Nadler  
Napolitano  
Neal  
Neguse  
Norcross  
Norton  
O'Halloran  
Ocasio-Cortez  
Omar  
Pallone  
Panetta  
Pappas  
Pascrell

Payne  
Perlmutter  
Perry  
Peters  
Peterson  
Phillips  
Pingree  
Plaskett  
Pocan  
Porter  
Pressley  
Price (NC)  
Quigley  
Raskin  
Reed  
Rice (NY)  
Richmond  
Rose (NY)  
Rouda  
Roy  
Roybal-Allard  
Ruiz  
Ruppersberger  
Rush  
Ryan  
Sablan  
San Nicolas  
Sánchez  
Sarbanes

Scanlon  
Schakowsky  
Schiff  
Schneider  
Schrader  
Schrier  
Scott (VA)  
Scott, David  
Sensenbrenner  
Serrano  
Sewell (AL)  
Shalala  
Sherman  
Sherrill  
Sires  
Slotkin  
Smith (NJ)  
Smith (WA)  
Soto  
Spanberger  
Speier  
Stanton  
Stauber  
Stefanik  
Stevens  
Suozi  
Swallow (CA)  
Takano  
Thompson (CA)

Thompson (MS)  
Titus  
Tlaib  
Tonko  
Torres (CA)  
Torres Small  
(NM)  
Trahan  
Trone  
Turner  
Underwood  
Upton  
Van Drew  
Vargas  
Veasey  
Vela  
Velázquez  
Visclosky  
Walden  
Wasserman  
Schultz  
Waters  
Watson Coleman  
Welch  
Weston  
Wild  
Yarmuth

## NOT VOTING—15

Byrne  
Calvert  
Clay  
Crawford  
Gabbard

Kirkpatrick  
Lesko  
Lewis  
Loudermilk  
Marchant

McCarthy  
McClintock  
Radewagen  
Simpson  
Wilson (FL)

□ 1631

Ms. DEAN, Messrs. HECK, CUNNINGHAM, Ms. BASS, Mr. ROY, Ms. DeLAURO, Messrs. GROTHMAN, MEADOWS, WALDEN, SUOZZI, PAYNE, and NADLER changed their vote from “aye” to “no.”

Mr. KUSTOFF of Tennessee changed his vote from “no” to “aye.”

So the amendment was rejected.

The result of the vote was announced as above recorded.

Mr. MCCARTHY. Mr. Chair, I was unavoidably detained. Had I been present, I would have voted “yea” on rollcall No. 19.

The Acting CHAIR (Mr. CICILLINE). There being no further amendments under the rule, the Committee rises.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. CUELLAR) having assumed the chair, Mr. CICILLINE, Acting Chair of the Committee of the Whole House on the state of the Union, reported that that Committee, having had under consideration the bill (H.R. 1230) to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, and for other purposes, and, pursuant to House Resolution 790, he reported the bill, as amended by that resolution, back to the House with sundry further amendments adopted in the Committee of the Whole.

The SPEAKER pro tempore. Under the rule, the previous question is ordered.

Is a separate vote demanded on any further amendment reported from the Committee of the Whole? If not, the Chair will put them en gros.

The amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed and read a third time, and was read the third time.

## MOTION TO RECOMMIT

Mr. SMUCKER. Mr. Speaker, I have a motion to recommit at the desk.

The SPEAKER pro tempore. Is the gentleman opposed to the bill?

Mr. SMUCKER. Mr. Speaker, I am in its current form.

The SPEAKER pro tempore. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. Smucker moves to recommit the bill (H.R. 1230) to the Committee on Education and Labor, with instructions to report the bill back to the House forthwith with the following amendment:

At the end of the bill, add the following:

**SEC. . . . RULE OF CONSTRUCTION.**

Nothing in this Act shall be construed to alter the status of a truck driver as an independent contractor if the truck driver is currently considered to be an independent contractor under Federal law.

The SPEAKER pro tempore. Pursuant to the rule, the gentleman from Pennsylvania is recognized for 5 minutes in support of his motion.

Mr. SMUCKER. Mr. Speaker, this motion to recommit ensures that nothing in H.R. 1230 shall be construed to alter the status of a truck driver who is an independent contractor if the truck driver is currently considered to be an independent contractor under Federal law.

Mr. Speaker, Democrats in Congress and in State legislatures across the country are currently working to enact an unnecessary, backward-looking, and confusing legal standard for determining employee status. Their standard would deprive millions of Americans of the opportunity to work independently and to start their own businesses.

It seems like bad ideas like this often start off in California, and the Democrats' desire to all but eliminate independent contracting is no exception. A California law, known as Assembly Bill 5, is wreaking havoc on workers in industries ranging from freelance journalism to ride-sharing and many more.

The result is heart-wrenching stories from workers whose livelihoods have been turned upside down because Democrats have pushed through a radical leftwing policy.

Interestingly, California Democrats carved out some of their favorite friends, but truck drivers were not exempted, despite their opposition, despite their rally at the State Capitol, which included blaring their truck horns and all.

Fortunately for truck drivers, a district court has recently issued a temporary restraining order blocking enforcement of the law against independent truck drivers in the State.

But it doesn't end there. Democrats right here in Congress continue this assault on independent contractors.

Mr. Speaker, 215 House Democrats have cosponsored the PRO Act, legislation that would take the text of California's anti-independent contractor law and make it Federal law, with no exemptions for truck drivers, or any one else, for that matter.

Let me say this again. The Democrats' legislation pending in the House, on which, by the way, the majority leader promised a vote by President's Day, would impose California's anti-independent contractor law on every business in America.

Independent contracting today allows millions of American families the opportunity to live their own American Dream.

I started my own career as an independent contractor operating my own drywall company at the age of 17. The flexibility this status offered allowed me to grow the business, building a team of hundreds of employees with family-sustaining jobs over the course of 25 years.

Independent truck drivers specifically are able to invest in their own careers and work for themselves on their own schedules while powering the American economy across the country.

Mr. Speaker, according to the Owner-Operator Independent Drivers Association, there are over 350,000 owner-operator independent truck drivers in the United States. Their average net income in 2018 was well over \$50,000, more than their professional employee-driver counterparts.

Last August, I participated in a ride with my constituent Randy Martin, who is owner-operator of Peachey Transport in Denver, Pennsylvania. Randy has grown a successful business hauling premier Lancaster County farm products.

He has been driving trucks since 1984 and shared with me that this career has allowed him to provide for his family while becoming a successful entrepreneur. It has allowed him and his family to achieve their own American Dream.

Randy isn't the only one. In 2017, a company collected stories from drivers on why they love trucking. One driver, Susan Couch, said:

I never knew a trucking job would become a passion and how much this career would change my life. It has allowed me to be independent and support my son alone. It has given me strength I never knew I had.

Tu Ngo told the San Francisco Chronicle that owning his own truck allows him to pursue the American Dream he was seeking when he fled Vietnam in 1982.

Eduardo Rangel values the flexibility he has to attend his young son's soccer games.

The stories are endless.

Independent truck driving provides a steady, stable, rewarding, and prosperous livelihood for thousands of American workers.

Mr. Speaker, I urge my colleagues to support these American workers. I urge them to support this motion to recommit. A "yes" vote is a vote to support prosperity and to support free enterprise.

Don't let hardworking Americans become victims of a misguided labor scheme cooked up by socialist Democrats in California and right here in

the U.S. Congress. Rather, vote "yes" to allow workers all across the country to prosper and to live their own American Dream.

Mr. Speaker, I yield back the balance of my time.

Ms. WILD. Mr. Speaker, I rise in opposition to this motion to recommit.

The SPEAKER pro tempore. The gentlewoman from Pennsylvania is recognized for 5 minutes.

Ms. WILD. Mr. Speaker, I am not sure that my colleague and friend from Pennsylvania has read the same bill that I did that we are voting on tonight.

This bill, the Protecting Older Workers Against Discrimination Act, has nothing to do with truck drivers, and it has nothing to do with independent contractors.

This motion to recommit is nothing more than a distraction from the very important legislation that is embodied in this bill. This MTR has nothing to do with discrimination against older workers, which is what we are seeking to protect against.

Why do my friends and colleagues across the aisle want to hurt older working Americans? This legislation, H.R. 1230, was drawn up to fix the damage that has been done by the Supreme Court decision in *Gross v. FBL* in 2009, which severely weakened age discrimination protections.

Since that decision was made, both the Supreme Court and the lower courts have relied on it and applied the *Gross* reasoning to the other civil rights laws so that it doesn't just hurt older working Americans who are the focus of this legislation, but other people who suffer from employment discrimination.

The bill we are considering today is the bare bones of what is needed to rectify the damage caused by that decision. This bill represents a bipartisan, bicameral effort that has been 10 years in the making.

H.R. 1230 amends the Nation's core civil rights laws to expressly allow for mixed-motive claims, meaning, when an employer claims multiple motives for terminating an employee, one of which is age discrimination, that that will not be permitted.

Since the *Gross* decision in 2009, age discrimination continues to be a significant barrier to job opportunities. When older workers lose their jobs, they are far more likely than other workers to join the ranks of the long-term or permanent unemployed.

Significantly, approximately 61 percent of older workers have either seen or experienced age discrimination in the workplace.

In 2018, the EEOC received nearly 17,000 age discrimination complaints, accounting for more than 20 percent of all discrimination charges filed. While most older workers say they have seen or experienced age discrimination, only 3 percent report having made a formal complaint. These trends have a profound impact on the economic security of older workers and their families.

This law has nothing to do with truckers and nothing to do with independent contractors. This motion to recommit is a mockery of this important legislation that is designed to protect older working Americans.

I urge my colleagues to stand up for older workers and the protections that they need and deserve.

Mr. Speaker, I yield to the gentleman from Virginia (Mr. SCOTT), the chairman of the committee.

Mr. SCOTT of Virginia. Mr. Speaker, this is, as my colleague has indicated, a distraction. This has nothing to do with truck drivers or the PRO Act. We are talking about discrimination against older workers. We are talking about victims of discrimination, not who gets to discriminate against them.

We have a problem that older workers are facing discrimination, and everybody knows it. National organizations representing senior citizens, advocacy groups, and civil rights groups, including the AARP, have all written letters asking us to protect workers against discrimination.

We are correcting the Supreme Court case and the *Gross* decision, which makes it very difficult, if not impossible, for older workers to prove their cases. We need to defeat this distraction and pass the bill to protect older workers against discrimination.

Mr. Speaker, I hope we can defeat the motion and pass the bill.

Ms. WILD. Mr. Speaker, I yield back the balance of my time.

The SPEAKER pro tempore. Without objection, the previous question is ordered on the motion to recommit.

There was no objection.

The SPEAKER pro tempore. The question is on the motion to recommit.

The question was taken; and the Speaker pro tempore announced that the yeas appeared to have it.

#### RECORDED VOTE

Mr. SMUCKER. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. Pursuant to clause 9 of rule XX, this 5-minute vote on the motion to recommit will be followed by a 5-minute vote on the passage of the bill, if ordered.

The vote was taken by electronic device, and there were—ayes 196, noes 220, not voting 13, as follows:

[Roll No. 20]

#### AYES—196

Abraham	Brooks (IN)	Costa
Allen	Buchanan	Crenshaw
Amodel	Buck	Cunningham
Armstrong	Bucshon	Curtis
Arrington	Budd	Davidson (OH)
Babin	Burchett	Davis, Rodney
Bacon	Burgess	DesJarlais
Baird	Calvert	Diaz-Balart
Balderson	Carter (GA)	Duncan
Banks	Carter (TX)	Dunn
Barr	Chabot	Emmer
Bergman	Cheney	Estes
Biggs	Cline	Ferguson
Billakis	Cloud	Fitzpatrick
Bishop (NC)	Cole	Fleischmann
Bishop (UT)	Collins (GA)	Flores
Bost	Comer	Fortenberry
Brindisi	Conaway	Fox (NC)
Brooks (AL)	Cook	Fulcher

Gaetz	Lamborn	Scalise	Omar	Sánchez	Thompson (CA)	Johnson (TX)	Morelle	Serrano
Gallagher	Latta	Schrader	Pallone	Sarbanes	Thompson (MS)	Joyce (OH)	Moulton	Sewell (AL)
Gianforte	Lunga	Schweikert	Panetta	Scanlon	Titus	Kaptur	Mucarsel-Powell	Shalala
Gibbs	Lucas	Scott, Austin	Pappas	Schakowsky	Tlaib	Katko	Murphy (FL)	Sherman
Gohmert	Luetkemeyer	Sensenbrenner	Pascrell	Schiff	Tonko	Keating	Nadler	Sherrill
Gonzalez (OH)	Marshall	Shinkus	Payne	Schneider	Torres (CA)	Kelly (IL)	Napolitano	Sires
Gooden	Massie	Smith (MO)	Perlmutter	Schrier	Torres Small	Kennedy	Neal	Slotkin
Gosar	Mast	Smith (NE)	Peters	Scott (VA)	(NM)	Khanna	Neguse	Smith (NJ)
Granger	McAdams	Smith (NJ)	Phillips	Scott, David	Trahan	Kildee	Norcross	Smith (WA)
Graves (GA)	McCarthy	Smucker	Pingree	Serrano	Trone	Kilmer	O'Halleran	Soto
Graves (LA)	McCaul	Spano	Pocan	Sewell (AL)	Underwood	Kim	Ocasio-Cortez	Spanberger
Graves (MO)	McHenry	Stauber	Porter	Shalala	Vargas	Kind	Omar	Speier
Green (TN)	McKinley	Stefanik	Pressley	Sherman	Veasey	King (NY)	Pallone	Stanton
Griffith	Meadows	Steil	Price (NC)	Sherrill	Vela	Kinzinger	Panetta	Staubert
Grothman	Meuser	Steube	Quigley	Sires	Velázquez	Krishnamoorthi	Pappas	Stefanik
Guest	Miller	Stewart	Raskin	Slotkin	Visclosky	Kuster (NH)	Pascrell	Stevens
Guthrie	Mitchell	Stivers	Rice (NY)	Smith (WA)	Wasserman	Lamb	Payne	Suozzi
Hagedorn	Moolenaar	Taylor	Richmond	Soto	Schultz	Langevin	Perlmutter	Swalwell (CA)
Harris	Mooney (WV)	Thompson (PA)	Rose (NY)	Spanberger	Waters	Larsen (WA)	Peters	Takano
Hartzler	Mullin	Thornberry	Rouda	Speier	Watson Coleman	Larson (CT)	Peterson	Thompson (CA)
Hern, Kevin	Murphy (FL)	Timmons	Roybal-Allard	Stanton	Welch	Lawrence	Phillips	Thompson (MS)
Herrera Beutler	Murphy (NC)	Tipton	Ruiz	Stevens	Wexton	Lawson (FL)	Pingree	Titus
Hice (GA)	Newhouse	Turner	Ruppersberger	Suozzi	Wild	Lee (CA)	Pocan	Tlaib
Higgins (LA)	Norman	Upton	Rush	Swalwell (CA)	Wilson (FL)	Lee (NV)	Porter	Tonko
Hill (AR)	Nunes	Van Drew	Ryan	Takano	Yarmuth	Levin (CA)	Posey	Torres (CA)
Holding	Olson	Walberg	Aderholt	NOT VOTING—13		Levin (MI)	Pressley	Torres Small
Hollingsworth	Palazzo	Walden	Brady	Gabbard	Marchant	Lieu, Ted	Price (NC)	(NM)
Horn, Kendra S.	Palmer	Walker	Byrne	Kirkpatrick	McClintock	Lipinski	Quigley	Trahan
Hudson	Pence	Walorski	Clay	Lesko	Simpson	Loeb sack	Raskin	Trone
Huizenga	Perry	Waltz	Crawford	Lewis		Lofgren	Reed	Turner
Hurd (TX)	Peterson	Watkins		Loudermilk		Lowenthal	Rice (NY)	Underwood
Johnson (LA)	Posey	Weber (TX)				Lowe y	Rice (SC)	Upton
Johnson (OH)	Ratcliffe	Webster (FL)				Luján	Richmond	Van Drew
Johnson (SD)	Reed	Wenstrup				Luria	Rose (NY)	Vargas
Jordan	Reschenthaler	Westerman				Lynch	Rouda	Veasey
Joyce (OH)	Rice (SC)	Williams				Malinowski	Roybal-Allard	Vela
Joyce (PA)	Riggleman	Wilson (SC)				Maloney, Carolyn B.	Ruiz	Velázquez
Katko	Roby	Wittman				Maloney, Sean	Ruppersberger	Visclosky
Keller	Rodgers (WA)	Womack				Mast	Rush	Wagner
Kelly (MS)	Roe, David P.	Woodall				Matsui	Ryan	Walden
Kelly (PA)	Rogers (AL)	Wright				McAdams	Sánchez	Wasserman
King (IA)	Rogers (KY)	Yoho				McBath	Sarbanes	Schultz
King (NY)	Rooney (FL)	Young				McCaul	Scanlon	Waters
Kinzinger	Rose, John W.	Zeldin				McCaul	Schakowsky	Watson Coleman
Kustoff (TN)	Rouzer					McCollum	Schiff	Welch
LaHood	Roy					McEachin	Schneider	Wexton
LaMalfa	Rutherford					McGovern	Schrader	Wild
						McNerney	Schrier	Wilson (FL)
						Meeks	Scott (VA)	Yarmuth
						Meng	Scott, David	Young
						Moore	Sensenbrenner	

## NOES—220

Adams	DeGette	Kennedy
Aguilar	DeLauro	Khanna
Allred	DelBene	Kildee
Amash	Delgado	Kilmer
Axne	Demings	Kim
Barragán	DeSaulnier	Kind
Bass	Deutch	Krishnamoorthi
Beatty	Dingell	Kuster (NH)
Bera	Doggett	Lamb
Beyer	Doyle, Michael	Langevin
Bishop (GA)	F.	Larsen (WA)
Blumenauer	Engel	Larson (CT)
Blunt Rochester	Escobar	Lawrence
Bonamici	Eshoo	Lawson (FL)
Boyle, Brendan	Españillat	Lee (CA)
F.	Evans	Lee (NV)
Brown (MD)	Finkenauer	Levin (CA)
Brownley (CA)	Fletcher	Levin (MI)
Bustos	Foster	Lieu, Ted
Butterfield	Frankel	Lipinski
Carbajal	Fudge	Loeb sack
Cárdenas	Galleo	Lofgren
Carson (IN)	Garamendi	Lowenthal
Cartwright	Garcia (IL)	Lowe y
Case	Garcia (TX)	Luján
Casten (IL)	Golden	Luria
Castor (FL)	Gomez	Lynch
Castro (TX)	Gonzalez (TX)	Malinowski
Chu, Judy	Gottheimer	Maloney,
Cicilline	Green, Al (TX)	Carolyn B.
Cisneros	Grijalva	Maloney, Sean
Clark (MA)	Haaland	Matsui
Clarke (NY)	Harder (CA)	McBath
Cleaver	Hastings	McCollum
Clyburn	Hayes	McEachin
Cohen	Heck	Buchanan
Connolly	Higgins (NY)	McGovern
Cooper	Himes	McNerney
Correa	Horsford	Meeks
Courtney	Houlahan	Meng
Cox (CA)	Hoyer	Moore
Craig	Huffman	Morelle
Crist	Jackson Lee	Moulton
Crow	Jayapal	Mucarsel-Powell
Cuellar	Jeffries	Nadler
Davids (KS)	Johnson (GA)	Napolitano
Davis (CA)	Johnson (TX)	Neal
Davis, Danny K.	Kaptur	Neguse
Dean	Keating	Norcross
DeFazio	Kelly (IL)	O'Halleran
		Ocasio-Cortez

Ms. FOXX of North Carolina. Mr. Speaker, I demand a recorded vote.

A recorded vote was ordered.

The SPEAKER pro tempore. This will be a 5-minute vote.

The vote was taken by electronic device, and there were—ayes 261, noes 155, not voting 13, as follows:

[Roll No. 21]

AYES—261

Adams	Clarke (NY)	Evans
Aguilar	Cleaver	Finkenauer
Allred	Clyburn	Fitzpatrick
Axne	Cohen	Fletcher
Bacon	Connolly	Fortenberry
Balderson	Cook	Foster
Barragán	Cooper	Frankel
Bass	Correa	Fudge
Beatty	Costa	Galleo
Bera	Courtney	Garamendi
Beyer	Cox (CA)	Garcia (IL)
Bilirakis	Craig	Garcia (TX)
Bishop (GA)	Crist	Golden
Blumenauer	Crow	Gomez
Blunt Rochester	Cuellar	Gonzalez (TX)
Bonamici	Cunningham	Gottheimer
Bost	Davids (KS)	Green, Al (TX)
Boyle, Brendan	Davis (CA)	Grijalva
F.	Davis, Danny K.	Grothman
Brindisi	Davis, Rodney	Haaland
Brooks (IN)	Dean	Harder (CA)
Brown (MD)	DeFazio	Hastings
Brownley (CA)	DeGette	Hayes
Buchanan	DeLauro	Heck
Bustos	DelBene	Herrera Beutler
Butterfield	Delgado	Higgins (NY)
Carbajal	Demings	Himes
Cárdenas	DeSaulnier	Hollingsworth
Casten (IN)	Deutsch	Horn, Kendra S.
Cartwright	Diaz-Balart	Horsford
Case	Dingell	Houlahan
Casten (IL)	Doggett	Hoyer
Castor (FL)	Doyle, Michael	Huffman
Castro (TX)	F.	Hurd (TX)
Chu, Judy	Engel	Jackson Lee
Cicilline	Escobar	Jayapal
Cisneros	Eshoo	Jeffries
Clark (MA)	Españillat	Johnson (GA)

## NOES—155

Abraham	Gallagher	McKinley
Allen	Gianforte	Meadows
Amash	Gibbs	Meuser
Amodei	Gohmert	Miller
Armstrong	Gonzalez (OH)	Mitchell
Arrington	Gooden	Moolenaar
Babin	Gosar	Mooney (WV)
Baird	Granger	Mullin
Banks	Graves (GA)	Murphy (NC)
Barr	Graves (LA)	Newhouse
Bergman	Graves (MO)	Norman
Biggs	Green (TN)	Nunes
Bishop (NC)	Griffith	Olson
Bishop (UT)	Guest	Palazzo
Brady	Guthrie	Pence
Brooks (AL)	Hagedorn	Perry
Buck	Harris	Ratcliffe
Bucshon	Hartzler	Reschenthaler
Budd	Hern, Kevin	Riggleman
Burchett	Hice (GA)	Roby
Burgess	Higgins (LA)	Rodgers (WA)
Calvert	Hill (AR)	Roe, David P.
Carter (GA)	Holding	Rogers (AL)
Carter (TX)	Hudson	Rogers (KY)
Chabot	Huizenga	Rooney (FL)
Cheney	Johnson (LA)	Rose, John W.
Cline	Johnson (OH)	Rouzer
Cloud	Johnson (SD)	Rutherford
Cole	Jordan	Scalise
Collins (GA)	Joyce (PA)	Schweikert
Comer	Keller	Scott, Austin
Conaway	Kelly (MS)	Shinkus
Crenshaw	Kelly (PA)	Smith (MO)
Curtis	King (IA)	Smith (NE)
Davidson (OH)	Kustoff (TN)	Smucker
DesJarlais	LaHood	Spano
Duncan	LaMalfa	Steil
Dunn	Lamborn	Steube
Emmer	Latta	Stewart
Estes	Long	Stivers
Ferguson	Lucas	Taylor
Fleischmann	Luetkemeyer	Thompson (PA)
Flores	Marshall	Thornberry
Foxx (NC)	Massie	Timmons
Fulcher	McCarthy	Tipton
Gaetz	McHenry	

Walberg	Webster (FL)	Womack
Walker	Wenstrup	Woodall
Walorski	Westerman	Wright
Waltz	Williams	Yoho
Watkins	Wilson (SC)	Zeldin
Weber (TX)	Wittman	

## NOT VOTING—13

Aderholt	Kirkpatrick	McClintock
Byrne	Lesko	Roy
Clay	Lewis	Simpson
Crawford	Loudermilk	
Gabbard	Marchant	

□ 1701

So the bill was passed.

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

## PERSONAL EXPLANATION

Mrs. KIRKPATRICK. Mr. Speaker, I was absent today due to a medical emergency. Had I been present, I would have voted: "yea" on rollcall No. 18, "no" on rollcall No. 19, "no" on rollcall No. 20, and "yea" on rollcall No. 21.

## RESIGNATION AS MEMBER OF JOINT ECONOMIC COMMITTEE

THE SPEAKER pro tempore (Mr. PHILLIPS) laid before the House the following resignation as a member of the Joint Economic Committee:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, DC, January 8, 2020.

Hon. NANCY PELOSI,  
Speaker, House of Representatives,  
Washington, DC.

DEAR SPEAKER PELOSI: I am writing to submit my formal resignation as Vice Chair of the Joint Economic Committee, effective immediately. It has been an honor to serve in this position and I look forward to my new role as Chair of the Committee on Oversight and Reform.

With my deepest appreciation,  
CAROLYN B. MALONEY,  
Member of Congress.

The SPEAKER pro tempore. Without objection, the resignation is accepted.  
There was no objection.

## HOUR OF MEETING ON TOMORROW

Mr. PAYNE. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

## HONORING BRICK CITY LIONS

(Mr. PAYNE asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. PAYNE. Mr. Speaker, I rise today to honor a national champion from my district, the Brick City Lions. Brick City is the nickname of Newark, New Jersey, and the football team, the Brick City Lions, beat the Arizona Far West Jets 34-24 to win the 2019 Pop Warner Division I Junior Varsity national championship last month.

Lions coach Nasir Gains should be very proud of the work of his team. He

founded the Lions, also known as the Newark Youth Athletic Foundation, in 2012. In that short time, his teams have succeeded at every level.

But Coach Gains wants them to excel in the classroom as well. He provides reading and math tutors plus standardized test classes to all his players. He wants to build teams with character, confidence, comradery, and brotherhood. Clearly, he is succeeding on and off the field and deserves this recognition.

Coach Gains and his teams represent the best of Newark, and they are a point of pride in our community.

## HONORING HAROLD MEEK

(Mr. MCCARTHY asked and was given permission to address the House for 1 minute.)

Mr. MCCARTHY. Mr. Speaker, I rise today to honor the life and legacy of Harold Meek, a community leader and devoted family man, who, sadly, passed away on December 24, 2019.

To many of us, Harold was more than a neighbor. We considered him family, and his legacy will live on through those who knew him.

Harold had a wonderful life with his wife, Kay, and recently celebrated 48 years of marriage. He will be dearly missed by his loving wife, Kay; children Mark, Joi, and Vivienne; and grandchildren Cody, Clint, Jordan, and Julia.

Harold moved to Bakersfield in 1958 to work with his brother, Leo, in what would be the beginning of a lifelong career in the automotive industry. After 17 years working at his brother's dealership, Harold joined Three-Way Chevrolet, which later became Three-Way Automotive Group, in 1973.

Under Harold's leadership, the Three-Way Automotive Group experienced years of prosperity, gaining national recognition and receiving multiple industry awards.

Known as one of the greats among Bakersfield car dealers, Harold led Three-Way to various accolades, including seven consecutive titles as the number one retail volume Chevrolet dealer in California, as well as being named the top retail Chevy dealer in the world in June and July of 2005.

Harold was also recognized with the 2003 Time Magazine Quality Dealer Award, a true testament to his commitment to exceptional sales performance and customer service.

This welcoming attitude extended to his personal life and philanthropic endeavors. He was involved in more than 250 civic and charitable organizations, including the American Cancer Society, the Bakersfield Women's Business Conference, and Make-A-Wish Foundation, just to name a few.

A dedicated Republican, Harold was also active in local, State, and national politics. He served on the steering committee of numerous Gubernatorial and Presidential campaigns in California and managed campaigns for city coun-

cil, county supervisor, and State assembly candidates.

After retiring, Harold enjoyed cheering on his Oklahoma Sooners football team, Friday night dinners with his close-knit family, afternoons with his granddaughter, and watching NASCAR races on television with his son.

Harold truly embodied what it means to be a community leader and, above all, a family man. On behalf of California's 23rd Congressional District, Judy and I extend our deepest condolences to the Meek family, and we join them in honoring the life of Harold Meek.

## KEEPING ROE V. WADE THE LAW OF THE LAND

(Ms. PINGREE asked and was given permission to address the House for 1 minute and to revise and extend her remarks.)

Ms. PINGREE. Mr. Speaker, on January 22, 1973, the Supreme Court ruled, 7-2, that women have the right to make their own healthcare decisions and to legally access abortion care. Forty-seven years later, our country has seen significant social and economic progress since Roe v. Wade.

Seventy-three percent of Americans support keeping Roe v. Wade the law of the land. They agree we can't go back. And yet, nearly 50 years after Roe became settled law, abortion is still under attack by extreme politicians who believe the government should dictate whether and when to have a child.

From 2011 to 2018, States across our country enacted 424 separate restrictions on abortion. In 2016, Donald Trump campaigned on a promise of appointing Justices who will overturn Roe v. Wade, and he has appointed more than one-quarter of all active judges to date.

His administration has pushed a domestic gag rule to prohibit doctors from telling women about their legal right to access abortion and slashed access to family planning funding in the process.

As we honor the anniversary of Roe v. Wade, we must expand abortion access for women across the country and stand up to the senseless attacks on women's health.

## ADDRESSING THE TRAGEDY OF OUR NATIONAL DEBT

(Mr. MURPHY of North Carolina asked and was given permission to address the House for 1 minute.)

Mr. MURPHY of North Carolina. Mr. Speaker, I rise today to address the tragedy of our national debt.

Out-of-control spending is the single greatest nonviolent threat to our Nation. This year alone, the Federal deficit increase exceeded \$1 trillion.

Just to give some perspective, a trillion \$1 bills stacked from the ground would reach 60,000 miles into space. The International Space Station is only at 200 miles. This stack would reach one-quarter of the distance to the Moon.

The current debt is at \$23 trillion, which amounts to \$70,000 per American. It continues to compound year after year after year without any relief in sight.

It is estimated that the national debt will rise to 93 percent of GDP in the next 10 years. That means that for every \$100 that this Nation makes, \$93 would have to go toward servicing our debt.

Mr. Speaker, this is a national tragedy. We are bankrupting our children and our children's children's future. We must stop this impending disaster. I urge my colleagues and associates to help us address real solutions.

#### TEXAS HAS HISTORICALLY LED NATION IN REFUGEE RESETTLEMENT

(Mr. VEASEY asked and was given permission to address the House for 1 minute.)

Mr. VEASEY. Mr. Speaker, today I rise to take a stand against Governor Abbott of Texas and his decision to end our refugee resettlement in my home State of Texas. This decision is going to welcome xenophobia and bigotry and is contrary to the values that we hold dear in Texas.

Texas, as some of you may or may not know, has historically led our Nation in refugee resettlement. Our State has always opened its doors to people in need and welcomed refugees with open arms to provide an opportunity for refugees to contribute to the general common good of all Texans.

Texas has now become the first State—I say that with shame—to bar resettlement of those fleeing violence and religious persecution. This isn't what we stand for in Texas.

Mr. Speaker, I urge the Governor to look at Tarrant County, which is the county that I live in, and the decision that they made to continue taking refugees.

As of today, the courts have stayed this heinous order. This decision still sets a dangerous precedent.

I urge him to reverse his decision and show the rest of the Nation that Texas stands for inclusion, and let these churches—evangelical churches, liberal churches, Black churches, White churches—work together on these refugee programs. Let's let them continue to work together for the greater good of the country.

□ 1715

#### IRAN PROTESTERS

(Mr. GUEST asked and was given permission to address the House for 1 minute.)

Mr. GUEST. Mr. Speaker, the people of Iran are protesting the current Iranian regime that has for decades suppressed the Iranian people and denied them the freedoms that we as Americans hold near and dear. The Iranian people are protesting to hold the Ira-

nian Government responsible for the history of brutality against its own citizens and the world.

They are marching in the streets for the 1,500 Iranians killed by the Islamic Revolutionary Guard in December of 2019. They are marching in the streets for the deaths of 82 Iranians, 63 Canadians, 20 Ukrainians, 4 Afghans, 4 Britons, and 3 Germans when the Iranian military destroyed the passenger plane upon which they were flying. They are marching in the streets against years of brutality at the hands of the Supreme Leader and the terrorist Iranian Revolutionary Guard.

Make no mistake, Mr. Speaker, these people are marching for their freedom and the future of their country.

President Ronald Reagan in his farewell address to our Nation described our country as a bright, shining city on a hill that served as a beacon for freedom-loving people everywhere. As that beacon, we must stand with the protesters who seek freedom from this brutal regime.

#### HEALTHCARE

(Ms. WEXTON asked and was given permission to address the House for 1 minute.)

Ms. WEXTON. Mr. Speaker, before coming to Congress, I served for 5 years in the Virginia General Assembly, and the proudest vote I ever took in Richmond was to pass Medicaid expansion in Virginia.

Today, as a result of that expansion, more than 375,000 Virginians now have coverage under Medicaid. It has been a win-win for everyone involved—for those who would otherwise go uncovered and for the hospitals and healthcare providers who often provide service to the uninsured without compensation. A recent study has even suggested that Medicaid expansion has saved thousands from opioid overdoses.

Medicaid expansion saves lives, and the success we have seen in Virginia is thanks to the Affordable Care Act.

Americans need to know that while my colleagues and I are fighting to protect and strengthen the ACA, Donald Trump and the congressional Republicans are in court right now working to strike down the ACA with no plan or replacement.

Without the ACA, Medicaid expansion, which covers 17 million Americans, is in jeopardy, and so is coverage for more than 130 million Americans with preexisting conditions. With so much at stake, I urge my Republican colleagues to end their attacks. In the meantime I will continue to fight back.

#### KERRY MCCOY PRESERVE ARKANSAS AWARD

(Mr. HILL of Arkansas asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. HILL of Arkansas. Mr. Speaker, I rise today to recognize Ms. Kerry

McCoy who is being honored with the 2019 Special Recognition for Outstanding Stewardship from Preserve Arkansas.

In 1975 Kerry founded her successful business, Arkansas Flag and Banner, with \$400 in savings, and to start she sold flags door to door.

In 1990 she expanded the business by purchasing the famed, yet neglected, historic Taborian Hall in Little Rock, Arkansas. Built in 1916, Taborian Hall once hosted legendary entertainers like Duke Ellington, Ella Fitzgerald, B.B. King, and Etta James.

Throughout the 1990s and early 2000s, Kerry slowly and meticulously renovated Taborian Hall. In 2009 she founded the nonprofit Friends of the Dreamland Ballroom to save and protect the space that had once been the centerpiece of the hall. Kerry has since produced a documentary and published a book about the building. And I was proud to support her grant for a Civil Rights Preservation Grant from the National Park Service in 2018.

I applaud Kerry for the efforts to preserve Taborian Hall and the Dreamland Ballroom, and I congratulate her on this special recognition from Preserve Arkansas.

#### CONGRATULATING THE NDSU BISON

(Mr. ARMSTRONG asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. ARMSTRONG. Mr. Speaker, today I rise to congratulate the NDSU Bison football team for winning the FCS National Championship.

On January 11, NDSU defeated James Madison University 28-20 in a thrilling game that came down to the final seconds. Bison quarterback Trey Lance racked up 166 yards on the ground during the game and finished the season with 28 touchdowns and zero interceptions. He is the first freshman ever to win the Walter Payton Player of the Year Award and the Jerry Rice National Freshman of the Year Award.

Bison safety James Hendricks intercepted a pass on the goal line to ice the game and ensure another Bison National Championship.

They finished the season 16-0, the first NCAA team to do so since Yale in 1884. During this unprecedented run, NDSU has won eight championships in 9 years and compiled a record of 128-8. They have lost only eight games in 9 years, and they have defeated five FBS schools along the way, two of which were ranked at the time they played NDSU.

Congratulations to the players, coaches, and fans of the most dominant college football program in this country.

And a special happy birthday to Bison fan Jessica Unruh.

### CELEBRATING THE LIFE OF MARTIN LUTHER KING, JR.

(Mr. SPANO asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. SPANO. Mr. Speaker, today I rise to celebrate the life of Dr. Martin Luther King, Jr.

Dr. King lived a life dedicated to serving and being a voice for the oppressed across our Nation. His message of nonviolence resonated with many Americans during a tumultuous period of our history when basic civil rights were being denied to many based on the color of their skin.

Drawing inspiration from his Christian faith, Dr. King believed his protests were the strongest weapon to achieve freedom and equality. In the end he paid the ultimate price, choosing courage over fear to overcome hatred and ignorance.

He famously preached: "Darkness cannot drive out darkness; only light can do that. Hate cannot drive out hate; only love can do that."

Because of Dr. King's influence, all Americans can gather together to celebrate diversity and the growth of human rights for each of us. I hope that everyone will join me in commemorating and remembering Dr. Martin Luther King, Jr., for his leadership, his sacrifices, and his legacy.

### UNDER ROE V. WADE WE ARE KILLING A BABY A MINUTE

(Mr. WEBER of Texas asked and was given permission to address the House for 1 minute.)

Mr. WEBER of Texas. Mr. Speaker, because of Roe v. Wade, we are killing a baby a minute.

Mr. Speaker, another baby just lost its life.

### JOHN WALCZAK'S RETIREMENT FROM FAA

(Mr. VAN DREW asked and was given permission to address the House for 1 minute and to revise and extend his remarks.)

Mr. VAN DREW. Mr. Speaker, today I would like to recognize John Walczak. He is retiring after an impressive 37 years and 2 months at the FAA. He started working at the FAA in 1982 as a student through Stockton State College now called Stockton University.

He learned three computer languages: Ultra, JOVIAL, and Basic Assembly Language. He started working full-time in 1984 as a computer programmer and worked his way up the ranks over the years to become STARS DT&E Test Director, which eventually would become IDQT Test Director. He was also the application lead for requirements. John retired on January 3, 2020.

I thank John, his community thanks him, and his country thanks him for

his service. Our world is safer because of John and the work that he has done.

We are so unbelievably proud of your accomplishments, John. Congratulations, and may God bless you.

### CONGRESSIONAL PROGRESSIVE CAUCUS

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentlewoman from Michigan (Ms. TLAIB) is recognized for 60 minutes as the designee of the majority leader.

Ms. TLAIB. Mr. Speaker, I am very proud to represent the Congressional Progressive Caucus where we have close to 100 members all across the country that are pushing forward our progressive values that I think are extremely important, especially in a district like mine, frontline communities and many communities of color that are suffering from issues around poverty, jobs, environment, education, disinvestment, and so forth. So I am very honored to be representing our caucus today with the Special Order.

Mr. Speaker, I yield to the gentlewoman from New Jersey (Mrs. WATSON COLEMAN), who is my good colleague from New Jersey.

Mrs. WATSON COLEMAN. Mr. Speaker, I want to thank the gentlewoman for yielding.

I rise in support of the resolutions presented by my friends from California, Congresswoman LEE and Congressman KHANNA. They are long overdue.

The actions of this President over the last few weeks are an escalation of the reckless, arrogant, and ignorant foreign policy of this White House, if you can even call these hasty decisions a policy. The President's actions lack a coherent strategy. He lacks an understanding of history, and he lacks the foresight to see the consequences of his actions.

Last week, the House and the Senate received briefings that failed to answer our questions about the basic facts behind the decision to kill Major General Qasem Soleimani. Republican Senators themselves said the briefing was so poorly presented that they left more opposed to the President's actions than before they were briefed.

In other words, the more we learn about this debacle, the less faith anyone has in the White House's ability to make these decisions.

Some of the questions asked by Members of Congress in that briefing went unanswered for so-called security reasons. Yet they were later addressed in interviews and press conferences by members of the administration as they tried to cover for the President's lies and obfuscations.

That is why I will join Democrats, and hopefully any Member of the House unwilling to watch us enter another endless war, in voting for these bills to limit the President's ability to engage in further aggression with Iran and

keep American troops out of harm's way.

The President has spent the days since his ill-advised attack blustering to reporters and on twitter, including threatening to attack cultural sites, a war crime of which the only outcome would be maiming and killing civilians.

Just last week he ticked off a list of Iranian aggressions that he claimed were the result of the Iran deal. In fact, each event he cited occurred only after his foolish decision to pull out of the deal. These resolutions are critical to curtailing any further misguided action by President Trump.

The fact is, this action that he has taken makes Americans less safe. It threatens our diplomats abroad with retribution, it threatens our military personnel in the region, and it threatens Americans working in the region.

Many, many years ago, Senator George McGovern said: "I am fed up to the ears with old men dreaming up wars for young men to die in." Well, I am fed up too, and so are the American people.

Reports suggest the President thought this move would be celebrated by Americans. But I speak for myself and the hundreds of constituents who have messaged me when I say: No more, Mr. Trump. We don't want this war. We don't want war with Iran. No continuing escalation, no more killings, and no more sending our daughters and sons into harm's way to appease the fragile egos of the men in the White House.

I call on all my colleagues to support the resolutions of my colleagues, Ms. LEE and Mr. KHANNA.

And I send a clear message to the White House: Your days of reckless misadventures with the lives of Americans are over.

□ 1730

Ms. TLAIB. Mr. Speaker, I yield to the gentleman from Rhode Island (Mr. CICILLINE), my colleague and good friend.

Mr. CICILLINE. Mr. Speaker, I thank the gentlewoman for organizing this Special Order on this really important topic.

Mr. Speaker, yesterday, we held a hearing in the House Committee on Foreign Affairs on the administration's actions in Iran. Over the past few weeks, the United States and Iran have come closer to outright war than any time in our history. However, despite the seriousness of the situation, Secretary of State Mike Pompeo refused to appear.

The Framers of the Constitution gave the power to declare war solely to the Congress of the United States, the elected representatives of the people. The reason they did that is they wanted to prevent a President from making the decision to take the country to war without the support of the American people.

As we think about the President's decision, the only lens through which we



should view it is whether or not those actions made Americans safer and strengthened America's national security interests in the region and around the world.

The fact that Soleimani got what he deserved does not mean that this decision was strategically wise or that it enhanced American security.

I, frankly, have been shocked by some of the arguments being put forth by my colleagues in support of the President's actions and the criticism being directed at Members of Congress for taking our war powers responsibility seriously.

Have we become so completely partisan that Members of Congress no longer care at all about the checks and balances put in place to protect our democracy? I heard Members on the other side describe the idea of even holding a hearing on the administration's actions against Iran as absurd.

The idea that we, as Congress, would sit back and allow this administration or any administration to take our country to the brink of war and just trust them, despite conflicting explanations, obvious falsehoods, and a complete lack of strategy and planning, is what is absurd.

What is absurd is the Secretary of State spending nearly 2 years agitating for armed conflict with Iran and then refusing to come to explain himself after he succeeds in convincing the President to engage in military action.

If you are Secretary of State while the country enters into a tense military conflict, you should expect to clear your schedule and get up to Congress to make your case. Yet, the Secretary had somewhere more important to be yesterday.

That is a shocking abrogation of his duty to report to this body, which has the sole power to declare war on behalf of the American people.

One would think that if the Secretary was so confident in his intelligence, so confident in his justification, and so confident in his strategy that he would be eager to present it and defend it to Congress.

We know he has been making the rounds on television, yet he fails to appear under oath where he can be held accountable. Perhaps that has something to do with the conflicting stories that have been coming out of the administration concerning their justification for the strike against Qasem Soleimani.

First, we were told that there was an imminent threat against the United States, but Secretary Pompeo couldn't say when or where that attack might occur and presented no underlying or raw intelligence to support that conclusion.

Then, the President said Soleimani was plotting to attack up to four American Embassies in the region. Yet, this was not mentioned in briefings to Congress, and other senior officials in the administration were unaware of such a plot.

Other officials have linked the Soleimani killing to past and future attacks Soleimani might have been plotting with no specificity, while others have reported that the killing was first planned as long as 7 months ago.

The conflicting explanations coming out of this administration, combined with their unwillingness to share details with Congress or the American people, leave us no choice but to conclude that the President acted outside of the authority under the War Powers Resolution and took unilateral military action against a senior government official without proper authorization.

I have heard others make the argument that none of this matters. Soleimani is a bad guy and got what he deserved. The Iranians have backed off so it is all fine.

That is today. What about the next time? When an administration believes it can launch a military strike that might lead to war with no information-sharing, no legal justification, and no oversight, who knows what they will do next.

Nearly every step taken over the past 2 years by President Trump and Secretary Pompeo has seemed designed to create conflict with Iran by asserting maximum pressure. Without any option or plan for a negotiated solution, armed conflict became more and more likely.

There is no evidence that we are safer today than we were before the killing of Soleimani. In fact, we know we are less safe.

We have stopped the training of Iraqis in the fight against ISIS. There are more American troops that have been sent to the region. We have now suffered two attacks on bases that house American and allied forces. This notion that we are safer today is simply belied by the facts.

So we are here today, and it doesn't appear that the administration has any strategy or plan for next steps, other than the farfetched wish that Iran will be so cowed in the face of their bluster that it will agree to all of their demands. That seems unlikely and doesn't represent any thoughtful or coherent planning.

Forgive me if I don't want to repeat the mistakes of the past and put my trust in officials when they march us to war and claim: "Trust us. This is necessary."

I will not be responsible for sending the men and women of Rhode Island—or any other State, for that matter—into harm's way so that the President can feel like a big shot and his advisers can finally achieve the war they seem to have been building toward since he took office.

I am disgusted by the Secretary's absence yesterday. He should appear before the committee as soon as possible, and that means within days, to explain himself, the administration's position, and their plan for preventing Iran from obtaining a nuclear weapon and pro-

moting America's national security and keeping America safe.

Mr. Speaker, I thank the gentlewoman for yielding me time.

Ms. TLAIB. Mr. Speaker, I yield to the gentlewoman from Illinois (Ms. SCHAKOWSKY).

Ms. SCHAKOWSKY. Mr. Speaker, I thank Congresswoman TLAIB for leading this conversation today. I am seeing some of my colleagues on the floor today who remember the story that I want to tell.

This was the fall of 2002, and there was a vigorous debate going on whether or not we should be sending our troops to declare war on Iraq and take out Saddam Hussein. The story went that there were weapons of mass destruction.

Yes, we had briefings. They were in the north. They were in the south, the west, and the east. They were there all right, we were told.

A vote was going to come up on the Authorization for Use of Military Force, AUMF, in Iraq. There was one voice in particular that stood out and still stands out to me, a woman who was the ranking Democrat on the Intelligence Committee. Her name was NANCY PELOSI. She stood up at our meetings and said, no, there is no intelligence to justify that we go to war in Iraq.

A group of us got together. I see Congresswoman BARBARA LEE, the only Member who, because we were already in Afghanistan, voted against that war, who put together a group called the Out of Iraq Caucus. We went door-to-door, literally, and asked our Democratic friends in the House to say no to this war because it was not necessary.

At the end of the day, even though the press story had already been written that somehow it was almost a unanimous vote, 60 percent of the Democrats in the House of Representatives voted against that war in Iraq.

That was over 17 years ago. We still have troops in Iraq. We spent trillions, literally trillions of dollars, and the loss of life on all sides, including our precious American soldiers that we sent—most Americans today agree that that war was a disaster and that we shouldn't have done it. We learned a lesson.

When it came time to talk about the threat that we knew was there, the nuclear weapons program in Iran, we worked with President Barack Obama in a diplomatic way to pass the Iran agreement that actually stopped Iran from developing nuclear weapons that would threaten not only the United States and the region but the rest of the world. And it was working. There were inspectors that would report to us. Every month, we got a report that said it was working.

Along comes Donald Trump, who had said even in the campaign that this is a really bad idea, that this is a terrible agreement. Lo and behold, just a few weeks ago, he decided—it seems like a long time. Not long ago, he decides, all

of a sudden, that it is a really important thing for us to go after Iran while Soleimani, the general, who is part of the government, is in Iraq.

No one is crying over the death of Soleimani. The question is: Is the United States safer now than it was? The answer is a resounding no.

That is why I am in strong support of the legislation by BARBARA LEE that says we will sunset that 2002 Authorization for Use of Military Force in Iraq and the legislation by RO KHANNA that will prohibit the use of Federal funds for military action in or against Iran unless Congress specifically authorizes it or declares war or such actions are undertaken consistent with the War Powers Resolution of 1973.

In other words, come to Congress. That is who we are. That is our job. We are the ones who are supposed to say war or peace. The most important thing we could do is decide whether we send our young men and women into harm's way to sacrifice their lives.

We have to exert our authority. We have to exert our authority right now. I stand in support of that legislation.

We don't need, and the American people don't want, another endless war in Iran or anywhere in the Middle East. It is time to say no, to say that Congress is going to make those decisions, and to do it now.

Ms. TLAI. Mr. Speaker, I yield to my colleague from California (Ms. LEE), my mentor. The original squad member is what I like to call her. I so appreciate the leadership role that she plays in the Congressional Progressive Caucus, especially in trying to suspend and stop all war efforts by our country.

Ms. LEE of California. Mr. Speaker, first, I thank my colleague, who is a bold and brilliant progressive here, Congresswoman RASHIDA TLAI. I thank her for organizing this Special Order tonight, but I also thank her for her leadership and for hitting the ground running in the House of Representatives. It has been quite remarkable to work with her and to see how she understands the issues around peace and justice, that peace and justice go together.

Mr. Speaker, I thank Congresswoman SCHAKOWSKY for her speech tonight and for her presentation, for laying out the chronology and historical record for how we got here and how we, unfortunately, were misled by the lies of the Bush administration into this tragic, endless war. I thank her very much for her leadership, for her friendship, and for staying the course because this has been, what, 19 years now? We have to repeal this authorization.

Mr. Speaker, let me just say to Representatives PRAMILA JAYAPAL and MARK POCAN, who co-chair our Progressive Caucus, their tireless leadership in the Progressive Caucus has really helped with making sure that the public understands all the issues that we are dealing with as it relates to global peace and security.

I chair the Progressive Caucus' Global Peace and Security Task Force, and

we are very clear on why we must stop a possible catastrophic war with Iran and reassert our constitutional duty over matters of war and peace.

Mr. Speaker, I invite all of my colleagues and the rest of the CPC to support the repeal of the 2001 and 2002 Authorizations for Use of Military Force. I am pleased that the House leadership has agreed to bring my repeal of the 2002 AUMF to the floor in 2 weeks, and I encourage Members on both sides of the aisle to cosponsor that legislation.

First, with regard to the 2001 authorization, 19 years ago, Congress passed a 2001 Authorization for Use of Military Force, AUMF. It was supposedly against Afghanistan, as it relates to the horrific events of 9/11.

□ 1745

It was a blank check, however, for endless war. It was a 60-word authorization. It was totally open-ended.

Now we have a Congress where—or at least the House—less than 25 percent of current Members actually voted on that authorization, which, of course, I adamantly opposed.

This authorization gives any President authority to wage limitless war at any time, anywhere, for any reason, in perpetuity. According to the Congressional Research Service, the AUMF has been used as a blank check by three administrations to justify military force more than 40 times in 18 countries.

Mr. Speaker, I include the CRS report in the RECORD.

[From the Congressional Research Service, February 16, 2018]

#### MEMORANDUM

Subject: Presidential References to the 2001 Authorization for Use of Military Force in Publicly Available Executive Actions and Reports to Congress.

From: Matthew Weed, Specialist in Foreign Policy Legislation, 7-4589.

This memorandum was prepared to enable distribution to more than one congressional office.

This memorandum sets out information and analysis concerning presidential references in public official notifications and records to the Authorization for Use of Military Force (2001 AUMF; Public Law 107-40; 50 U.S.C. §1541 note), enacted in response to the September 11, 2001 terrorist attacks on the United States, in relation to military and other action. It contains very brief discussions of the relevant provisions of the 2001 AUMF, and the uses of U.S. armed forces connected with 2001 AUMF authority, as well as excerpted language and other information from the notifications.

#### USE OF MILITARY FORCE AUTHORIZATION LANGUAGE IN THE 2001 AUMF

Section 2(a) of the 2001 AUMF authorizes the use of force in response to the September 11 attacks:

*Resolved by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SEC. 2. AUTHORIZATION FOR USE OF UNITED STATES ARMED FORCES.

(a) IN GENERAL.—That the President is authorized to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons, in order

to prevent any future acts of international terrorism against the United States by such nations, organizations or persons.

The 2001 AUMF does not include a specified congressional reporting requirement, but states that the authorization is not intended to supersede any requirement of the War Powers Resolution, which does require congressional reporting for initial and continuing deployments of U.S. armed forces into imminent or ongoing hostilities.

#### EXECUTIVE BRANCH POLICY CONCERNING UTILIZATION OF 2001 AUMF AUTHORIZATION

Prior to the U.S. military campaign against the Islamic State that began in summer 2014, executive branch officials made statements that included certain interpretations concerning the 2001 AUMF, including the following:

The 2001 AUMF is primarily an authorization to enter into and prosecute an armed conflict against Al Qaeda and the Taliban in Afghanistan.

The 2001 AUMF authorizes the President to use military force against Al Qaeda and the Taliban outside Afghanistan, but such uses of force must meet a higher standard of threat to the United States and must use limited, precise methods against specific individual targets rather than general military action against enemy forces.

Because the 2001 AUMF authorizes U.S. involvement in an international armed conflict, the international law of armed conflict informs the authority within the 2001 AUMF. This law permits the use of military force against forces associated with Al Qaeda and the Taliban as co-belligerents; such forces must be operating in some sort of coordination and cooperation with Al Qaeda and/or the Taliban, not just share similar goals, objectives, or ideologies.

This interpretation of the scope of 2001 AUMF authority can be seen to fit within the overall framework of presidential power to use military force against those posing a threat to U.S. national security and U.S. interests. In situations where the 2001 AUMF or other relevant legislation does not seem to authorize a given use of military force or related activity, the executive branch will determine whether the President's Article II powers as Commander in Chief and Chief Executive, as interpreted by the executive branch itself, might authorize such actions. In this way, similar U.S. military action to meet U.S. counterterrorism objectives might be interpreted to fall under different authorities, of which the 2001 AUMF is just one, albeit important, example.

#### DECEMBER 2016 LEGAL FRAMEWORK REPORT ON USE OF MILITARY FORCE

President Obama issued a report in December 2016 entitled, "Report on the Legal and Policy Frameworks Guiding the United States' Use of Military Force, and Related National Security Operations." Among other matters, the Report deals with the legal justification for the United States' ongoing use of military force against the Islamic State, which according to the Report has taken place in the form of airstrikes, military advising and training of Iraqi security forces and Syrian rebel groups, and military activities of U.S. special operations forces in Iraq, Syria, and Libya. The Report asserts that such use of force is authorized by the 2001 AUMF, arguing certain factors as determinative:

1. The 2001 AUMF authorizes the President to use military force "in order to prevent any future acts of international terrorism against the United States by such nations, organizations, or persons" who perpetrated or harbored those who perpetrated the September 11, 2001 terror attacks against the United States.

2. Al Qaeda was identified as the primary organization responsible for the September 11, 2001 attacks.

3. Organized, armed groups that are co-belligerent with Al Qaeda against the United States are targetable under the 2001 AUMF pursuant to the law of international armed conflicts as “associated forces.”

4. With specific regard to the Islamic State, the United States determined in 2004 that Al Qaeda in Iraq (AQI), the predecessor organization of the Islamic State, was either part of Al Qaeda itself or an associated force in 2004 and has used force against the group under 2001 AUMF authority since that time, including after AQI changed its name to the Islamic State (or ISIL or ISIS).

5. The fact that the Islamic State has asserted a split between itself and Al Qaeda does not divest the President of his previous authority to use force against the Islamic State, as the Islamic State’s conflict with the United States and its allies has continued.

6. Congress has supported military action against the Islamic State by specifically funding the military campaign and providing authority to assist groups fighting the Islamic State in Iraq and Syria.

#### RECORDS OF EXECUTIVE ACTIONS AND PRESIDENTIAL REPORTING TO CONGRESS REFERENCE THE 2001 AUMF

Since 2001, Presidents George W. Bush, Barack Obama, and Donald Trump have referenced in public notifications the 2001 AUMF in connection with initiating or continuing certain military or related actions (including non-lethal military activities such as detentions and military trials), as U.S. armed forces continue to counter Al Qaeda, the Taliban, and violent extremist and terrorist groups designated as associated with those two organizations. The notifications reference both statutory and constitutional authority for the President to take such action, as well as statutory provisions requiring congressional notification, including reference to provisions in the 2001 AUMF. As will be discussed in detail below, the manner in which Presidents have presented information on military deployments and actions in these notifications, the constitutional and statutory authority for such actions, and the reporting requirements for such actions, have changed over time, making it difficult to aggregate such information.

#### NOTIFICATIONS OF DEPLOYING U.S. ARMED FORCES AND/OR USING MILITARY FORCE INVOLVING REFERENCE TO THE 2001 AUMF

Presidents Bush, Obama, and Trump have provided formal notifications of military deployments and/or action to Congress at various times since enactment of the 2001 AUMF, referring to that authorization to various degrees and ends. While presidential reports to Congress concerning the use of military force and other activities undertaken by the U.S. armed forces initially provided a fairly simple and straightforward discussion of actions and related authorities, over time these reports became increasingly detailed, complicated, and difficult to decipher with regard to determining applicable presidential authority. At all times, both Presidents have relied primarily on their constitutional Article II powers as Commander in Chief and Chief Executive. In many instances, reference to 2001 AUMF authority has been supplementary and indirect; in only a few cases has a President relied directly on 2001 AUMF authority as justification for a military operation, deployment, or other action.

Below are provided several tables of information concerning presidential notifications and records of other executive action referencing the 2001 AUMF. Each table provides:

a date of each notification or record; the relevant military activity, location, and/or purpose of such activities, as available;

the constitutional and statutory authority provided in the notification or record as provided; and

the reference to applicable reporting requirements precipitating each respective notification or record.

For Tables 1-8, each set out in its own section with accompanying analysis, each table includes a group of notifications that are similar in composition and content. Each subsequent table and section, therefore, denotes a change in composition of the notifications referencing the 2001 AUMF in some way.

#### INITIAL REPORTING IN THE AFTERMATH OF THE SEPTEMBER 11, 2001 ATTACKS

President Bush’s reports to Congress concerning military deployments in the weeks following the September 11, 2001 terror attacks were relatively concise, focusing on the need to address the terrorist threat in the immediate aftermath of the attacks, and the deployments and actions taken in response to such threat. The first notification on September 24, 2001 references deployments to “a number of foreign nations” in the “Central and Pacific Command areas of operations.” Major military operations in Afghanistan had not yet commenced. The second notification on October 9, 2001 includes similar information but also notifies Congress of the commencement of combat against Al Qaeda and the Taliban in Afghanistan. In these two notifications, President Bush stated that he had taken the actions described pursuant to his constitutional authority as Commander in Chief and Chief Executive. In both notifications, he referred to the 2001 AUMF as evidencing the continuing support of Congress, but did not specifically state he had taken such action pursuant to 2001 AUMF authority. The President stated in these notifications that he was reporting on these actions to Congress consistent with both the War Powers Resolution and the 2001 AUMF. It is possible to conclude that reporting action consistent with the 2001 AUMF would mean that the action was considered taken pursuant to 2001 AUMF authority. See Table 1 below for more information and precise language related to 2001 AUMF references in these notifications.

Ms. LEE of California. Mr. Speaker, I hope you look at this map, and you will see exactly where the 2001 authorization has been used for military strikes and force.

Two decades later, as outlined in the Afghanistan Papers, which I hope the Speaker has read, published in *The Washington Post*, I believe this was in December, the false justifications and inconsistencies led to a 19-year, endless war—*Washington Post*, *Afghanistan Papers*.

The Pentagon consistently misled and lied to the American people about our progress in Afghanistan. This endless war has caused countless deaths of servicemembers, innocent civilians. It has cost trillions of dollars. It has created repercussions throughout the region and the world.

It is truly concerning, and I urge my colleagues to read through the details of this report. Our own generals and ambassadors did not know then, and still do not know what our strategy was or why we are still involved in this war.

We must ask ourselves: Why are we putting our servicemembers into harm’s way?

Why are innocent civilians’ lives in flux?

Why are we making our country less safe?

But it wasn’t just in 2001 when we passed an open-ended authorization. Next, in 2002, I stood here with my colleagues to urge us not to rush to war in Iraq based on false intelligence, mostly, weapons of mass destruction, and to vote against the 2002 AUMF.

I offered then an amendment to this authorization that would have prevented this war by requiring that the inspectors go to verify that there were weapons of mass destruction before military action. That seemed reasonable. At least we should have had the data and the information to justify the use of force.

But, of course, my amendment only received, I believe it was, 72 votes. Shame on us.

But if it had passed, it would have exposed the lie that the war was based on. There were no weapons of mass destruction in Iraq.

So it is time to repeal that outdated authorization. And as I stand here, as I have stood here so many times to say, the American people do not want another catastrophic war of choice in the Middle East.

Make no mistake: The dangerous and reckless actions taken by President Trump have brought us to the brink of an all-out war with Iran. Since day one, Trump and his warmongering administration have inched us closer to war with Iran. They have completely neglected diplomacy at every turn.

Secretary Pompeo is the Secretary of State and should be our chief diplomat. Instead, we see our chief diplomat promoting the use of force in the Middle East.

Ending the effective and successful Iran nuclear deal, known as the JCPOA, once again, this administration has made us less safe and has allowed Iran to move forward to begin to look at how to develop a nuclear weapon. That is outrageous, when we had verified the fact that they had stopped this.

We have also, unfortunately, increased troop presence in the Middle East and promoted a dangerous and maximum pressure campaign with Iran and increasing economic sanctions.

This administration is giving Members of Congress and the American people conflicting and contradictory information. We were told the President authorized the assassination of General Soleimani due to an “imminent threat,” as permitted by the War Powers Act.

Now Secretary of Defense Mark Esper is saying that he has seen no evidence of an “imminent threat” and conducted the strike for “deterrence.”

Unfortunately, they can’t even keep up with their lies.

Now, more than ever, Congress needs to exercise our constitutional responsibility to stop these endless wars. That

is why I am proud to have voted last week in support of Congresswoman SLOTKIN's War Powers Resolution to limit the President's military action regarding Iran and prevent this crisis from spiraling out of control.

I am also pleased that my bipartisan bill, H.R. 2456, would repeal the 2002 authorization. That is going to be taken up in 2 weeks.

The administration has falsely claimed that they can justify the use of force against Iran by conducting assassinations and strikes in Iraq. It doesn't make any sense.

My amendment to repeal the 2002 AUMF was included in the House-passed fiscal 2020 NDAA, National Defense Authorization Act, and voted on a bipartisan basis, but it was stripped by Republicans from the final bill. And now, unfortunately, we know why Senator MCCONNELL and the Trump administration took that out of the NDAA. We understand their strategy now as it relates to that and what happened in Iraq.

When Congress passed the 2002 AUMF before the invasion of Iraq, many of us did not support it. It was intended, again, to address the perceived threat posed by Saddam Hussein as it related to weapons of mass destruction. U.S. military deployments and operations carried out pursuant to the 2002 AUMF, dubbed Operation Iraqi Freedom—remember that?—officially concluded in 2011, no more.

Almost 18 years after the resolution's passage, we still have this authorization on the books, and that isn't even being used in any current military operations, and it shouldn't be used.

In 2 weeks, we will take up Congresswoman KHANNA's bill, which I am proud to cosponsor, to prohibit funds from being used for a war with Iran absent explicit congressional authorization. We must do our job.

Mr. Speaker, we have known for years that there is no military solution in the Middle East, and it is past time to return to a diplomatic strategy with our allies.

We cannot allow this President's irresponsible and irrational decision-making to drag us into an unnecessary and catastrophic war in the Middle East. We must protect our national security, our brave troops, our allies, people in the region, Iraqis, Iranians, everyone who lives in the midst of harm's way, and we must protect the American people.

So we ask the question each and every day now: Are we safer or less safe than before this assassination and military strike? I suggest that we are less safe, and we need to repeal the 2002 authorization to use force.

We need to pass Congressman KHANNA's resolution, and we also need to look at a strategy and insist that this administration come to Congress if, in fact, they intend to use force anywhere in the world.

Mr. Speaker, I thank Congresswoman TLAIB for her leadership and for this Special Order.

Ms. TLAIB. Mr. Speaker, I yield to the gentleman from Oregon (Mr. BLUMENAUER).

Mr. BLUMENAUER. Mr. Speaker, I appreciate the gentlewoman's courtesy in permitting me to speak on this and bringing us together, and I have enjoyed listening to my colleagues walk us down memory lane.

BARBARA LEE, JAN SCHAKOWSKY, these are painful memories, but we were here when the United States made the single biggest foreign policy blunder in our history, costing hundreds of thousands of lives in the Middle East—not just thousands of Americans—costing trillions of dollars.

We are watching every day in America the price being paid by men and women who come back with injuries, both visible and those that aren't: PTSD, missing limbs, lost opportunities, and troubled families.

Three days ago, there was a quotation describing what was going on with Boeing's design of the 737 MAX, where one of their engineers said it was designed by clowns and supervised by monkeys. I think that act, sadly, is what we are looking at, the clown act that is going on now, trying to sort out a rationale for another rash act that has, in fact, left us less safe.

Now, Donald Trump campaigned tapping into the antiwar sentiment and professed to be against endless wars. He professed to have been against the war in Iraq. Of course, an examination of his record finds out, like most things, he is on both sides of that question.

But he has taken a step that puts us in harm's way again. It recalls the Beirut tragedy, where there was the largest loss of life since World War II in a single day, October 23, 1983. 241 marines were lost in that car bombing in the barracks in Beirut.

But that was preceded by what some, at this point, would, I think, fairly assess reckless action on behalf of the United States in terms of heavy shelling of Hezbollah positions in Lebanon, things that we could have done many times before but cooler heads prevailed because of some of the potential backlash. That was, indeed, a serious backlash, and we ended up not only having the loss of Marine lives; we had to withdraw and further unsettle that troubled area of the country.

Well, what we have seen now is that, with one reckless act—the execution, the assassination of General Soleimani is something that we could have done. Prior Presidents knew his location. They could have assassinated him, and they certainly had no love lost for a truly reprehensible human being. But they knew that they needed to exercise restraint because the consequences could be grave.

The act of assassination has been fascinating to watch because what we have seen now is that the Iraqis, in their Parliament, have disinvited us, told us to leave.

We have watched in Iran where just weeks before there were violent dem-

onstrations that were put down by that repressive regime against their own people. People were demonstrating at great personal peril as the forces for reform were bubbling up.

But wasn't it interesting. Immediately after that assassination by the United States in Iraq, not only did it consolidate Iraqis wanting us to leave, but it—at least, temporarily—united the Iranian people against us.

But for the tragedy of shooting down a civilian airliner which was mistaken for an American bomber, there would have been—that has generated more hostility toward the regime, and it was their own ineptness that did that, no thanks to this administration.

Watch what has been happening lately. We had a series of briefings that were scheduled to finally give information to some of the committees. I am under no illusion that they would be detailed, but at least they would have gone through the motions.

They have been canceled, a series of them, with no good reason, after they had been scheduled, and people were looking forward to that conversation.

□ 1800

Perhaps it is because this administration can't get its act together, can't get its stories straight. For the last 10 days, we have watched late night comedians use film clips of the Secretary of Defense, of the Secretary of State, of Donald Trump dissembling, tripping over themselves in not just fractured rhetoric and syntax but contradicting what, in fact, was their rationale, why, when, and where. It makes for good comedy, but unfortunately, this is serious. We are talking about a very fragile state in the Middle East.

I was in the White House being briefed by Secretary of State Condi Rice and George Tenet, head of the CIA, telling us about an imminent danger then, but at least we had White House briefings, at least they went through the pretext. They were wrong, and they didn't persuade me or a number of my colleagues, some of whom you have heard from tonight, who voted against their authorization, voted against their reckless efforts. We have seen this movie before. I hope it doesn't spiral out of control again.

It is important, Mr. Speaker, that Americans understand the stakes that are involved. It is important for Congress to finally reassert itself. I think knowing what we know now, those of us who opposed the Iraq war would have been overwhelmingly supported, and we would have rejected it. But we have had the benefit of history to be able to hopefully learn from our mistakes.

We have legislation coming forward when we return to Washington in 2 weeks. H.R. 5543, the No War Against Iran Act sponsored by Representative RO KHANNA, a number of us are original cosponsors, agitating for this moving forward. It would prevent any funds from being used for military force

against Iran, unless legislation is passed to specifically authorize such military action and clarify that Congress has not already authorized the use of force against Iran, specifically indicating those 2001 and 2002 Authorizations for Use of Military Force do not authorize war with Iran. We need to pass that.

The bill's text matches an amendment that passed on the House floor with 251 votes just last summer. And I would hope that we would find members of the House in both parties who voted for it last summer to add their voice and urge their Republican colleagues in the Senate to join us to permit a vote.

We have H.R. 2456 to repeal the Authorization for Use of Military Force Against Iraq, the resolution of 2002 led by Congresswoman BARBARA LEE, who spoke so eloquently here a few moments ago. Again, I am proud to co-sponsor and support it. It would eliminate the authorization for the use of force against Iraq resolution of 2002. And again, this matches a bipartisan amendment passed last summer with 242 votes in the House.

These are simple, commonsense, bipartisan, and it is time for us to enact them into law. These were stripped out in the process of the budget that Republicans in the Senate and the administration would not go along with, but it is time, especially given the reckless acts of this administration recently, to go back, revisit, and approve each of these elements when we are given an opportunity on the floor of the House.

I am absolutely convinced, based on conversations I have had with friends of mine, well-meaning Members of Congress at the time, who voted for that authorization, who voted for the war who felt that that was one of the worst votes they ever cast. We have an opportunity to unwind some of that now when we come back by approving those two pieces of legislation.

I deeply appreciate my colleague organizing this conversation tonight. For some people it may seem like it is beating a dead horse. I think not. These are lessons that we learn too slowly. These are lessons that we have paid for in blood, in treasure, in upset in our communities, in pain and suffering in the United States and around the world. I hope that Congresswoman TLAIB will continue in her effort at being such a strong voice for peace and rationality, because we have to continue to amplify this message for the American people.

I thank the congresswoman again for allowing me to participate in this conversation this evening.

Ms. TLAIB. Mr. Speaker, I thank the gentleman for his incredible leadership. It is a blessing here.

This administration's rogue attempt to start a war with Iran has endangered countless lives around the world. We are farther away from global peace and bringing our troops home.

Just as the wars in Iraq and Afghanistan have been disastrous, resulting in

deaths of millions of people and costing trillions of dollars, a war with Iran and Iraqi Shia militias would destabilize the region and cause untold human suffering.

Congress must act swiftly to reclaim our authority over declarations of war and uphold the will of the American people who loudly say no to war with Iran.

Our residents want us focused on ensuring everyone in America has the opportunity to thrive. Trillions of dollars have been spent on death and destruction instead of on education and healthcare that communities like Michigan's 13th District Strong so desperately need. Instead we have wars now that have become political campaign moves.

I represent the third poorest congressional district in the country. My residents don't want more endless wars in the Middle East. They want good jobs, affordable healthcare, and good schools for their children.

We must reclaim our government from those who pushed the war, and we must dismantle the military industrial complex once and for all.

From day one this administration has antagonized Iran, tearing up the successful nuclear deal, imposing crippling unilateral sanctions that hurt everyday people a lot more than they hurt the Iran leadership.

Our foreign policy has been driven by warmongers obsessed with regime change, despite a long and bloody American track record of failed regime changes across the globe. Fueled by a military industrial complex that demands new targets for its weapons, we have roamed from continent to continent destabilizing governments and learning no lessons. We have made it actually so much worse.

The American people have seen what happens when we in Congress fail to live up to our duty as their representatives. When we don't ask the tough questions of those hungry for war, our soldiers, our men and women are sent to fight and die in Iraq for weapons of mass destruction that do not exist. Families from Vietnam to Libya are torn apart by bombs and bullets, and children across Southeast Asia are born without arms and legs because weapons like Agent Orange poison innocent civilians to this day.

Let us finally, mercifully learn our lesson now. We must solve our differences with diplomacy, not missiles. No war with Iran not now, not ever. We live in a country where endless wars have been normalized, but it is not normal. It shouldn't be normal.

When we demand a debt-free college education or healthcare for all, the establishment, folks in this Chamber ask how much will it cost and who will pay for it? However, we throw billions of dollars away on broken weapons systems. We spend trillions on sending our Armed Forces to die in rich people's wars.

When we demand basic dignity and opportunity to thrive, that is when the

establishment starts pretending to care about deficits and debt.

We are awake to this game, and we are not playing it anymore. We must dismantle our war economy and reinvest in the people's economy.

Last week's vote on the War Powers Resolution is a great first step toward reigning in the war machine, but we must go further. We need to pass Representative LEE's bill to repeal the 2002 Authorization for Use of Military Force, which this administration is pretending authorizes their military maneuvers. And we need to pass Representative KHANNA's bill to prohibit military spending on a war with Iran, right now, before another attack is ordered.

We must all keep up the pressure and ask those tough questions and keep up the fight for the American people who are still to this day saying: Stop lying to us before you go to war. Stop using our men and women as campaign moves, rather than trying to keep our Nation safe.

We can stop this march to war, but it is going to take all of us and take courage in this Chamber.

I thank my good colleagues from the Congressional Progressive Caucus for their amazing and incredible courage to stand up and tell the truth that is sometimes lacking in this Chamber. We must do that. And sometimes staying silent or not asking those tough questions is the same as lying.

Mr. Speaker, I thank the 13th District for their faith and support in the work that I am doing in this Chamber. I yield back the balance of my time.

The SPEAKER pro tempore. Members are reminded to refrain from engaging in personalities toward the President and to address their remarks to the Chair.

#### THE 47TH ANNUAL MARCH FOR LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the gentleman from New Jersey (Mr. SMITH) is recognized for 60 minutes as the designee of the minority leader.

Mr. SMITH of New Jersey. Mr. Speaker, next week tens of thousands of women and men from around the country will March For Life, making clear to the country and to the world that women and unborn babies deserve the utmost respect, love, and protection from the violence of abortion.

Sadly, Mr. Speaker, since 1973 over 61 million unborn babies have been killed by either dismemberment, a procedure where the child is decapitated and torn apart arms, legs, and torso or by chemical poisoning. The loss of children's lives in America is staggering, a death toll that equates with the entire population of Italy.

Mr. Speaker, I yield to the distinguished gentleman from Indiana, Congressman JIM BANKS, who has been a leader in defending the innocent and most vulnerable.

Mr. BANKS. Mr. Speaker, I thank the gentleman for yielding and for his tireless efforts on behalf of the unborn.

Mr. Speaker, although the ruling in *Roe v. Wade* significantly altered the fabric of our Nation, Hoosiers will never stop marching in defense of the fundamental right to life.

In my corner of the State of Indiana in the northeast corner of the State, we have one of the most active and robust pro-life organizations in the country, the Allen County Right To Life.

Mr. Speaker, the Allen County Right To Life works every day to advance the cause of life at our State house in Indianapolis and the courts and in our own community. I am excited to share today that they will soon be incorporating the counties of Adams, DeKalb, LaGrange, Noble, Steuben, and Wells Counties to join forces under the name Right to Life of Northeast Indiana.

Indiana is now considered the sixth pro-life State in the country. The remarkable progress in Indiana over these last 4 decades would not have been possible without the steadfast support of this organization and pro-life champions like Cathie Humbarger.

Mr. Speaker, each year the Allen County Right To Life leads an annual bus trip to Washington for the National March for Life, and this year they will be descending on our Nation's capitol with a record-breaking 650 pro-life students and advocates from northeast Indiana, and I could not be prouder.

Mr. Speaker, this incredible organization is also expecting a record-breaking 2,500 Hoosiers at the 2020 Northeast Indiana March for Life in Fort Wayne this coming Saturday. And I will be marching alongside those 2,500 Hoosiers back home in Fort Wayne to honor those of whom never had the chance to march for themselves.

I believe that all life is sacred, and I ask that all Americans wherever you are in the country to join me in marching to reaffirm this principle.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for his eloquent comments and reminding us of the great progress being made at the State level where so many laws and policies have been enacted, and we are trying to do that on the Federal level.

Mr. Speaker, I yield to the gentleman from Alabama, MARTHA ROBY, a member of the Appropriations Committee and the Judiciary Committee.

□ 1815

Mrs. ROBY. Mr. Speaker, I thank Representative SMITH for leading this Special Order.

The topic that we are here to discuss tonight is one of the utmost importance. Of course, next week, we approach the 47th anniversary of the infamous *Roe v. Wade* decision. With this single ruling by the Supreme Court, abortion was legalized across the country.

While many abortion activists celebrate this time as a victory for so-

called women's health, it represents a somber occasion for those of us who advocate for life.

It is no secret that I am unapologetically pro-life. I believe life begins at conception, and I am opposed to abortion at any stage.

While not everyone in this body shares my convictions about life or on certain policies surrounding the rights of unborn children, our pro-life agenda has momentum, and it is strong.

Next week, thousands of Americans will gather in our Nation's Capital to participate in this year's March for Life. This is an annual event where the pro-life community joins together to advocate for the protection of unborn children.

I know that some pro-life supporters will be traveling from Alabama's Second District, almost 900 miles, to defend the unborn.

Mr. Speaker, I want to take this opportunity to send a message to the thousands of marchers who are gathering to show their support for the pro-life movement: Thank you. Thank you for your dedication to this most worthy cause, and know that you are not alone in this fight. As you continue to stand up for those who cannot stand up for themselves, remember that my pro-life colleagues and I stand with you.

I promise to use this platform here in Congress, and beyond, to be a vocal advocate for the unborn. I will not stop fighting until our laws and policies protect life at every stage, and I hope you won't either.

Mr. SMITH of New Jersey. Mr. Speaker, I thank Congresswoman ROBY for her very powerful statement and her leadership here in the U.S. House.

Mr. Speaker, I yield to the gentleman from Maryland (Mr. HARRIS), my distinguished friend and colleague, the co-chairman of the Congressional Pro-Life Caucus. Dr. ANDY HARRIS is a board-certified anesthesiologist who has served so ably at Johns Hopkins and elsewhere.

Mr. HARRIS. Mr. Speaker, I thank Mr. SMITH, the co-chair of the Pro-Life Caucus, for the work he has done over the decades to protect unborn life.

Next week, I am going to have a birthday, but 61 million Americans aren't. Now, let that thought sink in for a second because that is the population of California and Florida together. That is the number of Americans who didn't get a chance to be born since *Roe v. Wade* was passed.

I have spent over 30 years as an anesthesiologist on the labor and delivery suite. I was in charge of the labor and delivery anesthesia at Hopkins for decades, seeing the birth of literally thousands of babies, not even beginning to comprehend the magnitude of the 61 million lives that never had that opportunity to be born.

Next week, we are going to have the March for Life. Mr. Speaker, I urge all Americans who are watching to tune in to one of those channels that shows that March for Life because what you

will be struck by are the number of young people who have not believed the lie about abortion, the lie that it is a blob of tissue, that it is not a human life, that somehow that human life does not have the right to life.

I believe there are a lot of young people who march because this is the generation that knows that it was legal for them to be aborted. I think they appreciate the fact that they weren't.

Like Mrs. ROBY, I am on the Appropriations Committee, and I am glad to have fought to get Planned Parenthood defunded by tax dollars because Planned Parenthood is the largest abortion provider in the United States. That means it is responsible for the taking of tens of millions of lives over the years. Not only that but they actually promote using American tax dollars to provide abortions overseas as well.

I am proud of our President because our President reestablished what we call the Mexico City policy, which is very simple, Mr. Speaker. It says that American tax dollars, hardworking American taxpayer dollars, should not be spent on providing abortions in foreign countries.

Oh, my gosh. It is bad enough that we still fund Planned Parenthood here in this country, but, my gosh, spending tax dollars to pay for abortions in foreign countries? Thank goodness our President stands firmly pro-life, some people suggest the most pro-life President we have ever had, and at such a good time to be the most pro-life President.

As the death toll climbs to over 60 million, it is rapidly approaching the time to say enough is enough. This is the largest and most important human rights issue we face. This country has faced human rights issues before. We have to face this challenge, and we have to turn back the legalization of the killing of millions of Americans before they are even born.

Mr. SMITH of New Jersey. Mr. Speaker, I thank Dr. HARRIS so very much for his comments.

Mr. Speaker, I yield to the gentleman from South Carolina (Mr. NORMAN), a distinguished Member. He is also the sponsor of the Ensuring Accurate and Complete Data Reporting Act.

Mr. NORMAN. Mr. Speaker, I thank Chairman SMITH for his hard work and for what he does on a daily basis to protect the lives of the unborn.

Mr. Speaker, I solemnly stand before you today on the 47th anniversary of *Roe v. Wade*, a decision that has corrupted the very foundation of our unalienable right to life as citizens of this great country.

Life is a precious gift from our creator, from conception to natural death. I have been dedicated to protecting the rights of the unborn since the day I was sworn into Congress. It is a fight that I vow to continue until the last day that I serve in this body.

As a proud grandfather of 17 beautiful grandchildren, the sanctity of life



is cherished and personal. Let me give an example.

Just a few months ago, September 25, our 17th grandchild was born 3 months premature. His name is Warren, and we were unsure if he would survive. But it is by the grace of God, the love and support of family and friends, and the heroic work of the great doctors and nurses that Warren is still with us today.

After more than 100 days in the neonatal intensive care unit, Warren was finally able to leave the hospital last week. Each moment we spend with him is a true miracle that I will never take for granted.

Warren was, to give an example, 1 pound, 15 ounces when he was born. You could see the elements of his personality from the very beginning. He was a fighter.

It is a daily reminder that the lives of millions of other children, the same size as Warren when he was born, have been allowed to be cut short due to the ruling of *Roe v. Wade*. It is truly unfathomable to think that the rule of law in this great country permits the intentional killing of the most vulnerable population.

While most Americans agree it is morally wrong to end an unborn human life by abortion, it is also morally wrong to take taxpayer dollars to promote abortion at home or abroad, as has been stated. Yet in their recently released annual report, Planned Parenthood boasts spending \$617 million on the mass murder of over 345,000 children in this country in just 1 year. That is roughly 947 premeditated killings each day by the billion-dollar abortion business.

These statistics are not only alarming but, quite frankly, they are grotesque. They are among the many reasons why I will not only continue to support commonsense pro-life legislation, such as the bipartisan Born-Alive Abortion Survivors Protection Act, but will also march in solidarity with millions of Americans nationwide and hundreds of South Carolinians from the district I serve in honor of those who weren't given that chance that so many of us have been given.

On this dark anniversary, let us unite and rededicate ourselves to protecting the unborn.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for sharing that beautiful story of his grandchild. What a tenacious spirit, and our prayers are with him as he prospers and thrives.

Mr. Speaker, I yield to the gentleman from Texas (Mr. BABIN), my good friend and colleague.

Mr. BABIN. Mr. Speaker, I thank very, very much my friend and colleague from New Jersey, CHRIS SMITH, for having this Special Order, which is so very important. There is no greater champion for life than our colleague CHRIS SMITH.

Mr. Speaker, I also thank every one of my colleagues who are surrounding

me tonight or are here speaking for those who are voiceless.

I rise solemnly today, Mr. Speaker, in memory of the Supreme Court's tragic decision in *Roe v. Wade* 47 years ago, this appalling decision. Since that time, more than 60 million innocent human beings have been killed in the name of abortion and convenience.

Throughout our history, Americans have been the very first to protect the defenseless around the world repeatedly through the centuries, yet here at home, we have allowed our very most vulnerable to come under vicious attack.

As the father of five children and the grandfather of 16 beautiful grandchildren, I have no more important duty personally than to protect the lives of all Americans.

As Members of Congress, we have that same duty to protect all Americans, especially the ones who have no voice.

I have been very proud to support the steps taken by President Trump and his administration, who is the most pro-life President in the history of this country, in his fight to save innocent lives from abortion. We are so very grateful for his bold executive efforts to protect the lives of the unborn, which have been so very, very effective.

As thousands of Americans gather once again here in Washington, D.C., next week to stand up for life, let us be renewed in our purpose to end abortion.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman very much for his comments tonight.

Mr. Speaker, I yield to the gentleman from Tennessee (Mr. GREEN).

Mr. GREEN of Tennessee. Mr. Speaker, for almost half a century, we have watched our Nation dehumanize an entire group of people based on their age with the *Roe* decision allowing the killing of 60 million unborn children. This is the largest human rights violation of our time.

As Martin Luther King, Jr., said: "There is no graded scale of essential worth" among people.

This truth is something the evil organization Planned Parenthood deliberately chooses not to see, ending lives and selling baby parts for the sake of science. As America's largest abortion provider, it performs over 320,000 every single year, all in the name of freedom. But there is quite obviously absolutely no such thing as a right or freedom to end someone else's life.

As Ronald Reagan said, isn't it interesting that all who support abortion have already been born?

□ 1830

We must defend the equal right to life for everyone. If we can't do that, what are we even doing here?

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Indiana (Mr. BAIRD), a Bronze Star winner and a Purple Heart recipient. I thank him for his service and thank him for his witness for life.

Mr. BAIRD. Mr. Speaker, I thank my colleague for having this Special Order.

Mr. Speaker, I rise today to reflect on the 47th anniversary of the *Roe v. Wade* Supreme Court decision which has had a devastating effect on protecting the sanctity of life and advancing the rights of the unborn.

This ill-fated decision has had drastic, negative consequences and has expanded the abhorrent practice of abortion across this country.

But despite the devastating effects *Roe v. Wade* has had on the sanctity of life, I am inspired to see so many of my fellow Members of Congress join me in continuing the fight for the unborn. Whether it be by signing the discharge petition to bring the Born-Alive Abortion Survivors Protection Act to the floor for a vote, or by cosponsoring legislation to prohibit the use of taxpayer funding in abortions, my House colleagues and I will continue to fight to protect life.

Just a couple of weeks ago, I was proud to join 206 of my congressional colleagues in signing an amicus brief filed with the U.S. Supreme Court concerning the Louisiana case of *June Medical Services v. Gee*.

I look forward to seeing the court review this case and others in hopes that they may issue a decision that reflects the will of the majority of Americans to protect the unborn.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Ohio (Mr. CHABOT), my good friend and colleague. The gentleman was the prime author of the law to save born-alive children, a law that we are looking now to strengthen with 199 cosponsors which is Representative ANN WAGNER's bill. I thank the gentleman for his leadership.

Mr. CHABOT. Mr. Speaker, I want to thank CHRIS SMITH for his leadership and his commitment to advancing pro-life legislation for literally decades now. He has been a leader for many of us, and we have watched and followed in his footsteps in many ways.

A previous speaker, ANDY HARRIS, mentioned that his birthday is next week, and I share something with him because my birthday happens to be next week as well. Not only is it next week, but it is on January 22, which is the very day that the horrific *Roe v. Wade* decision was issued.

For decades now, I literally, on my birthday, with all of the joy that you have with your family or with friends and colleagues in celebrating your birthday, I can't help but think of those millions and millions of little, innocent, unborn babies that were not born, that have never experienced life because of a tragic decision that was made that they had no part in making, but their life was ended before they were able to share the blessing that life is.

That is why we need to overturn that horrific *Roe v. Wade* decision. Many of us have been working for years and

years now to do that, or to do everything we can up to that point until, ultimately, the court makes that decision.

We have a responsibility, I believe, to protect the most vulnerable among us, and that is innocent, unborn babies. It was one of the principal reasons that I wanted to come to Congress. It was one of the principal reasons that I wanted to be on the Judiciary Committee.

I was blessed to be chosen by one of the legends in the pro-life community, probably the father of the pro-life movement here in the House, and that was the late Henry Hyde who chaired the Judiciary Committee.

Next to Henry, CHRIS SMITH certainly is the leader since Henry. But as the gentleman mentioned, as a member of the Judiciary Committee, it took me a number of years and I was able to work my way up to the chair of that committee and did successfully pass the Born-Alive Infants Protection Act which saved babies that they were literally finding in soiled utility closets.

We had nurses who had formerly worked in abortion clinics and they came and told terrible stories of what had happened. That is now no longer the law, but we need to go beyond that.

After that, we went on to pass probably what is the most significant pro-life legislation since *Roe v. Wade* and that is the ban on partial-birth abortion, which I offered along with many other Members.

We fought for 8 years—STEVE KING and so many other folks—and went all the way to the U.S. Supreme Court twice.

I remember when that decision came down. I was in the Judiciary Committee when we all heard about it and we were so excited. We don't know exactly how many babies—we think tens of thousands every year—that that has saved, but we are still losing so many other innocent, unborn lives here in this Nation. There have been 61 million since *Roe v. Wade* that we know of.

I want to thank all of my colleagues who are here this evening and spending their time to do something, I think, which is probably one of the most worthy things we can do with our time here in the House, and that is to try to protect those who cannot protect themselves.

I thank everyone that is here.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman for his leadership.

Mr. Speaker, I yield to the gentleman from Georgia (Mr. HICE).

Mr. HICE of Georgia. Mr. Speaker, I thank my colleague, CHRIS SMITH, for leading this Special Order as we memorialize countless lives that have been lost in the last 47 years to the *Roe v. Wade* decision.

The gentleman and all of my colleagues here are champions for life, and I want to thank them for their commitment and their resolve to address this issue.

The March for Life is a unique event in American culture. It is the only

march where 100 percent of the participants are marching on behalf of someone else; marching on behalf of the most vulnerable among us, as has already been mentioned, those who have not yet had the opportunity to take their first breath of life.

This Special Order annually commemorating the March for Life stands as a memorial to those lives who have been lost to abortion. And it is time for this Chamber to mark that dreadful decision of the Supreme Court and to mourn the results of that decision.

This is a time for us to carefully consider the choices of our Nation and the realization that those choices have dire consequences.

This is our time to learn from those past decisions and to, with fresh determination, do all we can to make sure that we don't repeat the mistakes of the past.

It is for that reason that I introduced H. Res. 50, which would memorialize the unborn by lowering the flag of the United States to half-staff on the 22nd of every January. It would be known as a day of tears, memorializing the ocean of tears that have been lost and shed for the millions, countless children who have never had a chance to live.

Mr. Speaker, I believe every human life is sacred. I believe that life begins at conception, and if we don't stand on behalf of the unborn, who will? That is the question.

So it is on their behalf that each of us here, we will never waiver, we will never quit. We will continue fighting with everything we have for life. No matter how long the battle is, no matter how intense it may become, we will not cease our effort until every child is given the gift of life that only God gives.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman so much and thank him for reminding the Members, as well as those who might be watching on C-SPAN, of the selflessness of the pro-life movement.

The people who will be marching are doing it for others, and, increasingly, at every march, there are more women who are postabortive who now speak out on behalf of their lost child. And they admonish and encourage others not to make that same terrible, irreversible mistake.

I yield to the gentleman from Nebraska (Mr. FORTENBERRY), my good friend and colleague.

Mr. FORTENBERRY. Mr. Speaker, I thank Congressman SMITH for yielding.

First of all, let me acknowledge the gentleman's tireless work on behalf of human rights, justice, and human dignity. The gentleman is authentically the conscience of this Congress, and I am so grateful for his leadership and deep friendship.

Mr. Speaker, as you walk down this aisle as I just did, if you will notice this beautiful rostrum in this well where we speak, along the sides of the rostrum here are a couple of words. They express the deepest, noble senti-

ments of what it means to be an American: union, justice and peace. But there is another word that is often overlooked and it is right here. It says: "Tolerance."

We are living in a very interesting age. We are living, in a certain sense, in a divided age. We seem to be struggling with our narrative as a nation, particularly politically. But something beautiful is happening.

There is a new momentum among this new generation that is coming up that is wrestling with these deeper questions as to how you build a more just nation; how you include people who have been left out. How do you struggle for peace? How do you find authentic freedom, liberty?

Tolerance creates the space for protection of that sacred space of conscience, of deliberation that we have in this body that is built upon a fundamental foundation of life: the protection of the ideals of life.

We cannot say that we are going to include everybody and celebrate diversity except for them, the littlest ones, the smallest ones, the most vulnerable ones, the unborn child and the mothers that carried them in their womb. We have to do better.

The young people cannot reconcile this paradox. They can't. That is why tens of thousands of them are going to come here next week—and a number of them are from my home State of Nebraska, and I am very proud of them—and they are going to do the American thing. They are going to exercise their civil rights for the noblest of sentiments; namely, tolerance for the most innocent, for the most vulnerable.

They are going to say to us who are older, who have to shepherd this Nation: Please, please open your hearts and minds. We have to do better. We must do better.

No matter how deep the problem, no matter how severe the circumstance, we should be loving enough, caring enough, big enough, and we certainly have resources enough to be a community that cares and loves and helps no matter how difficult the circumstances.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman very much for his very eloquent remarks and for his clarity as well. He has always been such a clear speaker, and I thank him so much.

Mr. Speaker, I yield to the gentleman from Kansas (Mr. MARSHALL), and I would like to point out to the Chair that we have so many doctors, M.D.s, who are speaking on behalf of unborn children and their moms. I want to thank the gentleman, Dr. MARSHALL, for that as well.

Mr. MARSHALL. Mr. Speaker, tonight, we mourn the 47th anniversary of *Roe v. Wade*. Today, we mourn the loss of over 50 million American lives.

Mr. Speaker, my good friend and colleague from New Jersey, and my colleagues here tonight all know that I dedicated my professional life to delivering babies. Every day, every other

day for 30 years, I had the honor to deliver a baby. Sometimes it was one. I delivered as many as 12 babies in a day.

But a subject I have never talked about up here, a subject that few Americans talk about, is infertility and recurrent miscarriages. Hundreds of thousands of women have these problems, and for whatever reason, when I took care of women with miscarriages, women who so desperately wanted to have a baby—it might be her third, her fourth, her fifth miscarriage—and who were unable to have a baby, it was at moments like that that I thought about *Roe v. Wade*.

It never made sense to me. This morning, I read from the Book of Ecclesiastes trying to make some sense of life up here. Still, here I am, 50-some years of age, and I haven't found the answer. How can I live in a country where in one hospital I am fighting to help a woman keep a baby, and 100 miles away, the largest abortion clinic in the country is taking life away?

How can we live in that type of a country? Tonight I pledge, I recommit my support and my efforts to protect life.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman so much for his words.

Mr. Speaker, I yield to the gentleman from Louisiana (Mr. JOHNSON).

Mr. JOHNSON of Louisiana. Mr. Speaker, I thank the gentleman for yielding a moment.

Mr. Speaker, here we are again, marking this tragic anniversary as we do every year. The reason we have such sorrow and such a burden is because it is such an unspeakable sorrow what has happened to nearly 60 million innocent, unborn children in this country.

Our Nation's birth certificate is the Declaration of Independence, and it states succinctly what has been known as the American creed, and we know it by heart: "We hold these truths to be self-evident, that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

□ 1845

The Founders recognized life first among those inalienable rights because they acknowledged that we are made in the image of a holy God, and because of that, there are some very serious implications that follow.

It means every single human life has inestimable dignity and value. And our value is not related in any way to our socioeconomic status, the color of our skin, what ZIP Code we live in, how talented we may be, or what we can contribute to society. Our value is inherent, because, as our Founders acknowledged, it is given to us by our creator.

*Roe v. Wade* tragically defied that American creed, and it has resulted, as we said, in the murder of more than 60 million innocent American children.

How can we stand by and allow this to happen? We can't, and we will not.

And I will just say this in the very brief moment that I have. Tonight we will continue to pray, we will continue to work, we will continue to legislate, we will continue to litigate, and we will continue to march and stand for women and children and the sanctity of every single human life until the promise of our Nation's birth certificate is realized.

Mr. SMITH of New Jersey. Mr. Speaker, I yield now to the gentleman from Ohio (Mr. LATTA).

Mr. LATTA. Mr. Speaker, I rise today in support of the right to life for every unborn child.

But before I start, I want to thank the gentleman from Jersey for his tireless work and efforts to reverse this decision and to make sure that life is what we are about in this country, because, tragically, in the 47 years since *Roe v. Wade*, there have been more than 60 million abortions in our country.

This is more than a statistic. These are innocent lives lost. Even if this decision is brought back before the Supreme Court, abortions can still be prevalent due to the increasing use of chemical abortion pills. That is why my bill, the SAVE Moms and Babies Act, is necessary, to ensure that the current FDA policy regulating these dangerous pills will stay in place—preventing expanded use—to protect the health and safety of women.

I am a committed advocate for pro-life policies, for the protection of the sanctity of life. I appreciate and thank those who offer an unwavering dedication to defending the unborn, despite a culture that often marginalizes pro-life values. Such perseverance is incredibly inspiring. It is an important reminder that we must all be a voice for the voiceless.

The fight for life must continue.

Mr. SMITH of New Jersey. Mr. Speaker, I thank the gentleman from Ohio for his leadership on that bill and all of the other pro-life pieces of legislation.

Mr. Speaker, I yield to the gentleman from Tennessee (Mr. JOHN W. ROSE).

Mr. JOHN W. ROSE of Tennessee. Mr. Speaker, today, on behalf of the tens of millions of voices forever lost to abortion since *Roe v. Wade*, I come before this body to mourn the tragic loss of life our country has experienced in this last 47 years.

The Tennesseans I represent overwhelmingly support the right to life; and like most folks in Tennessee's Sixth Congressional District, I firmly believe that life begins at conception. Throughout my first term in Congress, I have been proud to fight for the children still to come who cannot speak for themselves.

As a father, I am especially touched by the solemn and joyous responsibility our Heavenly Father entrusts to us through the blessing of little ones. Even one child's life shortened before reaching his or her own God-given potential is a tragedy, and yet that has

happened tens of millions of times in the last 47 years since *Roe v. Wade* was decided in the Supreme Court.

Heartbreakingly, Norma McCorvey, also known as Jane Roe, was a real mother, and, ultimately, she was a real advocate for the unborn. Later in her life, Ms. McCorvey came to faith in God and joined the pro-life community in believing that every child's life is worth protecting.

Ms. McCorvey is no longer with us, but her story lives on. Today I call on my colleagues to search their souls, just as Ms. McCorvey—Jane Roe—did and choose life.

Who are we to decide which precious children designed by God have the chance to live on this Earth and which do not?

Our country was founded with this belief underscored: "that all men are created equal, that they are endowed by their creator with certain unalienable rights, that among these are life, liberty, and the pursuit of happiness."

With the words of the Declaration of Independence in mind, I signed onto an amicus brief supporting life in the upcoming June Medical Services v. Gee Supreme Court case. It is well past time for the Supreme Court to uphold the right to life and overrule *Roe v. Wade*.

Ms. McCorvey—Jane Roe—agreed, and, overwhelmingly, so do the Tennesseans that I represent.

In this new decade, may our country's legacy be of life and a new generation of hope.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Michigan (Mr. WALBERG), my good friend and colleague.

Mr. WALBERG. Mr. Speaker: "Around her neck hung a gold necklace that said 'Best Mom,' a Christmas present from her two daughters.

"Stefanie closed her eyes, just as she does at the dentist. 'That way I don't have to see what's going on,' she said.

"Ten minutes later, the sleepless nights, the tighter jeans, the third child that she said would have strained the family's finances, were a memory."

That shocking article was in the Chicago Tribune 17 years ago, 2003. That child who would have strained the family's finances would have been a senior high school student and who knows what more.

Back then, 40 million babies had been aborted since *Roe v. Wade*. Today, 61 million. January 22 marks the 47th ignominy of *Roe v. Wade*.

As recently as yesterday, in committee, I heard abortion defended as a "woman's constitutional right to choose what is best for her own body and interests."

Now, someone decried the fact that there are so many men standing and speaking today, but we men have always stood to defend the innocent and to defend our families. So, proudly, today, we do the same.

Charles Darwin said, "great is the power of steady misrepresentation."

And so we have created a lie. We have chosen a lie. We have been sold a lie. We have lived a lie. We have even tried to make it the truth, but it is still a lie. And children, innocents, and women have been hurt because of it; and, ultimately, all life has been cheapened and diminished.

May God change our hearts.

Our children are not our burdens; they are our hope. Our children are tomorrow's dreams and ideas and imagination. Our children are the pioneers who unlock more secrets of God's universe, harness new technologies for peace, strive to create a world freer from want, and bring forth long-awaited cures for dreaded diseases. They are our artists, our poets, who will make life more vivid and colorful, and the faithful who will serve God and their fellow beings.

Babies aren't a choice once they are conceived; they are a gift from our loving creator, God. Thomas Jefferson wisely stated: "The God who gave us life, gave us liberty at the same time."

And so I end by saying human liberty is inseparably linked to human life. God help us as a nation to choose life and liberty.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Texas (Mr. FLORES).

Mr. FLORES. Mr. Speaker, I thank Mr. SMITH for all his great work to protect life and to reflect the values that this country holds dear.

Mr. Speaker, I rise today in remembrance of the millions of innocent lives lost in the 47 years since the tragic Supreme Court decision, *Roe v. Wade*.

Since 1973, freely accessible abortion has fostered a culture of death in America, and the expansion of clinics like Planned Parenthood have normalized abortion and stolen the futures of over 50 million innocent lives.

Here are some statistics from Planned Parenthood's own annual report:

In 2019 alone, they aborted 345,670 innocent, defenseless lives. Think about that from a personal perspective. That is over 100,000 more persons than the population of Waco and McLennan County, Texas, the largest county in Texas District 17, which has over 250,000-plus Texans.

This genocide constitutes over 96 percent of their pregnancy resolution services, as they call them; whereas, prenatal and adoption referral services accounted for less than 4 percent of pregnancy resolution services.

While they may seek to mask their intentions under the banner of women's health, make no mistake, Planned Parenthood is an abortion factory dedicated to providing, protecting, and expanding access to abortion.

Moreover, something else to think about is that at least 50 percent of those babies killed are girls. Recent reports indicate that over 50 percent are children of color. Think about the misogyny and the racism of those genocidal numbers.

I strongly believe that life begins at conception, and as a father and a Christian, I am deeply committed to protecting the sanctity of life. In the 116th Congress, I have sought to be a voice for those who cannot speak for themselves and have cosponsored over 20 bills to protect life.

I am also proud to have joined 206 other pro-life Members of Congress in signing a recent amicus brief to the Supreme Court. If successful and this so-called right to abortion, as outlined in *Roe v. Wade*, is considered unworkable by the courts, then it is time to overturn that tragic decision.

Mr. Speaker, I close with this: Millions of Americans believe that life begins at conception and must be protected. I stand with those Americans to fight for the lives that may be snuffed out before they have even begun. We must continue to fight for those who have been denied the opportunity to grow, to flourish, and to make an impact on our world.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Colorado (Mr. LAMBORN).

Mr. LAMBORN. Mr. Speaker, today I rise to mark, with sadness, the 47th anniversary of *Roe v. Wade*. This tragic Supreme Court decision has resulted in the loss of over 60 million unborn babies' lives. This surpasses the number killed by Stalin and Hitler, combined.

In a country, today, where so many social and technological advancements have been achieved, how is it that we still fail to value the most fundamental part of human society—a human life?

The repercussions of *Roe* have been disastrous. Over 60 million children have lost their lives because of *Roe*.

I am dismayed by the arguments I hear coming from those who call themselves pro-choice. Those 60 million unborn were not given a choice.

I have two wonderful and lovely daughters-in-law who are expecting babies as we speak right now. I am so glad that these two principled women and their husbands value life.

Now, our choice is to be the voice for the voiceless. I am proud to stand here with my colleagues in Congress for the cause of life.

Mr. SMITH of New Jersey. Mr. Speaker, may I inquire how much time we have left.

The SPEAKER pro tempore. The gentleman has 14 minutes remaining.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Georgia.

Mr. ALLEN. Mr. Speaker, I have 4 children and 13 grandchildren, and I can't imagine life without them and the love that we have for each other. In fact, every human life from the moment of conception is precious, worthy of dignity and respect.

The right to life should not be a political debate.

□ 1900

As a society, we should be united in the understanding that killing another

human being, a baby, an unborn child, is immoral and unconstitutional. But in 1973 the Supreme Court ruled to make abortion available throughout pregnancy for nearly any reason.

Mr. Speaker, there are only five countries in the world that allow abortion after the first 5 months, and, unfortunately, the U.S. is one of them. But Americans want better: 82 percent of Americans believe that abortion should be restricted. However, radicals on the left are taking abortion to a new extreme trying to justify killing a healthy, 7-pound baby up until the point of birth.

Can you imagine?

Some even try to justify killing a baby who survives an abortion attempt. In fact, we have a petition on this floor called the Born-Alive Abortion Survivors Protection Act, and there are 240 Members of this body who refuse to sign that petition. This is repugnant.

Can you imagine, as the Virginia Governor described, a baby born in a botched abortion: What we do is make the child comfortable and then talk with the mother and the other stakeholders to decide whether we kill the baby.

That is un-American.

In the 47 years since *Roe v. Wade*, we killed over 60 million of these children. That is why I am proud to cosponsor H.R. 50 which will memorialize the unborn by lowering the United States flag to half-staff on the 22nd of January each year.

Mr. Speaker, I pray that the hearts and minds of every person in this country, particularly those who are Members of this body, will change and vote for life.

Mr. SMITH of New Jersey. Mr. Speaker, I appreciate my good friend and colleague for his very eloquent statement.

Mr. Speaker, I yield to the gentleman from Florida (Mr. YOH).

Mr. YOH. Mr. Speaker, I would like to tell Congressman CHRIS SMITH how proud I am, that he is one of my heroes for doing what he is doing. The gentleman has never wavered on this.

Mr. Speaker, as we approach the anniversary of *Roe v. Wade*, it is a solemn reminder of the tragedy that continues to befall some of our Nation's unborn children. We should repeat this again on Mother's Day.

For 47 years the Nation has allowed the sanctity of life to be questioned and infringed upon. All of us in this Chamber are here because we were granted the blessing of life. We were allowed to live our lives and decide what path we wished to embark upon. Unfortunately, not all Americans are allowed this choice. Some children are stopped before they can even defend themselves.

I, along with many of my colleagues, cannot and will not accept that reality. A reality where we as a nation provide more protection for an unhatched bald eagle or a turtle embryo, i.e., an egg,

than we do the children of our own species.

It is my hope that on this anniversary we can pray for the souls of those children lost and work towards a future where all children are allowed to decide their own future in this blessed Nation of ours. Our Founding Fathers were grounded in the Christian principles this Nation was founded on.

2 Chronicles 7:14: "If my people, who are called by my name, will humble themselves and pray and seek my face and turn from their wicked ways; then I will hear from heaven, and I will forgive their sin, and will heal their land."

Mr. SMITH of New Jersey. Mr. Speaker, again I point out to my colleagues that there are so many medical doctors who are part of this pro-life effort. Hopefully, their views, like all of ours, but theirs especially, will be weighed and, hopefully, people will agree to the great work that Dr. Joyce is doing.

Mr. Speaker, I yield to the gentleman from Pennsylvania (Mr. JOYCE).

Mr. JOYCE of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding. And I want to acknowledge Mr. SMITH from New Jersey for taking such courageous leadership on this very important issue. We as a body thank the gentleman.

Mr. Speaker, 47 years of the amoral destruction of life is 47 years too long. As a physician, my pro-life conviction is rooted in the Hippocratic oath's commitment to protecting human life. In the medical community, each of us is called to do everything in our power to protect the patients to whom we are assigned. Each of us pledges to do no harm.

Mr. Speaker, *Roe v. Wade* directly contradicts this oath. Each life is a precious gift that is truly worthy of our protection.

As our Nation marks another tragic anniversary of *Roe v. Wade*, I remain committed to serving as a steadfast voice for the voiceless. As we continue this fight, I remain eternally hopeful that our Nation will someday value all human life for its inherent worth and its dignity.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Kansas (Mr. WATKINS), who represents the Second Congressional District.

Mr. WATKINS. Mr. Speaker, I thank the gentleman from New Jersey for his leadership on this. This Congress is better because of it, and this Nation is better because of the gentleman's efforts.

Mr. Speaker, I rise to be a voice for the voiceless. There is no effort more important than our protecting the sanctity of life. As a true political freshman, new to Congress and new to politics, I was so proud that the first bill I put my name on was to defund Planned Parenthood.

Most recently I introduced H.R. 4800, the Pro-LIFE Act. My bill would close the "valuable consideration" loophole

by prohibiting the sale of human fetal issues. These are unborn babies' hearts, livers, bones, and brains that are used in experiments. I urge my colleagues to please sign on to my Pro-LIFE Act, H.R. 4800.

May God bless the unborn, and may God have mercy on us all.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Texas (Mr. CLOUD), who is my friend and colleague.

Mr. CLOUD. Mr. Speaker, January 22 marks the 47th anniversary of the United States Supreme Court decision, *Roe v. Wade*. On that day, in a historic moment of judicial overreach and without legislative action, the Supreme Court declared abortion legal in our country. Since then 61 million babies have been robbed of their right to life, liberty, and the pursuit of happiness.

Today we know much more than we did when *Roe v. Wade* was handed down. Decades of scientific advancements have revealed much about the development and vitality of the unborn child. We know, for example, beyond any shadow of a doubt that unborn babies feel and react to pain at just 20 weeks, which means, yes, they do feel the pain of an abortion.

Fetal heart rate monitors and 3D ultrasounds are commonly used by expectant mothers today. The use of this technology was very limited in 1973, but now we know that the sounds of heartbeats and images of a moving baby reveal one thing to us, and that is life. Continued scientific discovery and the technological advancements have only strengthened the case that the life of a child yet to be born is precious.

I do believe that everyone has a right to life and equal protection under the law. Thomas Jefferson once said: "Indeed I tremble for my country when I reflect that God is just, that His justice cannot sleep forever."

I pray for God's mercy on this Nation. And I pray that we in this Chamber and those across our Nation will continue to work together to end this injustice.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to another gentleman from Texas (Mr. WRIGHT), and I thank him for sponsoring the Teleabortion Prevention Act and the Child Custody Protection Act.

Mr. WRIGHT. Mr. Speaker, I want to thank Congressman SMITH for his incredible leadership on the life issue in the Congress.

Mr. Speaker, 47 years ago the moral and religious fabric of the United States was tragically torn. As a result of the *Roe v. Wade* decision, 61 million unborn children have lost their lives, and millions of women and families have been torn apart by abortion. I promised my constituents that I would be a voice for the voiceless in Washington, and I have no intention of breaking that promise.

Over the past year my colleagues on the other side of the aisle have time and time again blocked legislation that

protects the unborn and women's health. Last year we saw lawmakers block the Born-Alive Abortion Survivors Protection Act over 80 times, explicitly endorsing infanticide.

A number of important pro-life bills have been introduced in this Congress, including, as Mr. SMITH mentioned, my Teleabortion Prevention Act and the Child Custody Protection Act that protects young women who are being taken across State lines for an abortion. Both have been stalled by partisan politics.

We also saw lawmakers in New York and Virginia cheer legislation that would allow abortions in the ninth month of pregnancy when most babies are viable. This is an outrage. Protecting the voiceless unborn is one of the most significant contributions we can make in our lives, and we, as a nation, need to get back to protecting it.

Mr. SMITH of New Jersey. Mr. Speaker, I yield to the gentleman from Mississippi (Mr. GUEST), who represents the Third Congressional District.

Mr. GUEST. Mr. Speaker, Jeremiah 1:5 states: "Before I formed you in the womb I knew you, before you were born I set you apart."

In the 47 years that have passed since *Roe v. Wade*, over 45 million Americans have tragically been robbed of their lives through abortion. The fight to protect the lives of our unborn children, however, has grown stronger since *Roe v. Wade*.

As we have developed a better understanding of the immense consequences that abortion inflicts on the mother, our society, and, most importantly, the child in the womb, individual States, including my home State of Mississippi, have enacted more than 1,000 preventive laws to protect the unborn.

As a pro-life Member I am proud to join the bipartisan group of Representatives and Senators who have filed an amicus brief that outlines the arguments of why *Roe v. Wade* should be overturned.

I am grateful for the tremendous leadership of President Trump and his administration to ensure the Federal Government's regulatory efforts to preserve life.

Mr. Speaker, I encourage every American to join the movement to protect our unborn children and support efforts to defend the right to life.

#### THE 47TH ANNUAL MARCH FOR LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Wisconsin (Mr. GROTHMAN) for 30 minutes.

Mr. GROTHMAN. Mr. Speaker, as I understand it, some of my friends up here should have more interesting things to say, so I yield to the gentleman from New Jersey (Mr. SMITH), who is my good friend.

The SPEAKER pro tempore. The gentleman from Wisconsin controls the time.

Mr. GROTHMAN. Mr. Speaker, I yield to the gentleman from South Carolina (Mr. WILSON).

Mr. WILSON of South Carolina. Mr. Speaker, I thank Congressman CHRIS SMITH for his dedication and leadership, and I thank Congressman GROTHMAN from Wisconsin for yielding.

Mr. Speaker, on January 22, 1973, the Supreme Court struck down State and Federal right-to-life laws in their decision on *Roe v. Wade*. Since then over 61 million unborn children have been stripped of their right to life, and our country has denied itself future teachers, doctors, farmers, neighbors, friends, and loved ones.

I am grateful to stand with my colleagues in Congress to defend the right to life for the unborn. In the House we have worked to pass commonsense pro-life legislation such as H.R. 962, the Born-Alive Abortion Survivors Protection Act. This bill would give a child the right to live if he or she is born alive following an abortion or attempted abortion. With over 191 cosponsors, this bill has been shamefully dropped by House Democrats for a vote 80 different times.

Last weekend I attended the Right to Life Dinner featuring Governor Henry McMaster and First Lady Peggy McMaster and appreciated participating with thousands of citizens across the State for a program emceed by Attorney General Alan Wilson at the Statehouse in Columbia.

South Carolina Citizens for Life work tirelessly to protect innocent human lives, and I appreciate the leadership of Lisa Van Riper, Holly Gatling, Alexia Newman, Karen Iacovelli Forster, Brenda Hucks, and Sally Zaleski for their hard work and dedication.

I look forward to welcoming next weekend the participants for the March for Life in Washington. Each year tens of thousands of students from across America will show their appreciation of life.

This year is special in that my oldest grandson and namesake, Addison Wilson III, will attend with a delegation from Holy Trinity Classical Christian School of Beaufort, South Carolina.

□ 1915

Mr. GROTHMAN. Mr. Speaker, I yield to the gentleman from California (Mr. LAMALFA).

Mr. LAMALFA. Mr. Speaker, I thank the gentleman from Wisconsin (Mr. GROTHMAN), my colleague, and also CHRIS SMITH for his tireless leadership on this.

In the 47 years since *Roe v. Wade*, more than 60 million unborn children's lives have ended too soon. Life is the most fundamental human right, and I believe that life begins at conception.

Science continues to build a case for this, and as technology develops, women are getting a clearer view of the lives of their babies when they go to the doctor's office. At just 6 weeks, an ultrasound can detect a child's heartbeat. At 20 weeks, a baby, we know, can

feel pain in the womb. Unfortunately, many States still allow abortions after this stage.

There is no fooling anyone anymore on this. These are true lives inside the womb, not just clumps of cells. Science and medicine make clear that life exists in the womb. If this is true, as I believe it is, those 60 million unborn babies deserved to have the most basic right, the right to live.

Mr. Speaker, I thank all those pro-life freedom fighters who will be here this month at the March for Life and those who are doing it at home in their communities, at those clinics, at those pro-life centers. They have to endure a lot of harsh rhetoric from people on the other side of this. They, indeed, are doing the Lord's work. May God bless them, and I thank them for being part of this.

Mr. GROTHMAN. Mr. Speaker, I yield to the gentleman from Arizona (Mr. BIGGS), my friend.

Mr. BIGGS. Mr. Speaker, I appreciate the gentleman for yielding and appreciate him sharing his time with us, and Representative SMITH for his tireless work on this issue.

Mr. Speaker, I am immensely grateful to live in Arizona, a State that prioritizes the protection of the unborn. During my tenure in the Arizona State Legislature, we passed dozens of pro-life bills. In fact, Arizona was recently named one of the top three pro-life States in the Union by Americans United for Life.

I appreciate the efforts of pro-life advocates across my district who have worked tirelessly to help countless women choose life for their unborn babies. The Arizona March for Life is taking place this weekend in Phoenix, and I wish them great success.

You see, pro-abortion advocates are the Luddites of our time. They deny the reality of what science has repeatedly demonstrated about the unborn. There is nothing that we do in Congress that will have efficacy if we choose to and fail to protect the most innocent among us.

This Congress, I introduced H.R. 2742, the Abortion Is Not Health Care Act, to prevent abortions from being considered a tax-deductible medical expense. I have also cosponsored nearly two dozen bills seeking to protect the unborn, including the Pain-Capable Unborn Child Protection Act, Born-Alive Abortion Survivors Protection Act, the Defund Planned Parenthood Act, and the Heartbeat Protection Act.

As we are here tonight, I can't help but think of when my wife was pregnant and we expected each of our children. Even without today's technology, we knew that each of those children was special, a unique individual, alive and helpless, dependent upon us, and that we had a responsibility for their safety and well-being.

How can this Nation, founded under the principles and understanding of God's direction and hand in the formation of this country, how can we expect

the affirming and continued blessings of the Deity, whom we all revere, if we continue to sacrifice on the altar of selfishness these unborn children?

Mr. Speaker, I call on my colleagues to end this practice.

Mr. GROTHMAN. Mr. Speaker, I yield to the gentleman from Texas (Mr. GOHMERT).

Mr. GOHMERT. Mr. Speaker, I am grateful to the gentleman from Wisconsin (Mr. GROTHMAN) and the gentleman from New Jersey (Mr. SMITH) for their work in this area.

Mr. Speaker, there was a time not long ago when STEVE KING at the Conservative Opportunity Society had a young lady named Ramona Trevino who came and spoke to us. An extraordinary woman, she was top in her class, as I recall, and became pregnant at 16. She was encouraged by some to abort the child, but she didn't. She didn't go on to college, and eventually, there was an opening for director at a Planned Parenthood facility in Sherman, Texas, for which she would apply.

She was thrilled when she had the chance to be director. But she had that daughter who meant and means so much to her, and she was surprised at the monthly meetings that the thing that was pushed most was not to get the number of abortions up, but if they would push taking birth control pills to the younger girls, then that would ensure that they would have revenue up from abortions, that the key was getting birth control pills to the youngest girls. They were more likely to miss days and get pregnant, and they would come back in for an abortion.

That was the way they were trained. They were trained to encourage the young girls that came in: We will keep this between us. Your mom can't be trusted, but we can. We will keep your secrets, and you can have a very open lifestyle and enjoy yourself. If there are problems, you come back to me. You don't have to tell your parents.

That is so destructive to the family. It is destructive to the mother-child relationship. It has led to the millions of abortions that have been performed, as sanctioned by Planned Parenthood.

One other thing I have to mention that struck me so harshly, in the Committee on the Judiciary, we had a doctor that did late-term abortion. He said he did over a thousand of them and never thought about it. The mom's cervix was not dilated so for a late-term abortion—and he was very graphic about the manner in which you went in.

You would find something that seemed linear, and it was either an arm or a leg. You had to pull it off. Once you had done that four times, you had to feel for something bulbous, he said, and then that had to be crushed. Then, you could remove the child.

After his daughter was tragically killed in an accident, he couldn't do it anymore. The thought of pulling a little child apart was more than he could bear.



Mr. Speaker, it ought to be more than Americans could bear, coming between a mother and daughter, the mother who wants the best for her child. It should be unthinkable for a loving, caring, nonabusive mother. That ought to be unthinkable, but that is what is going on. That is what *Roe v. Wade* has led to.

You may say: Well, you are just a guy. What do you know?

I have defended what some people said were indefensible people, and it is an honor to stand up and defend a child that can't speak.

Mr. GROTHMAN. Mr. Speaker, I yield to the gentleman from Ohio (Mr. DAVIDSON).

Mr. DAVIDSON of Ohio. Mr. Speaker, I thank the gentleman for yielding. I thank my colleagues who have taken the time tonight to speak in defense of life.

Next week, a beautiful, peaceful protest will take place here in Washington, D.C., the March for Life, in which not tens but hundreds of thousands of Americans will gather, including many from the Eighth District of Ohio.

When I have looked across that vast crowd in the past on the National Mall, I have been filled with hope for our future because the faces in that crowd are overwhelmingly young people. The younger generations are increasingly pro-life. They feel the effects of more than 60 million elective abortions carried out in America since 1973.

These 60 million lives had so much potential. They could have been someone's spouse, brother, sister. They would have been mothers and fathers in their own right, but their lives were snuffed out by abortion.

We should, of course, have compassion for the women whose babies' lives have ended through abortion. Too often, they lacked support, been pressured or deceived into a fateful choice to end their baby's life.

Mr. Speaker, I especially want to honor and encourage women like Mya, the mother of Ohio State running back J.K. Dobbins, who chose life courageously.

Next week is different. We celebrate a different vision, a hopeful, optimistic vision. The youth will rise up, and by the grace of God, I will be there with them to say: It is time to end the abortion culture in America and defend the right to life.

Mr. GROTHMAN. Mr. Speaker, I yield to the gentleman from New Jersey (Mr. SMITH).

Mr. SMITH of New Jersey. Mr. Speaker, in a Florida abortion clinic, Sycoria Williams delivered a live baby girl at 23 weeks. The clinic owner took the baby, who was gasping for air, cut her umbilical cord, threw her into a biohazard bag, and put the bag in the trash. Heartbroken, Sycoria later had a funeral for her baby girl, who she named Shanice.

In Sycoria's home State of Florida, in just 1 year, in 2017, 11 babies were

born alive during abortions. Shockingly, only 6 States—Florida, Arizona, Michigan, Minnesota, Oklahoma, and Texas—currently require reporting of children born alive who survive abortion.

Why the coverup? Dr. Willard Cates, the former head of the Centers for Disease Control and Prevention's Abortion Surveillance Unit, said live births "are little known because organized medicine, from fear of public clamor and legal action, treats them more as an embarrassment to be hushed up than a problem to be solved. It is like turning yourself in to the IRS," he goes on, "for an audit. What is there to gain? The tendency is not to report because there are only negative incentives."

Mr. Speaker, I would remind my colleagues that Philadelphia abortionist Kermit Gosnell, one of the few who got caught, was convicted for murder, for killing children who were born alive after attempting abortions.

The grand jury described it this way: "Gosnell had a simple solution for unwanted babies he delivered: He killed them. He didn't call it that. He called it 'ensuring fetal demise.' The way he ensured fetal demise was by sticking scissors into the back of the baby's neck and cutting the spinal cord. He called that 'snipping.'"

Mr. Speaker, we have tried the whole year to bring the Born-Alive Abortion Survivors Protection Act introduced by ANN WAGNER and 191 of us to a vote here in this House. I, again, with my colleagues, appeal to the leadership: These children need protection. The unborn children need protection.

Congressmen ANDY BIGGS and DOUG LAMALFA said it so well a few moments ago, that we have such a clearer picture of the unborn as well. Andy said, even without today's technology, he and his wife knew there was a baby. Ultrasound shatters the myth that an unborn child is anything but human, alive, and extremely vulnerable.

Mr. Speaker, let's protect the children.

Mr. GROTHMAN. Mr. Speaker, I will address a few topics tonight, but before I start on these other topics, I, as well, will address the March for Life.

As has been mentioned, we are dealing with the 47th anniversary of *Roe v. Wade*. Hopefully, over 200,000 people will be here in Washington next week, and I feel bad it is a week where we are doing our work back in the district so I won't be able to be here for it.

It is still kind of amazing that, in 1973, I think it was seven out of nine judges, which is kind of a bad testimony to the law schools of this Nation, felt that when our forefathers put together the Constitution, they felt that it, of necessity, made abortion legal in this country. I am sure they were not talking about it at all at the time, and throughout much of our history, abortion has been legal in the vast majority of States.

At the time that *Roe v. Wade* came down, I believe abortion was illegal in

48 of the 50 States. If not, it was almost 48 States, and it was just an outlandish decision.

Since the decision has come down, we have had over 45 million lives cut short because of abortion in this country. When you think about 45 million, think how large that is. If they were alive today, it would be something on the order of about one-seventh of the current population of this country. But our people have voluntarily snuffed out that many lives.

I remember when ultrasounds came out and became common. I had assumed that when people began to look at ultrasounds, they would see what they were dealing with here and abortion would have quickly become illegal.

□ 1930

It says something about the callousness of our country and the ineffectiveness of our clergy that, despite the gift of ultrasound—so, unlike 60 years ago, we all know exactly what is going on—our country continues to allow this slaughter to continue.

Even worse, America, which I do believe should be a shining light on the hill, is one of only seven countries which allow late-term abortions: ourselves, Singapore, Canada, Holland, Red China, Vietnam, and North Korea—largely, a pretty embarrassing set of countries to be with.

I hope all Americans stop and ponder how America still winds up on such a ridiculous list, particularly such a wealthy country and a country in which so many people have access to see exactly what is going on.

As a matter of fact, recently, things have even gotten worse. I am sure my colleagues have talked about the bill recently signed into law in New York, which, in essence, a goal appears to be to allow you to snuff out the life of a newborn baby right before it is born. There is danger that a similar law is soon going to pass in Virginia.

I challenge the clergy in this country. And I know some of them don't like to say uncomfortable truths, apparently, but I challenge them to do something here.

Somebody just mentioned the movie "Gosnell," and there is another movie, "Unplanned." I think these are movies that would be wise for the clergy in this country to make sure people were aware of so they saw exactly what was going on.

Obviously, what we have here is kind of a silent ending of millions of lives. Most people do not know it is going on. It doesn't affect them on a daily basis. But it is time for the clergy and churches of this country to step up to the plate.

I wish well for all the people who are going to come from all over the country and attend the March for Life.

KNIGHTS OF COLUMBUS

Mr. GROTHMAN. Mr. Speaker, there are other things I am going to address right now, one a little bit related. I

would like to talk a little bit about the Knights of Columbus.

We live in a society that claims to value diversity and tolerance; however, sometimes things bubble up in this town. It is apparent that some people are hated and the intolerance applies to them.

I am speaking, of course, of the fact that, about 2 years ago, a little over 2 years ago now, a U.S. Senator from California, in part of a confirmation hearing on a Federal judge, decided to weigh in and felt that, if you were a member of the Knights of Columbus, perhaps you shouldn't become a Federal judge.

Recently, rereading the statements made there and the lack of outrage at what, apparently, was a religious test, or close to a religious test, to become a Federal judge, I thought I would like to talk a little bit about the Knights of Columbus, which is very active in my district.

The Knights were founded as a Catholic group in 1882, in Connecticut, and, currently, there are about 2 million Knights, almost exclusive to the United States, but there are also some in Canada, New Zealand, England—or Britain—and a few other countries.

They have been active during that time, and they do a lot to help people. They seem almost ubiquitous in my district with all the fundraisers they have.

A few weeks ago, I attended a meat raffle for the Princeton Knights of Columbus in which they were helping out a Vietnam veteran who had cancer.

I want to point out that the Knights will help out not just Catholic people, but people who aren't Catholic as well.

The Princeton Knights were also doing a chili fundraiser to help a gentleman with prostate cancer.

Other groups I see around, can be seen: the Cedarburg Knights selling Tootsie Rolls for Special Olympics or pregnancy health centers; the Fond du Lac Knights having fish fries for youth hockey and handicapped children.

You see the Neenah Knights running concession stands at the Packers games, the Mayville Knights doing a calendar fundraiser for the local food pantry, the Oshkosh Knights doing a bowling fundraiser for coats for kids, or Men for Christ. I mean, you see the good works that the Knights are doing everywhere.

I wish I had time to go through all the other organizations and list exactly the fundraisers they have. The Two Rivers, Manitowoc, Sheboygan, Fredonia, Horicon, wherever I go, I see the Knights are active helping people out.

I always kind of consider the Knights of Columbus kind of like mom and apple pie. You know, you could stand here in Congress, and Congressmen would go out of their way to praise groups like the Knights of Columbus and be seen with the Knights of Columbus.

But, apparently, they are not so much like mom and apple pie anymore.

We have had Members of this body, and not from small, insignificant States, Members of this body apparently now feeling that that is something to be attacked for. And, of course, it is not.

They are helping out at the Special Olympics or helping out at youth hockey that has caused them to be hated or feel that they shouldn't be part of the public square. It is, of course, that they are active in the Catholic church, a church that is pro-life, that apparently some Members around here feel that the Knights of Columbus, therefore, should step aside and can't be trusted to make decisions as far as where we are going in the United States of America.

Recently, Joe Biden came out, actually, and even said that the Senator from California would make a great Vice President. I mean, can you imagine that?

Can you imagine, 40 years ago, in this country, somebody saying that the Knights of Columbus, that a member of the Knights maybe shouldn't be a Federal judge?

That is a great thing she says. Let's make her a Vice President. I think that is a great thing.

In any event, speaking on behalf of myself, I would like to thank the Knights for all they do around the Sixth Congressional District. I hope they continue to speak out on Christian issues, on Catholic issues.

I hope the other clergy, clergy who may not be Catholic themselves, realize that they could be next to be targeted by these Members of Congress. But, again, I thank the Knights of Columbus for all they do.

Mr. Speaker, I guess I have a few minutes more here. I have, what, 5 more minutes?

The SPEAKER pro tempore. The gentleman from Wisconsin has 5 minutes remaining.

#### IMPEACHMENT AND IMMIGRATION

Mr. GROTHMAN. Mr. Speaker, we spent a lot of time up here, too much time on this impeachment thing. I think the reason people want to talk about impeachment is they don't like to talk about all the things that ought to be getting done that Congress isn't doing when they are talking about impeachment.

I want to, one more time, talk about what I think is the number one issue that is going to destroy America, and that is the immigration situation. We continue to have people come across the border.

President Trump, on his own, has dropped the number of people coming in this country from over 50,000 allowed in this country and placed in this country last May to under 1,000 by the Border Patrol in December.

Nevertheless, laws should be changed quickly to make sure that this does not continue, or should be changed quickly before some of these Federal judges decide to stop President Trump from trying to do what he is doing.

The Congress should be brought in to change the credible fear standard to

make sure everybody under the Sun can't say that they should be a refugee.

We want to change the laws with regard to the Traffic Victim Protection Reparations Act. Right now, so people understand, if we get somebody under age 18 from Canada or Mexico—from Canada or Mexico—we can send them back; from other countries, we are forced to keep families apart.

I know President Trump would desperately like to return a minor from Honduras or Venezuela or Cuba back to their parents, but right now he is forbidden from doing that because Congress refuses to act.

We should be cracking down on welfare for illegal immigrants right now, which serves as an inducement for the most irresponsible of people to come to the United States, but Congress doesn't act.

We have built, or we are soon going to build, 100 miles toward the wall, but we still need more money. We hope we have enough money to get to 450 miles by the end of the year. But that is not going to be enough, particularly when you consider that, right now, the DEA thinks that 95 percent of the fentanyl, cocaine, heroin, or meth in this country is coming across our borders.

I will guarantee you there are people who are going back to their districts next week and, at their townhalls, are claiming that they care about the over 60,000 people who died last year from these drugs, but they aren't doing anything to enforce that border where 95 percent of these drugs—fentanyl, cocaine, heroin, and meth—are coming are cross.

It is time we act there, as well. We need more money for what we call non-intrusive technology so we can determine when these drugs are coming across in cars or otherwise, as well as it would be a good thing to get more dogs.

I have been down at the border myself and seen how effective they are at preventing these drugs from coming across that are killing so many people.

In any event, I hope the rest of the public and our mainstream media, as well as our conservative media, don't fall apart and don't fall into the trap of being all impeachment all the time over the next 3 or 4 months.

Remember all the people who are dying because of the drugs coming across the border. Remember the huge burden on the United States as more people come across the border for things such as welfare-type benefits, and imagine what type of future America has if we don't begin to enforce our laws.

Mr. Speaker, I yield back the balance of my time.

#### MESSAGE FROM THE SENATE

A message from the Senate by Ms. Byrd, one of its clerks, announced that the Secretary inform the House of Representatives that the Senate is ready to receive the Managers appointed by

the House for the purpose of exhibiting articles of impeachment against Donald John Trump, President of the United States, agreeably to the notice communicated to the Senate, and that at the hour of 12:00 noon, on Thursday, January 16, 2020, the Senate will receive the managers on the part of the House of Representatives, in order that they may present and exhibit the articles of impeachment against Donald John Trump, President of the United States.

The message also announced that the Secretary of the Senate notify the House of Representatives that at the hour of 2:00 p.m., on Thursday, January 16, 2020, in the Senate Chamber, the Senate will proceed to the consideration of the articles of impeachment against Donald John Trump, President of the United States.

#### AMERICA IS BECOMING MORE PRO-LIFE

The SPEAKER pro tempore. Under the Speaker's announced policy of January 3, 2019, the Chair recognizes the gentleman from Iowa (Mr. KING) for 30 minutes.

Mr. KING of Iowa. Mr. Speaker, it is my privilege and honor to address you here on the floor of the House of Representatives. And given that we have had some serious discussion here this evening, I really appreciate my colleagues, CHRIS SMITH and others, who have spent an hour addressing the life issue here.

As we come up on the anniversary of Roe v. Wade, January 22—I believe that is a date that will live in infamy—America is becoming a more and more pro-life country. And as we watch the transition that is taking place in this country, that has to do with the March for Life that comes out here every year, when thousands of people, many, many young people ride from my neighborhood about 18 or 20 hours on a bus to get here, and they gather on The Mall for the events and the speeches and the rally and then march to the Supreme Court building. We often host them here with some hot chocolate.

Each of these years that go by, I meet more and more young people that have become part of the pro-life network. So the network that is here, it strengthens people. They look around and they see that they are not alone. They come from churches; they come from schools; they come from families; they come from neighborhoods; and they understand that they are not alone, that there is a patchwork of people that are active across this country that is emerging into the majority in America.

I will submit that we are now a majority pro-life nation, and that would be consistent with polling, the Barna poll that we did about, I suppose, a year and a half ago or a little more that showed that, just on the Heartbeat bill alone, which I happen to be the author of, H.R. 490, that we saw 61

percent support for the Heartbeat bill, without exceptions. Republicans were up at about 85 or 86 percent; independents were around in the 60th percentile; and Democrats are even in support of it, in the majority, at 59 percent of Democrats.

So it may have been that America was a little bit ignorant about the beginning of life and the science of life and the moment that life begins, but we all knew that in our hearts when, in 1973, it was one thing, and it was a political agenda that was driven.

And Norma McCorvey regretted that she happened to be Jane Roe. So she actually didn't get an abortion, and she became pro-life in her later years and became a pro-life activist.

So it didn't serve her, and it surely didn't serve America. But some number of over 61 million American babies have been aborted since that period of time.

And there have been struggles in this city. There have been women that come to this city and march for abortion, and so many women who come and march for life.

But here is what I see. In 1976, Mr. Speaker, our firstborn child came into the world; and, of course I anticipated that with eager and nervous anticipation.

But when that little boy—actually, not so little. He was almost 9 pounds. When he went into my hands and my arms and I looked at him and I held him in awe at the miracle that he was and is today, it was just stunning to me that, from my wife, Marilyn, and I came this little baby, this miracle.

To look at him, to look in his eyes, to see his dark hair, and he turned out to be a blue-eyed, dark-haired little guy, and he had a lot of hair on his head, and it was just such a miracle to see and count the fingers and toes and look how perfectly they were formed.

□ 1945

As he lay in his crib, I would sit and look at him, and there was an aura about that little baby boy. There was an aura about him. And you could have convinced me that he was the second coming of Jesus Christ, that is how strong that was to me, that little boy miracle.

As I looked at that, I thought this little guy here, how could anybody take his life now in these first minutes of his life or how could someone take his life the minute before he was born or the hour before or the day before he was born or the week or the month or the trimester, the first, second, or third trimester?

And I just thought that through as I held that little miracle in my hands, and I knew that this life was precious and a miracle the moment that I could hold him and touch him and see him and feel that warmth and smell that fresh baby smell on him. And within minutes I went back through this process of development of this miracle from the moment of conception until birth.

And at that moment I knew that you couldn't take that little baby's life at any point in this stage. I knew that his life began at the moment of conception. And from that moment on this miracle and millions and millions of other miracles needed to be protected from that moment on, that life begins at the moment of conception. That was 1976.

Twenty years later I went out to San Diego to the Republican National Convention, and certainly I had all of my colors on and all the things that are attached to your lapels and your delegation credentials that are out there. And on a Thursday afternoon at 3:00 I see on the tri-fold schedule there that said Christian Women for Choice are gathering there in San Diego at a location about a block and a half away from the convention center.

Something called me internally and said, you have to go down there and see what is going on. I was curious. What scripture would be quoted to me from Christian Women for Choice? I took a friend with me and we went down and found this area. It was about an acre, I suppose, in size, maybe a little less, chain-link fence all the way around, stage in the middle, big old speakers up there and microphones. There were people still milling around, but there wasn't a program going on on the stage at that point.

I went to an individual that looked like he was at least associated with somebody in charge and I asked him who was the leader of this and who is the head of the Christian Women for Choice. And he said, that is my wife, and he pointed to her and took me over and introduced me. We ended up on the stage. And as that conversation began, it became a debate.

And I remember there in San Diego, for every delegate—I remember the number they told me—there was as many as 15,000 press in that city to cover the convention.

So we had quite a lot of press in that protest zone where they would be looking for controversy. So the leader of Christian Women for Choice and I went at it in kind of a no-holds barred debate that just clashed back and forth between us. And several of the others would chime in for her, and every once in a while her husband would put his chin up over her shoulder, and he would bark some things at me, too.

Mr. Speaker, I was far enough from home and convicted enough, having enough conviction for those that don't understand what that means, that I could just unload all of the things that needed to be said in the middle of that debate.

She began to demand that we go out and collect the billions of dollars in child support that is owed by deadbeat dads is what she called them. And I said, I am happy to do that. I think they need to pay their child support, and I will be working to do that—it turned out in the Iowa Senate for starters—but you can't make that

claim because that father doesn't have anything to say about whether that child is going to be born or not. If the mother is the only one that has anything to say, then when that child is born you don't have the claim that the father needs to pay the child support. Save the baby's life, protect this baby, and then we can hold the father to this. I am happy to do that. You don't have any claim to that, because you don't give the father any say in whether that baby is going to be born or not.

And what I didn't hear anybody say here in this pro-life discussion that we had is the pain that a father goes through when the mother decides to abort the baby. I know people who have gone through that pain and that agony, and they were helpless to do anything about it. They want the baby. They say, I will raise the baby. It is mine. This is my flesh and blood. Give birth to this baby and I will take care of this baby for life. And when the mother says no, sometimes it is even a spiteful act. And I have had that happen close enough to me that I know that to be fact as well, Mr. Speaker.

But in that debate with the head of Christian Women for Choice in San Diego in 1996 two things came out of that. Sometimes when you are tested under fire you get to a place where the principles are tempered to a point where they are no longer negotiable and they are as rock solid as they can be.

Now I stand in auditoriums in schools K through 12, wherever the situation might be, and I will say to them, "One day in your lives you will have this question come up around you, whether it is you asking the question or whether it is a friend of yours, acquaintance, or a relation, and it will be the question of abortion. Here are the two things you need to know"—and I will ask this question first, I will say, "Is human life sacred in all of its forms?" And they look a little bit slightly confused about what does "all of its forms" mean. And I say, "Look at the person next to you. You are sitting next to one of your friends. Is that person's life sacred?" And they are looking at you. Is your life sacred? And they will nod their heads and say, "Yes, our lives are sacred." I say, "So if you believe that human life is sacred, then is there any form of human life that is not sacred?" How about someone that is a paraplegic, a quadriplegic, someone who is incapable of functioning verbally or getting up and moving in any way; is that person's life sacred? I say, yes, and so do they. They recognize that we have to have passion and compassion for all human beings.

And so then once you establish that human life is sacred in all of its forms, then I say to them: Now you only have to ask one other question and that is, at what moment does life begin? Does it begin a week after birth? Does it begin the day after birth? Does it begin the minute after birth? That doesn't make sense to anybody in that gym-

nasium. These are young people, but they understand some things that seem to be confused over here some days, Mr. Speaker.

I say to them, "What about that baby a minute before the baby is born, is that life?" And some of them might look a little confused, but most of them know it is life. But I will say, But how about the week before? How about the month before? How about if that baby is born by cesarean, when does that baby become alive? Is it the moment the mother is opened up by the surgeon in cesarean and that baby is brought forward? How could that be?

We take it back to the moment of conception. We say even more accurately, the moment of fertilization, but the moment of conception.

We get to this place where most every young person in that gathering understands human life is sacred in all of its forms. It has to be the highest value that we have, and that it begins at a moment and the only moment that exists is the moment of conception. From there on out it is a matter of continuum and continual growth and continual cell division, continual metabolism getting to the point where that baby is in a condition to be able to live outside the womb. And then we nurture that baby, up on that baby's feet, we nurture that baby all the way through until that baby is in a condition where they can take care of themselves and eventually take care of their own parents and their own children. That is life. It is precious.

If you sit around in a household in a family, especially when we go through the holidays that we have gone through, Thanksgiving, Christmas, and New Year's, where families gather together and you watch with joy as they interact with each other, and you know there might be in some of these homes—you know there are—there is grandpa's empty chair over in the corner, he is gone now. He is missed. There is a vacancy in the chair and there is a vacuum in the family because maybe grandpa or grandma has been such a big part of that family, but they still cherish the joy that they have shared. They don't often lay an empty cradle there in the living room for that baby that was aborted, but that is also the soul and the spirit that is not there to share in that family joy as well.

This Nation has aborted 61-plus million babies. The back of the envelope calculation says that if half of them were girls and you look at the frequency of abortion going back to 1973 in the years that these women would be having babies you can easily get to the place where we are not just missing 61 million—I say that; it sounds odd even as I say it—we are not missing 61 million, as appalling and as ghastly as that is, we are probably missing another 61 million of the babies that were never born because their mothers were aborted. Add it up. Call it 120 million. Round it back to 100 million.

Here we are in this country, we have aborted a workforce of 100 million. And I hear over here, well, we have to import people into America. We have to have cheap foreign labor because, after all, the total fertility rate is low enough in America. We are not replacing ourselves, and we are not raising enough workers to fill the gap.

I recall in the Iowa Senate there was a bill to require each health insurance policy to cover contraceptives and the female State Senators made this argument—back then we were at a full employment workforce as well, Mr. Speaker, as full as it is right now. Right now we are kind of knocking on the door of the lowest unemployment we have had in Iowa. Well, we had that back in about 1997 or 1998, as well. Some of the State Senators went off to the women's State legislators gathering, and they came back with this idea that was going to spread all over the country: every health insurance policy has to cover contraceptives. Here is the argument they made: They said, with this short workforce that we have, this full employment economy we have, we can't afford to have women missing work because they are pregnant and having babies and taking care of babies. And back then I said, Who is going to do the work in the next generation or two if we don't have babies being born now? How do you fill that gap? It seemed to me to be a simple equation that I had raised, but yet their agenda worked opposite it.

We need to remember, this Nation has sinned, and this sin of abortion weighs on the conscience of a country, a country that could well have 100 million more American babies born here, raised here, learning our civilization, learning our culture, learning our history, learning our language, sharing and growing an even greater Nation than we are today. And the recovery of that is heavy.

Even when we end this ghastly practice of aborting babies, innocent, unborn human life, we have a long way to go to ever get back to where nature would have had us if we hadn't interfered with abortion.

It troubles me a great deal. And one of the things I have done is drafted and introduced the Heartbeat Protection Act. That is H.R. 490. What it does is it protects any baby with a heartbeat. In fact, it says this: If a heartbeat can be detected, the baby is protected. It is really that simple. And so it requires that if an abortionist is preparing to perform his trade, he must first do an ultrasound. If that ultrasound produces a heartbeat, then that is the first certain physical sign of life in the womb, a heartbeat, and that is about 6 weeks into pregnancy. We don't punish the mother. We do punish the so-called physician, the abortionist. If a heartbeat can be detected, the baby is protected. And in the last Congress we took it to 174 cosponsors.

Mr. Speaker, it protects every baby because it is innocent, unborn human

life. These sacred souls, and I believe that God places a soul in that little baby at the moment of conception. But their sacred, little souls, we protect all of them.

There has been some discussion here in this Congress and around the country about exceptions for rape and incest. This bill doesn't have exceptions for rape and incest. We had the votes to pass it off the floor of the House in the previous Congress a little more than a year ago, and we had the votes to sustain it going through the Judiciary Committee in the previous Congress a little more than a year ago. We didn't get this to the markup in Judiciary. We had a hearing, we didn't get it to markup, and therefore, we didn't get it to the floor. I fear that we have failed an opportunity that we could have sent a very strong message over to the Senate, which likely would not have taken it up.

But to the rest of America, that having exceptions for rape or incest says that those babies are not precious. I argue that they are as precious to God as my own grandchildren are precious to me. There cannot be a legal distinction between a baby that is born as a result of conception that comes from rape or that comes from incest. In fact, they are as precious as any others.

In this legislation, H.R. 490, if we were to incorporate exceptions for rape and incest what we would have instead would be exceptions that the Court could look at and say, Just a minute. What about equal protection under the law? If there is going to be equal protections for all persons, whether born or unborn, then if there are exceptions for unborn persons that are the result of the act of rape or incest, then doesn't the Court look at that and conclude that we are inconsistent and that the equal protection clause really doesn't apply and that Congress didn't apply the equal protection clause to all of the unborn?

□ 2000

We must protect all of them, Mr. Speaker.

From a moral standpoint, it is the right thing to do. From a legal and analytical standpoint, and with an anticipation of a court that would one day see this legislation—I would never sue on this, but you know the other side will—we have to make sure that we are consistent and that we are legally sound without exceptions for rape and incest.

Furthermore, if you have incest that is taking place in a family, if you allow abortions for incest, that means that the family member that is perpetrating incest on usually the innocent young girl gets a pass each time there is an abortion because there is not evidence of his crime.

But if you prohibit abortions for the sake of incest, you are likely to uncover the crime of the family member that is abusing, generally, the young lady within the family.

So I am grateful for my colleagues, that they came here and each one of them spoke up with passion for innocent, unborn human life.

We will get there one day. Just like Dr. Martin Luther King said: I may not get there with you, but we are going to get there.

We will be a pro-life nation by law, and we will recognize these lives from the moment they are conceived within the womb.

Mr. Speaker, I will conclude the component of this discussion on the life issue. Again, I thank my colleagues for the work that they do.

CORRECT THE CONGRESSIONAL RECORD

Mr. KING of Iowa. Mr. Speaker, I just wanted to make a short comment here on another circumstance that has taken place in this Congress, and it works out like this, that a year ago last week, an unprecedented action took place in this Congress, and that was I did an interview with The New York Times, and I was misquoted in The New York Times.

That quote, some people would say that, well, it was an organic, spontaneous eruption of social media and print media. I say, instead, no, it was an organized effort to set this up and create a railroaded firestorm against me.

I knew that that was going to take place, and I will tell you, Mr. Speaker, why I know that. And that is, even though there was a nearly perfect storm created against me in the previous election, and we emerged from that with a victory, after the election and before Christmas of 2018, a very highly placed and respected political operative said to me they are going to try again. They have chosen a messenger to go to the President, and this messenger has the President's ear.

The messenger is to convince the President to send out a negative tweet on me, and that negative tweet is supposedly going to trigger the worst firestorm of media assault on me that could possibly be unleashed, and that they would make that try again in that way.

Well, I preempted that at the White House to the extent I could, and I believe that was successful. In fact, I have no doubt that that was successful.

Then, by January 8 of last year, I was able to get a meeting with that messenger, who said, "I would never do that to you, Steve," but that also let the messenger know that I knew what the strategy was and what the attempt would be. I let them know that I am going to blow this thing wide open and tell the public what was going on if they made that effort.

That was on January 8. That sent the message through, perhaps, to any planners and strategists that I knew what was up.

The very next day, a State senator announced that he would challenge me in a primary. That was at 11:23 a.m. He had no media planned. He had no website. He had no activities or any

kind of evidence that he was planning to run that was at least on paper. Still, he announced by Twitter that he was going to run against me.

He was also scheduled to swear in to the next General Assembly, the Iowa General Assembly, on the following Monday, about 4 days later. The most improbable time for anyone to announce they are going to run in a primary against a seated Member of Congress was that day, but he did that that day anyway.

I let the messenger know I knew what was up. The next day, I get a primary opponent. The following day, The New York Times story came out, and the rest is history, Mr. Speaker, The New York Times with the misquote in it.

There is no tape. It is his word against mine. He has notes, he says. He admits there is no tape. He has notes, he says, but he won't divulge even the question that he would say that he asked me.

So I made the point here on the floor, that if I had uttered those words, it would have been in repetition to a question he asked me. But I often defend Western civilization. I never have uttered those words, those two odious ideologies. One of them is on this chart right here.

When I gave the answer that questioned the definition here of what is this, white nationalism, what is it, I said: It might have meant something different 1 or 2 or 3 years ago, but today it implies racist.

Well, what did it mean before that? We went back to the year 2000, LexisNexis, and it was virtually unused. You can see all the way along here.

Mr. Speaker, I will describe it because you can't actually see it, but I can.

All the way along here, you can see that it is virtually unused until you get to 2016, and then this term was used 10,000-plus times, then 30,000. It is still up at 20,000 times, so 2016, 2017, and 2018.

I could not have been more accurate when I said: It might have meant something different 1, 2, or 3 years ago.

This is in 2018: 1, 2, or 3 years ago. What did it mean here, when nobody was using it? That is a hard definition to come up with because it is not in this big dictionary over here. You can't look up two words together and find out what they mean by looking in a dictionary.

That is the annual records, Mr. Speaker. So we looked into 2016 and asked the question: When did this jump up? Well, it jumped up right here in the month of November and then up there pretty high yet in December 2016.

What happened in November? Two things: Donald Trump was elected President and the Democrats gathered at the Mandarin Occidental Hotel to plan a strategy and what they were going to do to prevent him from being an effective President.

Then we broke the month down, and here is what we have. November 14 and 15, the time that George Soros and the Democratic leaders were in the Mandarin Occidental Hotel planning a strategy. Well, was it a weaponization strategy of the term “white nationalism”? You bet, right there.

That is what happened, Mr. Speaker. So they launched that as a weaponization, and they used it as a weapon against me.

When I stated those words here on the floor of the House of Representatives, I said there is a pause between the two odious ideologies and “Western civilization.” I made that case, and then I demonstrated that significant pause.

Even though we have the best stenographers, I believe, in the world here, and they have been great for me to work with, it came out with exactly the same mispunctuation that The New York Times had.

So I have introduced the bill called H. Res. 789 to correct the CONGRESSIONAL RECORD to at least reflect what the C-SPAN video shows that I said.

Now, it also demonstrates that if these excellent people here can end up with that punctuation, it is pretty easy to explain what happened to The New York Times.

Meanwhile, there have been only four people in the history of the United States Congress who have been removed from their committees. Three of them are either Federal felons or confessed Federal—they have been convicted of Federal felonies or confessed to Federal felonies, three of them.

And me? There is not even a rule that I violated. It is just simply the will and the whim and the bloodlust of a political lynch mob, and that has been going on for over a year now today. And it is going to end, and I am not going to wait until this next year goes by and have to win another election and make a case.

Furthermore, the term “white nationalist” had never been consciously even uttered on the floor of the House of Representatives since 1789 all the way up until the time that Donald Trump was elected President or George Soros led this situation at the Mandarin Occidental Hotel.

So this resolution, H. Res. 789, is filed and cosponsors are signing on to it.

Mr. Speaker, I include in the RECORD an article from Politico.

[From POLITICO, Nov. 14, 2016]

SOROS BANDS WITH DONORS TO RESIST TRUMP, ‘TAKE BACK POWER’

(By Kenneth P. Vogel)

MAJOR LIBERAL FUNDERS HUDDLE BEHIND CLOSED DOORS WITH PELOSI, WARREN, ELLISON, AND UNION BOSSES TO LICK WOUNDS, RETRENCH.

George Soros and other rich liberals who spent tens of millions of dollars trying to elect Hillary Clinton are gathering in Washington for a three-day, closed door meeting to retool the big-money left to fight back against Donald Trump.

The conference, which kicked off Sunday night at Washington’s pricey Mandarin Ori-

ental hotel, is sponsored by the influential Democracy Alliance donor club, and will include appearances by leaders of most leading unions and liberal groups, as well as darlings of the left such as House Democratic leader Nancy Pelosi, Sen. Elizabeth Warren and Congressional Progressive Caucus co-chairman Keith Ellison, according to an agenda and other documents obtained by POLITICO.

The meeting is the first major gathering of the institutional left since Trump’s shocking victory over Hillary Clinton in last week’s presidential election, and, if the agenda is any indication, liberals plan full-on trench warfare against Trump from Day One. Some sessions deal with gearing up for 2017 and 2018 elections, while others focus on thwarting President-elect Trump’s 100-day plan, which the agenda calls “a terrifying assault on President Obama’s achievements—and our progressive vision for an equitable and just nation.”

Yet the meeting also comes as many liberals are reassessing their approach to politics—and the role of the Democracy Alliance, or DA, as the club is known in Democratic finance circles. The DA, its donors and beneficiary groups over the last decade have had a major hand in shaping the institutions of the left, including by orienting some of its key organizations around Clinton, and by basing their strategy around the idea that minorities and women constituted a so-called “rising American electorate” that could tip elections to Democrats.

That didn’t happen in the presidential election, where Trump won largely on the strength of his support from working-class whites. Additionally, exit polls suggested that issues like fighting climate change and the role of money in politics—which the DA’s beneficiary groups have used to try to turn out voters—didn’t resonate as much with the voters who carried Trump to victory.

“The DA itself should be called into question,” said one Democratic strategist who has been active in the group and is attending the meeting. “You can make a very good case it’s nothing more than a social club for a handful wealthy white donors and labor union officials to drink wine and read memos, as the Democratic Party burns down around them.”

Another liberal operative who has been active in the DA since its founding rejected the notion that the group—or the left, more generally—needed to completely retool its approach to politics.

“We should not learn the wrong lesson from this election,” said the operative, pointing out that Clinton is on track to win the popular vote and that Trump got fewer votes than the last GOP presidential nominee, Mitt Romney. “We need our people to vote in greater numbers. For that to happen, we need candidates who inspire them to go to the polls on Election Day.”

But Gara LaMarche, the president of the DA, on Sunday evening told donors gathered at the Mandarin for a welcome dinner that some reassessment was in order. According to prepared remarks he provided to POLITICO, he said, “You don’t lose an election you were supposed to win, with so much at stake, without making some big mistakes, in assumptions, strategy and tactics.”

LaMarche added that the reassessment “must take place without recrimination and fingerpointing, whatever frustration and anger some of us feel about our own allies in these efforts,” and he said “It is a process we should not rush, even as we gear up to resist the Trump administration.”

LaMarche emailed the donors last week that the meeting would begin the process of assessing “what steps we will take together to resist the assaults that are coming and

take back power, beginning in the states in 2017 and 2018.”

In addition to sessions focusing on protecting Obamacare and other pillars of Obama’s legacy against dismantling by President-elect Trump, the agenda includes panels on rethinking polling and the left’s approach to winning the working-class vote, as well as sessions stressing the importance of channeling cash to state legislative policy battles and races, where Republicans won big victories last week.

Democrats need to invest more in training officials and developing policies in the states, argued Rep. Ellison (D-Minn.) on a Friday afternoon donor conference call, according to someone on the call. The call was organized by a DA-endorsed group called the State Innovation Exchange (or SiX), which Ellison urged the donors to support.

Ellison, who is scheduled to speak on a Monday afternoon panel at the DA meeting on the challenge Democrats face in winning working-class votes, has been a leading liberal voice for a form of economic populism that Trump at times channeled more than Clinton.

As liberals look to rebuild the post-Clinton Democratic Party on a more aggressively liberal bearing, Ellison has emerged as a top candidate to take over the Democratic National Committee, and he figures to be in high demand at the DA meeting. An Ellison spokesman did not immediately respond to a request for comment on Sunday evening. Nor did a Trump spokesman.

Raj Goyle, a New York Democratic activist who previously served in the Kansas state legislature and now sits on SiX’s board, argued that many liberal activists and donors are “disconnected from working class voters’ concerns” because they’re cluster in coastal cities. “And that hurt us this election,” said Goyle, who is involved in the DA, and said its donors would do well to steer more cash to groups on the ground in landlocked states. “Progressive donors and organizations need to immediately correct the lack of investment in state and local strategies.”

The Democracy Alliance was launched after the 2004 election by Soros, the late insurance mogul Peter Lewis, and a handful of fellow Democratic mega-donors who had combined to spend tens of millions trying to boost then-Sen. John Kerry’s ultimately unsuccessful challenge to then-President George W. Bush.

The donors’ goal was to seed a set of advocacy groups and think tanks outside the Democratic Party that could push the party and its politicians to the left while also defending them against attack from the right.

The group requires its members—a group that now numbers more than 100 and includes finance titans like Soros, Tom Steyer and Donald Sussman, as well as major labor unions and liberal foundations—to contribute a total of at least \$200,000 a year to recommended groups. Members also pay annual dues of \$30,000 to fund the DA staff and its meetings, which include catered meals and entertainment (on Sunday, interested donors were treated to a VIP tour of the recently opened National Museum of African American History and Culture).

Since its inception in 2005, the DA has steered upward of \$500 million to a range of groups, including pillars of the political left such as the watchdog group Media Matters, the policy advocacy outfit Center for American Progress and the data firm Catalyst—all of which are run by Clinton allies who are expected to send representatives to the DA meeting.

The degree to which those groups will be able to adapt to the post-Clinton Democratic Party is not entirely clear, though some of the key DA donors have given generously to them for years.



That includes Soros, who, after stepping back a bit from campaign-related giving in recent years, had committed or donated \$25 million to boosting Clinton and other Democratic candidates and causes in 2016. During the presidential primaries, Soros had argued that Trump and his GOP rival Ted Cruz were “doing the work of ISIS.”

A Soros spokesman declined to comment for this story.

But, given that the billionaire financier only periodically attends DA meetings and is seldom a part of the formal proceedings, his scheduled Tuesday morning appearance as a speaker suggests that he’s committed to investing in opposing President Trump.

The agenda item for a Tuesday morning “conversation with George Soros” invokes Soros’ personal experience living through the Holocaust and Soviet Communism in the context of preparing for a Trump presidency. The agenda notes that the billionaire currency trader, who grew up in Hungary, “has lived through Nazism and Communism, and has devoted his foundations to protecting the kinds of open societies around the world that are now threatened in the United States itself.”

LaMarche, who for years worked for Soros’s Open Society foundations, told POLITICO that the references to Nazism and Communism are “part of his standard bio.”

LaMarche, who is set to moderate the discussion with Soros, said the donor “does not plan to compare whatever we face under Trump to Nazism, I can tell you that.” LaMarche he also said, “I don’t think there is anyone who has looked at Trump, including many respected conservatives, who doesn’t think the experience of authoritarian states would not be important to learn from here. And to the extent that Soros and his foundations have experience with xenophobia in Europe, Brexit, etc., we want to learn from that as well.”

The Soros conversation was added to the agenda after Election Day. It was just one of many changes made on the fly to adjust for last week’s jarring result and the stark new reality facing liberals, who went from discussing ways to push an incoming President Clinton leftward, to instead discussing how to play defense.

A pre-election working draft of the DA’s agenda, obtained by POLITICO, featured a session on Clinton’s first 100 days and another on “moving a progressive national policy agenda in 2017.” Those sessions were re-

branded so that the first instead will examine “what happened” on the “cataclysm of Election Day,” while the second will focus on “combating the massive threats from Trump and Congress in 2017.”

A session that before the election had been titled “Can Our Elections Be Hacked,” after the election was renamed “Was the 2016 Election Hacked”—a theory that has percolated without evidence on the left to explain the surprising result.

In his post-election emails to donors and operatives, LaMarche acknowledged the group had to “scrap many of the original plans for the conference,” explaining “while we made no explicit assumptions about the outcome, the conference we planned, and the agenda you have seen, made more sense in the event of a Hillary Clinton victory.”

Mr. KING of Iowa. Mr. Speaker, I will conclude my remarks, and I yield back the balance of my time.

PUBLICATION OF BUDGETARY MATERIAL

STATUS REPORT ON CURRENT LEVELS OF ON-BUDGET SPENDING AND REVENUES FOR FY 2020

HOUSE OF REPRESENTATIVES,  
COMMITTEE ON THE BUDGET,  
Washington, DC, January 15, 2020.

DEAR MADAM SPEAKER: To facilitate application of sections 302 and 311 of the Congressional Budget Act of 1974, I am transmitting an updated status report on the current levels of on-budget spending and revenues for fiscal year 2020. This status report is current through January 3, 2020, the end of the first session of the 116th Congress. The term “current level” refers to the amounts of spending and revenues estimated for each fiscal year based on laws enacted or awaiting the President’s signature.

Table 1 compares the current levels of total budget authority, outlays, and revenues to the overall limits filed in the Congressional Record on May 3, 2019, as adjusted, for fiscal year 2020 and for the 10-year period of fiscal years 2020 through 2029. These comparisons are needed to implement section 311(a) of the Congressional Budget Act of 1974, which establishes a rule enforceable with a point of order against measures that would breach the budget resolution’s aggregate levels. The table does not show budget authority and outlays for years after fiscal year 2020 because appropriations for those years have not yet been completed.

Table 2 compares the current levels of budget authority and outlays for legislative action completed by each authorizing committee with the limits filed in the Congressional Record on May 3, 2019, for fiscal year 2020, and for the 10-year period of fiscal years 2020 through 2029. These comparisons are needed to enforce the point of order under section 302(f) of the Congressional Budget Act of 1974, which prohibits the consideration of measures that would breach the section 302(a) allocation of new budget authority for the committee that reported the measure. It is also needed to implement section 311(c), which provides an exception for committees that comply with their allocations from the point of order under section 311(a).

Table 3 compares the current status of discretionary appropriations for fiscal year 2020 with the section 302(b) suballocations of discretionary budget authority and outlays among Appropriations subcommittees. The comparison is needed to enforce section 302(f) of the Congressional Budget Act of 1974 because the point of order under that section equally applies to measures that would breach the applicable section 302(b) suballocation. The table also provides supplementary information on spending authorized in excess of the base discretionary spending limits under section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985.

Table 4 displays the current level of advance appropriations in fiscal year 2020 appropriations bills. This table is needed to enforce a rule against appropriations bills containing advance appropriations that: (i) are not identified in the statement of the Chairman published in the Congressional Record on May 3, 2019 or (ii) would cause the aggregate amount of such appropriations to exceed the level specified in section 2 of H. Res. 293.

In addition, a letter from the Congressional Budget Office is attached that summarizes and compares the budget impact of legislation enacted after the adoption of the budget resolution against the budget resolution aggregate in force.

If you have any questions, please contact Jennifer Wheelock or Raquel Spencer.

Sincerely,  
JOHN YARMUTH,  
Chairman.

TABLE 1.—REPORT TO THE SPEAKER FROM THE COMMITTEE ON THE BUDGET, STATUS OF THE FISCAL YEAR 2020, AND 2020–2029 CONGRESSIONAL BUDGET, REFLECTING ACTION COMPLETED AS OF JANUARY 3, 2020

(On-budget amounts, in millions of dollars)			
	Fiscal Year 2020	Fiscal Years 2020–2029	
Appropriate Level:			
Budget Authority .....	3,806,162	n.a.	
Outlays .....	3,722,823	n.a.	
Revenues .....	2,740,533	34,847,515	
Current Level:			
Budget Authority .....	3,823,390	n.a.	
Outlays .....	3,726,322	n.a.	
Revenues .....	2,706,090	34,461,163	
Current Level over (+) / under (–)			
Appropriate Level:			
Budget Authority .....	17,228	n.a.	
Outlays .....	3,499	n.a.	
Revenues .....	–34,443	–386,352	

n.a. = Not applicable because annual appropriations acts for fiscal years 2021 through 2029 will not be considered until future sessions of Congress.  
Note: Excludes all emergencies.

TABLE 2.—DIRECT SPENDING LEGISLATION, COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(A) ALLOCATIONS FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF JANUARY 3, 2020

House Committee		2020		2020–2029 Total	
		BA	Outlays	BA	Outlays
Agriculture					
Allocation .....		0	0	0	0
Current Level .....		150	150	410	410

TABLE 2.—DIRECT SPENDING LEGISLATION, COMPARISON OF AUTHORIZING COMMITTEE LEGISLATIVE ACTION WITH 302(A) ALLOCATIONS FOR BUDGET CHANGES, REFLECTING ACTION COMPLETED AS OF JANUARY 3, 2020—Continued

[Fiscal Years, in millions of dollars]

House Committee	2020		2020–2029 Total	
	BA	Outlays	BA	Outlays
Difference .....	150	150	410	410
Armed Services .....				
Allocation .....	0	0	0	0
Current Level .....	28	31	4,701	4,701
Difference .....	28	31	4,701	4,701
Education and Labor .....				
Allocation .....	0	0	0	0
Current Level .....	967	690	6,138	5,741
Difference .....	967	690	6,138	5,741
Energy and Commerce .....				
Allocation .....	0	0	0	0
Current Level .....	6,523	5,147	14,714	14,824
Difference .....	6,523	5,147	14,714	14,824
Financial Services .....				
Allocation .....	0	0	0	0
Current Level .....	–2	–2	4,360	4,360
Difference .....	–2	–2	4,360	4,360
Foreign Affairs .....				
Allocation .....	0	0	0	0
Current Level .....	2	37	2	37
Difference .....	2	37	2	37
Homeland Security .....				
Allocation .....	0	0	0	0
Current Level .....	0	0	0	0
Difference .....	0	0	0	0
House Administration .....				
Allocation .....	0	0	0	0
Current Level .....	0	0	0	0
Difference .....	0	0	0	0
Judiciary .....				
Allocation .....	0	0	0	0
Current Level .....	1,015	960	11,852	11,603
Difference .....	1,015	960	11,852	11,603
Natural Resources .....				
Allocation .....	0	0	0	0
Current Level .....	56	56	71	71
Difference .....	56	56	71	71
Oversight and Reform .....				
Allocation .....	0	0	0	0
Current Level .....	0	0	–128	–128
Difference .....	0	0	–128	–128
Science, Space, and Technology .....				
Allocation .....	0	0	0	0
Current Level .....	0	0	15	15
Difference .....	0	0	15	15
Small Business .....				
Allocation .....	0	0	0	0
Current Level .....	0	0	0	0
Difference .....	0	0	0	0
Transportation and Infrastructure .....				
Allocation .....	0	0	0	0
Current Level .....	7,571	2	75,698	8
Difference .....	7,571	2	75,698	8
Veterans' Affairs .....				
Allocation .....	0	0	0	0
Current Level .....	–10	–10	–75	–75
Difference .....	–10	–10	–75	–75
Ways and Means .....				
Allocation .....	0	0	0	0
Current Level .....	1,078	733	–2,596	–2,595
Difference .....	1,078	733	–2,596	–2,595

TABLE 3.—DISCRETIONARY APPROPRIATIONS FOR FISCAL YEAR 2020—COMPARISON OF CURRENT LEVEL WITH APPROPRIATIONS COMMITTEE 302(a) ALLOCATION AND APPROPRIATIONS SUBCOMMITTEE 302(b) SUBALLOCATIONS

[Unified budget amounts, in millions of dollars]

Appropriations Subcommittee	Allocations Constrained by Caps as of June 21, 2019 (H. Rpt. 116–124) <sup>1</sup>		Current Level Reflecting Action Completed as of January 3, 2020 <sup>2</sup>		Current Level less Allocation		Allocations for Cap Adjustments as of June 21, 2019 (H. Rpt. 116–124) <sup>1</sup>		Current Level Reflecting Action Completed as of January 3, 2020 <sup>2</sup>		Current Level less Allocation	
	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT	BA	OT
Agriculture, Rural Development, FDA .....	24,310	22,900	23,493	22,803	–817	–97	–	–	–	–	–	–
Commerce, Justice, Science .....	66,395	72,000	70,675	74,133	4,280	2,133	7,500	5,400	2,500	1,800	–5,000	–3,600
Defense .....	622,082	624,175	622,665	622,591	583	–1,584	68,079	38,227	70,665	40,318	2,586	2,091
Energy and Water Development .....	46,413	44,800	48,343	45,605	1,930	805	–	–	–	–	–	–
Financial Services and General Government <sup>3</sup> .....	24,550	24,300	23,828	23,835	–722	–465	400	338	151	116	–249	–222
Homeland Security <sup>4</sup> .....	49,736	60,023	50,468	58,829	732	–1,194	14,075	704	17,542	1,014	3,467	310
Interior, Environment .....	37,277	35,650	35,989	34,839	–1,288	–811	2,250	2,250	2,250	2,250	–	–
Labor, Health and Human Services, Education .....	189,876	190,500	183,042	186,925	–6,834	–3,575	1,842	1,481	1,842	1,481	–	–
Legislative Branch .....	5,010	5,037	5,049	4,996	39	–41	–	–	–	–	–	–
Military Construction, Veterans Affairs .....	105,217	99,500	103,486	98,154	–1,731	–1,346	921	7	645	1	–276	–6
State, Foreign Operations .....	48,381	48,750	46,685	48,079	–1,696	–671	8,000	2,174	8,000	2,326	–	152
Transportation, Housing & Urban Development .....	75,771	133,300	74,277	133,041	–1,494	–259	–	–	–	–	–	–
Subtotal, 302(b) Allocations .....	1,295,018	1,360,935	1,288,000	1,353,830	–7,018	–7,105	103,067	50,581	103,595	49,306	528	–1,275
Unallocated portion of Section 302(a) Allocation <sup>5</sup> .....	–7,018	–2,935	n.a.	n.a.	n.a.	n.a.	528	–1,275	n.a.	n.a.	n.a.	n.a.
Total, 302(a) Allocations .....	1,288,000	1,358,000	1,288,000	1,353,830	–	–4,170	103,595	49,306	103,595	49,306	–	–
Section 251(b) Designated Categories (Cap Adjustments)							302(a) Cap Adjustments as of December 17, 2019		Current Level Reflecting Action Completed as of January 3, 2020 <sup>1</sup>		Current Level less 302(a)	
							BA	OT	BA	OT	BA	OT
Memorandum:												
Overseas Contingency Operations .....	79,500	42,791	79,500	42,791	–	–	79,500	42,791	79,500	42,791	–	–
Program Integrity .....	1,842	1,481	1,842	1,481	–	–	1,842	1,481	1,842	1,481	–	–
Disaster Relief .....	17,503	984	17,503	984	–	–	17,503	984	17,503	984	–	–
Census .....	2,500	1,800	2,500	1,800	–	–	2,500	1,800	2,500	1,800	–	–
Wildfire Suppression .....	2,250	2,250	2,250	2,250	–	–	2,250	2,250	2,250	2,250	–	–
Total, Adjustments .....	103,595	49,306	103,595	49,306	–	–	103,595	49,306	103,595	49,306	–	–

<sup>1</sup> The House Committee on Appropriations provided 302(b) suballocations consistent with committee-reported legislation.

<sup>2</sup> Current level excludes amounts designated as emergency requirements.

<sup>3</sup> The Financial Services and General Government subcommittee received a cap adjustment for program integrity amounts pursuant to the deeming resolution (H. Res. 293). The amounts indicated in current level were provided for disaster relief requirements.

<sup>4</sup> The Homeland Security subcommittee received a cap adjustment for disaster relief requirements. The amounts indicated in current level include amounts for disaster relief requirements and overseas contingency operations.

<sup>5</sup> Amounts include 302(a) adjustments for the Bipartisan Budget Act of 2019 (P.L. 116–37), as well as cap adjustments included in the final enacted appropriations, that have not been adjusted in the 302(b) suballocations.

TABLE 4.—ADVANCE APPROPRIATIONS PURSUANT TO SECTION 2 OF H. RES. 293 AS OF JANUARY 3, 2020  
[Budget authority in millions of dollars]

For 2021	
Accounts Identified for Advance Appropriations	
Appropriate Level .....	28,852
Enacted advances:	
Accounts identified for advances:	
Employment and Training Administration .....	1,772
Education for the Disadvantaged .....	10,841
School Improvement .....	1,681
Career, Technical, and Adult Education .....	791
Special Education .....	9,283
Tenant-based Rental Assistance .....	4,000
Project-based Rental Assistance .....	400
Other:	
Public Company Accounting Oversight Board .....	1
Subtotal, enacted advances .....	28,770
Enacted Advances vs. Section 2 limit .....	–82
Veterans Accounts Identified for Advance Appropriations	
Appropriate Level .....	87,637
Enacted advances:	
Veterans accounts identified for advances:	
Veterans Medical Services .....	56,158
Veterans Medical Support and Compliance .....	7,914
Veterans Medical Facilities .....	6,433
Veterans Medical Community Care .....	17,131
Subtotal, enacted advances .....	87,637
Enacted Advances vs. Section 2 limit .....	

TABLE 4.—ADVANCE APPROPRIATIONS PURSUANT TO SECTION 2 OF H. RES. 293 AS OF JANUARY 3, 2020—Continued

[Budget authority in millions of dollars]	
For 2022:	
Enacted advances:	
Accounts identified for advances:	
Corporation for Public Broadcasting .....	445
Other:	
Public Company Accounting Oversight Board .....	1
Subtotal, enacted advances .....	446

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, January 15, 2020.  
Hon. JOHN YARMUTH,  
Chairman, Committee on the Budget, House of Representatives, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2020 budget and is current through January 3, 2020. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the

allocations, aggregates, and other budgetary levels printed in the *Congressional Record* on May 3, 2019, as adjusted, pursuant to sections 1 and 2 of House Resolution 293 of the 116th Congress.

Since our last letter dated October 15, 2019, the Congress has cleared and the President has signed the following legislation that has significant effects on budget authority and outlays in fiscal year 2020:

Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (Public Law 116–69);

Women's Suffrage Centennial Commemorative Coin Act (Public Law 116–71);

Fostering Undergraduate Talent by Unlocking Resources for Education Act (Public Law 116–91);

National Defense Authorization Act for Fiscal Year 2020 (Public Law 116–92);

Consolidated Appropriations Act, 2020 (Public Law 116–93); and

Further Consolidated Appropriations Act, 2020 (Public Law 116–94)

Sincerely,

PHILLIP L. SWAGEL.

Enclosure.

# FISCAL YEAR 2020 HOUSE CURRENT LEVEL REPORT THROUGH JANUARY 3, 2020

[In millions of dollars]

	Budget Authority	Outlays	Revenues
Previously Enacted <sup>a,b</sup> :			
Revenues .....	n.a.	n.a.	2,740,533
Permanents and other spending legislation .....	2,402,273	2,307,950	n.a.
Appropriation legislation .....	0	595,528	n.a.
Offsetting receipts .....	–954,573	–954,573	n.a.
Total, Previously Enacted .....	1,447,700	1,948,905	2,740,533
Enacted Legislation:			
Authorizing Legislation:			
Blue Water Navy Vietnam Veterans Act of 2019 (P.L. 116–23) .....	–10	–10	0
Taxpayer First Act (P.L. 116–25) .....	0	0	5
Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Authorization of the September 11th Victim Compensation Fund Act (P.L. 116–34) .....	950	950	0
Sustaining Excellence in Medicaid Act of 2019 (P.L. 116–39) .....	17	16	0
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Div. B, P.L. 116–59) .....	693	667	0
Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (Div. B, P.L. 116–69) .....	8,058	415	0
Women's Suffrage Centennial Commemorative Coin Act (P.L. 116–71) .....	–2	–2	0
Fostering Undergraduate Talent by Unlocking Resources for Education Act (P.L. 116–91) .....	–720	–997	0
National Defense Authorization Act for Fiscal Year 2020 (P.L. 116–92) .....	32	35	1
Further Consolidated Appropriations Act, 2020 (Div. I–K, M–Q, P.L. 116–94) .....	8,360	6,720	–34,449
Subtotal, Authorizing Legislation .....	17,378	7,794	–34,443
Appropriation Legislation <sup>a,b,c</sup> :			
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Div. A, P.L. 116–59) <sup>d</sup> .....	0	128	0
Consolidated Appropriations Act, 2020 (P.L. 116–93) .....	883,208	530,066	0
Further Consolidated Appropriations Act, 2020 (Div. A–H, P.L. 116–94) .....	1,578,581	1,238,034	0
Subtotal, Appropriation Legislation .....	2,461,789	1,768,228	0
Total, Enacted Legislation .....	2,479,167	1,776,022	–34,443
Adjustments to Entitlements and Mandatories .....	–103,477	1,395	0
Total Current Level <sup>b</sup> .....	3,823,390	3,726,322	2,706,090
Total House Resolution <sup>c</sup> .....	3,806,162	3,722,823	2,740,533
Current Level Over House Resolution .....	17,228	3,499	n.a.
Current Level Under House Resolution .....	n.a.	n.a.	34,443
Memorandum			
Revenues, 2020–2029:			
House Current Level <sup>b,c</sup> .....	n.a.	n.a.	34,461,163
House Resolution <sup>c</sup> .....	n.a.	n.a.	34,847,515
Current Level Over House Resolution .....	n.a.	n.a.	n.a.
Current Level Under House Resolution .....	n.a.	n.a.	386,352

Source: Congressional Budget Office.

n.a. = not applicable; P.L. = public law.

<sup>a</sup> Sections 1001–1004 of the 21st Century Cures Act (P.L. 114–255) require that certain funding provided for 2017 through 2026 to the Department of Health and Human Services—in particular the Food and Drug Administration and the National Institutes of Health—be excluded from estimates for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act) and the Congressional Budget and Impoundment Control Act of 1974 (Congressional Budget Act). Therefore, the amounts shown in this report do not include \$567 million in budget authority and \$798 million in estimated outlays.

<sup>b</sup> For purposes of enforcing section 311 of the Congressional Budget Act in the House, the resolution, as approved by the House of Representatives, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, amounts in this current level report do not include those items.

<sup>c</sup> In the House of Representatives, and pursuant to section 314(d) of the Congressional Budget Act of 1974, amounts designated as an emergency requirement shall not count for purposes of title III and title IV of the Congressional Budget Act of 1974, and are excluded from current level totals. In addition, emergency funding that was not designated pursuant to the Deficit Control Act does not count for certain budgetary enforcement purposes. Those amounts, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Discretionary Emergency Requirements:			
Additional Supplemental Appropriations for Disaster Relief Act, 2019 (P.L. 116–20) .....	8	4,951	0
Emergency Supplemental Appropriations for Humanitarian Assistance and Security at the Southern Border Act, 2019 (P.L. 116–26) .....	0	1,300	0
Consolidated Appropriations Act, 2020 (P.L. 116–93) .....	1,771	914	0
Further Consolidated Appropriations Act, 2020 (P.L. 116–94) .....	6,764	1,705	0

	Budget Authority	Outlays	Revenues
Total, Discretionary Emergency Requirements .....	8,543	8,870	0
<sup>a</sup> Section 124 of the Continuing Appropriations Act, 2020 (division A of P.L. 116-59), appropriated funding for the Ukraine Security Assistance Initiative (within the jurisdiction of the Subcommittee on Defense) and designated those amounts as funding for overseas contingency operations. That provision took effect upon enactment on September 27, 2019. <sup>b</sup> On May 3, 2019 the Chair of the House Committee on the Budget published the aggregate spending and revenue levels for fiscal year 2020 pursuant to H. Res. 293. In accordance with section 314 of the Congressional Budget Act of 1974, section 251(b) of the Balanced Budget and Emergency Deficit Control Act of 1985, and section 1 of H. Res. 293 the Chair of the House Committee on the Budget may revise the budgetary aggregates. Revisions to date are listed below.			
	Budget Authority	Outlays	Revenues
Original Aggregates Printed on May 3, 2019: .....	3,709,585	3,676,452	2,740,533
Revisions:			
Adjustment for H.R. 2740, Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, 2020 .....	1,842	1,481	n.a.
Adjustment for H.R. 2745, Military Construction, Veterans Affairs, and Related Agencies Appropriations Act, 2020 .....	921	7	n.a.
Adjustment for H.R. 2839, Department of State, Foreign Operations, and Related Programs Appropriations Act, 2020 .....	8,000	2,174	0
Adjustment for H.R. 2968, Department of Defense Appropriations Act, 2020 .....	68,079	38,227	0
Adjustment for H.R. 3052, Department of the Interior, Environment, and Related Agencies Appropriations Act, 2020 .....	2,250	2,250	0
Adjustment for H.R. 3055, Commerce, Justice, Science, and Related Agencies Appropriations Act, 2020 .....	7,500	5,400	0
Adjustment for H.R. 3351, Financial Services and General Government Appropriations Act, 2020 .....	400	338	0
Adjustment for H.R. 3931, Department of Homeland Security Appropriations Act, 2020 .....	14,075	704	0
Adjustment for P.L. 116-37, Bipartisan Budget Act of 2019 .....	-9,918	-5,488	0
Adjustment for H.R. 1158, Consolidated Appropriations Act, 2020, and H.R. 1865, Further Consolidated Appropriations Act, 2020 .....	3,428	1,278	0
Revised House Resolution .....	3,806,162	3,722,823	2,740,533

## SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 2547. An act to state the policy of the United States with respect to the expansion of cooperation with allies and partners in the Indo-Pacific region and Europe regarding the People's Republic of China; to the Committee on Foreign Affairs.

## BILLS PRESENTED TO THE PRESIDENT

Cheryl L. Johnson, Clerk of the House, reported that on January 14, 2020, she presented to the President of the United States, for his approval, the following bills:

H.R. 2476. To amend the Homeland Security Act of 2002 to provide funding to secure nonprofit facilities from terrorist attacks, and for other purposes.

H.R. 583. To amend the Communications Act of 1934 to provide for enhanced penalties for pirate radio, and for other purposes.

## ADJOURNMENT

Mr. KING of Iowa. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 8 o'clock and 9 minutes p.m.), under its previous order, the House adjourned until tomorrow, Thursday, January 16, 2020, at 9 a.m.

## EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XIV, executive communications were taken from the Speaker's table and referred as follows:

3569. A letter from the Chairman, Board of Governors of the Federal Reserve System, transmitting the "Annual Report to the Congress on the Presidential \$1 Coin Program", December 2019, pursuant to 31 U.S.C. 5112(p)(3)(B); Public Law 97-258 (as amended by Public Law 109-145, Sec. 104); (119 Stat. 2670); to the Committee on Financial Services.

3570. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — California: Final Authorization of State Hazardous Waste Management Program Revisions [EPA-R09-RCRA-2019-0491; FRL-10003-98-Region 9] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3571. A letter from the Director, Regulations Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Extreme Area Submission Requirements, Coachella Valley Nonattainment Area; California Ozone [EPA-R09-OAR-2019-0240; FRL-10003-97-Region 9] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3572. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Fenhexamid; Pesticide Tolerances [EPA-HQ-OPP-2018-0560; FRL-10002-21] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3573. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; New Mexico; City of Albuquerque-Bernalillo County; New Source Review Preconstruction Permitting Program [EPA-R06-OAR-2018-0177; FRL-10003-44-Region 6] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3574. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Washington; Update to the Adoption by Reference, Energy Facility Site Evaluation Council [EPA-R10-OAR-2019-0568; FRL-10003-85-Region 10] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3575. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Approval and Promulgation of Implementation Plans; State of Montana; State Implementation Plan Revisions for Open Burning [EPA-R08-OAR-2019-0163; FRL-10003-37-Region 8] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3576. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Approval and Promulgation of State Air Quality Plans for Designated Facilities and Pollutants; New Mexico and Albuquerque-Bernalillo County, New Mexico; Control of Emissions From Existing Other Solid Waste Incineration Units [EPA-R06-OAR-2011-0513; FRL-10003-60-Region 6] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3577. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; California; Northern Sierra Air Quality Management District; Reasonably Available Control Technology [EPA-R09-OAR-2019-0528; FRL-10003-96-Region 9] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3578. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; GA; Nonattainment New Source Review [EPA-R04-OAR-2018-0710; FRL-10004-19-Region 4] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3579. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's direct final rule — Air Plan Approval; Illinois; Emissions Statement Rule Certification for the 2015 Ozone Standard [EPA-R05-OAR-2019-0311; FRL-10004-21-Region 5] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3580. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Air Plan Approval; Missouri; Sampling Methods for Air Pollution Sources [EPA-R07-2019-0656; FRL-10004-15-Region 1] received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3581. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — Renewable Fuel Standard Program: Standards for 2020 and Biomass-Based Diesel Volume for 2021 and Other Changes [EPA-HQ-OAR-2019-0136; FRL-10003-79-OAR] (RIN: 2060-AU42) received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3582. A letter from the Director, Regulatory Management Division, Environmental Protection Agency, transmitting the Agency's final rule — National Emission Standards for Hazardous Air Pollutants: Surface Coating of Metal Cans and Surface Coating of Metal Coil Residual Risk and Technology Reviews [EPA-HQ-OAR-2017-0684, EPA-HQ-OAR-2017-0685; FRL-10003-81-OAR] (RIN: 2060-

AT51) received January 13, 2020, pursuant to 5 U.S.C. 801(a)(1)(A); Public Law 104-121, Sec. 251; (110 Stat. 868); to the Committee on Energy and Commerce.

3583. A letter from the Assistant Legal Adviser, Office of Treaty Affairs, Department of State, transmitting a report concerning international agreements other than treaties entered into by the United States to be transmitted to the Congress within the sixty-day period specified in the Case-Zablocki Act, pursuant to 1 U.S.C. 112b(a); Public Law 92-403, Sec. 1(a) (as amended by Public Law 108-458, Sec. 7121(b)); (118 Stat. 3807); to the Committee on Foreign Affairs.

3584. A letter from the Director, Office of Personnel Management, transmitting a detailed report justifying the reasons for the extension of locality-based comparability payments to non-General Schedule categories of positions that are in more than one executive agency, pursuant to 5 U.S.C. 5304(h)(2)(C); Public Law 89-554, Sec. 5304(h) (as added by Public Law 102-378, Sec. 2(26)(E)(ii)); (106 Stat. 1349); to the Committee on Oversight and Reform.

3585. A letter from the Director, Office of Personnel Management, transmitting the Office's report titled "Federal Student Loan Repayment Program" for Calendar Year 2018, pursuant to 5 U.S.C. 5379(h)(2); Public Law 101-510, Sec. 1206(b)(1) (as added by Public Law 106-398, Sec. 1122(a)); (114 Stat. 1654A-316); to the Committee on Oversight and Reform.

3586. A letter from the Acting Assistant Secretary for Legislation, Department of Health and Human Services, transmitting Department's FY 2019 Agency Financial Report, pursuant to 31 U.S.C. 3515(a)(1); Public Law 101-576, Sec. 303(a)(1) (as amended by Public Law 107-289, Sec. 2(a)); (116 Stat. 2049); to the Committee on Oversight and Reform.

3587. A letter from the Director, Office of Personnel Management, transmitting the Office's Federal Equal Opportunity Recruitment Program Report for Fiscal Year 2017; to the Committee on Oversight and Reform.

## PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XII, public bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. HORSFORD (for himself, Ms. TITUS, Mr. AMODEI, and Mrs. LEE of Nevada):

H.R. 5606. A bill to extend the withdrawal and reservation of certain public land in the State of Nevada for the continued use of the Nevada test and training range, to designate certain land in the Desert National Wildlife Refuge as wilderness, and for other purposes; to the Committee on Natural Resources, and in addition to the Committee on Armed Services, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Ms. PINGREE (for herself, Mr. NEWHOUSE, and Ms. BONAMICI):

H.R. 5607. A bill to amend the Richard B. Russell National School Lunch Act to require the Secretary of Agriculture to carry out a grant program to make grants to eligible local educational agencies to carry out food waste reduction programs, and for other purposes; to the Committee on Education and Labor.

By Mr. SCHNEIDER (for himself, Ms. KAPTUR, Mrs. LOWEY, Mr. KIM, Mr. HUFFMAN, Mr. ROUDA, Mr. WELCH, Mr. KIND, and Mr. CARBAJAL):

H.R. 5608. A bill to assist communities affected by stranded nuclear waste, and for

other purposes; to the Committee on Transportation and Infrastructure, and in addition to the Committees on Financial Services, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARDER of California:

H.R. 5609. A bill to authorize the President to declare a homelessness emergency, and for other purposes; to the Committee on the Budget, and in addition to the Committees on Financial Services, and Transportation and Infrastructure, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. HARDER of California (for himself and Mr. STAUBER):

H.R. 5610. A bill to amend title 38, United States Code, to expand the list of diseases presumed to have a service connection to exposure to certain herbicide agents; to the Committee on Veterans' Affairs.

By Mr. DESAULNIER (for himself and Mr. STAUBER):

H.R. 5611. A bill to promote State requirements for local educational agencies and public elementary and secondary schools relating to the prevention and treatment of concussions suffered by students; to the Committee on Education and Labor.

By Ms. GABBARD:

H.R. 5612. A bill to amend the Federal Home Loan Bank Act to allow for advances to certain community development financial institutions and credit unions, and for other purposes; to the Committee on Financial Services.

By Mr. GALLEG0 (for himself, Mr. SWALWELL of California, and Ms. HAALAND):

H.R. 5613. A bill to amend the Higher Education Act of 1965 to allow qualified entrepreneurs to temporarily defer Federal student loan payments after starting a new business; to the Committee on Education and Labor.

By Mr. GONZALEZ of Texas (for himself, Mr. CUELLAR, Mr. GOODEN, and Mr. BARR):

H.R. 5614. A bill to exempt small seller financiers from certain licensing requirements; to the Committee on Financial Services.

By Ms. MATSUI (for herself, Mr. SARBANES, Mr. FORTENBERRY, Ms. HAALAND, Mr. HUFFMAN, Ms. BARRAGAN, and Ms. BLUNT ROCH-ESTER):

H.R. 5615. A bill to establish a grant program to assist retail power providers with the establishment and operation of energy conservation programs using targeted residential tree-planting, and for other purposes; to the Committee on Energy and Commerce.

By Mr. MCKINLEY (for himself, Mr. PANETTA, Mr. RESCHENTHALER, Mr. MOONEY of West Virginia, and Mrs. MILLER):

H.R. 5616. A bill to require the Secretary of Veterans Affairs to submit to Congress reports on patient safety and quality of care at medical centers of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MEEKS (for himself, Ms. VELÁZQUEZ, Mr. ROSE of New York, Mrs. CAROLYN B. MALONEY of New York, Ms. MENG, Mr. SUOZZI, Mr. ENGEL, Ms. CLARKE of New York, Mr. ESPAILLAT, Mr. NADLER, Mr. SERRANO, Mr. JEFFRIES, Mr. KING of New York, Ms. OCASIO-CORTEZ, and Miss RICE of New York):

H.R. 5617. A bill to amend the Internal Revenue Code of 1986 to exclude discharges of in-

debtedness on taxi medallions from gross income; to the Committee on Ways and Means.

By Ms. NORTON:

H.R. 5618. A bill to make supplemental appropriations to provide additional funds to Americorps for the fiscal year ending September 30, 2020; to the Committee on Appropriations.

By Mr. STEWART (for himself and Ms. MATSUI):

H.R. 5619. A bill to authorize a pilot program to expand and intensify surveillance of self-harm in partnership with State and local public health departments, to establish a grant program to provide self-harm and suicide prevention services in hospital emergency departments, and for other purposes; to the Committee on Energy and Commerce.

By Mr. TRONE (for himself, Mr. RASKIN, and Mr. SARBANES):

H.R. 5620. A bill to provide for a Federal partnership to ensure educational equity and quality; to the Committee on Education and Labor.

By Mr. WALTZ (for himself and Mr. CISNEROS):

H.R. 5621. A bill to amend title 10, United States Code, to extend certain morale, welfare, and recreation privileges to protective services civilian employees; to the Committee on Armed Services.

By Mr. NADLER:

H. Res. 798. A resolution appointing and authorizing managers for the impeachment trial of Donald John Trump, President of the United States; considered and agreed to, considered and agreed to.

By Mr. ROUDA (for himself, Mr. BUDD, Mr. LOWENTHAL, Ms. PORTER, Mr. VARGAS, Mrs. DAVIS of California, and Ms. LOFGREN):

H. Res. 799. A resolution supporting efforts to preserve Vietnamese and Vietnamese-American heritage and history and recognizing the accomplishments and contributions of Vietnamese Americans; to the Committee on Foreign Affairs, and in addition to the Committee on the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.

By Mr. GRAVES of Louisiana (for himself, Mr. RICHMOND, Mr. SCALISE, Mr. ABRAHAM, Mr. HIGGINS of Louisiana, and Mr. JOHNSON of Louisiana):

H. Res. 800. A resolution commending the Louisiana State University Tigers football team for winning the 2019 College Football Playoff Championship; to the Committee on Education and Labor.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 3 of rule XII, private bills and resolutions of the following titles were introduced and severally referred, as follows:

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5622. A bill for the relief of Igor Klyuchenko; to the Committee on the Judiciary.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5623. A bill for the relief of Tetyana Zvarychuk; to the Committee on the Judiciary.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5624. A bill for the relief of Melnyk Ruslana and Gnatyuk Mykhaylo; to the Committee on the Judiciary.

### CONSTITUTIONAL AUTHORITY STATEMENT

Pursuant to clause 7 of rule XII of the Rules of the House of Representatives, the following statements are submitted regarding the specific powers granted to Congress in the Constitution to enact the accompanying bill or joint resolution.

By Mr. HORSFORD:

H.R. 5606.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, Clause 1 of the Constitution of the United States.

By Ms. PINGREE:

H.R. 5607.

Congress has the power to enact this legislation pursuant to the following:

Clause 1 of Section 8 of the US Constitution

By Mr. SCHNEIDER:

H.R. 5608.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8

By Mr. HARDER of California:

H.R. 5609.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. HARDER of California:

H.R. 5610.

Congress has the power to enact this legislation pursuant to the following:

U.S. Const. art. 1, sec. 8

By Mr. DESAULNIER:

H.R. 5611.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8.

By Ms. GABBARD:

H.R. 5612.

Congress has the power to enact this legislation pursuant to the following:

The U.S. Constitution including Article 1, Section 8.

By Mr. GALLEG0:

H.R. 5613.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 18

By Mr. GONZALEZ of Texas:

H.R. 5614.

Congress has the power to enact this legislation pursuant to the following:

According to Section 8 of Article I, Clause 3 of the Constitution.

By Ms. MATSUI:

H.R. 5615.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8

By Mr. MCKINLEY:

H.R. 5616.

Congress has the power to enact this legislation pursuant to the following:

Article 1 Section 8

Section 8—Powers of Congress. To make all Laws which shall be necessary and proper for carrying into Execution the foregoing Powers, and all other Powers vested by this Constitution in the Government of the United States, or in any Department or Officer thereof.

By Mr. MEEKS:

H.R. 5617.

Congress has the power to enact this legislation pursuant to the following:

Article I

By Ms. NORTON:

H.R. 5618.

Congress has the power to enact this legislation pursuant to the following:

clause 1 of section 8 of article I of the Constitution.

By Mr. STEWART:

H.R. 5619.

Congress has the power to enact this legislation pursuant to the following:

Article 1, Section 8, Clause 3 of the United States Constitution

By Mr. TRONE:

H.R. 5620.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8 of the Constitution of the United States.

By Mr. WALTZ:

H.R. 5621.

Congress has the power to enact this legislation pursuant to the following:

Article I, Section 8, which provides Congress the power “to provide for the common Defence” and “to make Rules for the Government and Regulation of the land and naval Forces”.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5622.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5623.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

By Mr. DANNY K. DAVIS of Illinois:

H.R. 5624.

Congress has the power to enact this legislation pursuant to the following:

Article I of the Constitution and its subsequent amendments and further clarified and interpreted by the Supreme Court of the United States.

### ADDITIONAL SPONSORS

Under clause 7 of rule XII, sponsors were added to public bills and resolutions, as follows:

H.R. 217: Mr. BALDERSON.

H.R. 219: Mr. KELLER.

H.R. 256: Mr. JOHN W. ROSE of Tennessee.

H.R. 372: Mr. HECK.

H.R. 485: Mr. MICHAEL F. DOYLE of Pennsylvania.

H.R. 613: Mr. STIVERS.

H.R. 619: Mrs. WAGNER, Mr. McCAUL, Mr. DANNY K. DAVIS of Illinois, Mr. HORSFORD, and Mr. SUOZZI.

H.R. 712: Mr. MORELLE.

H.R. 779: Mr. CURTIS and Mr. BYRNE.

H.R. 808: Mrs. WALORSKI.

H.R. 856: Mr. GREEN of Tennessee.

H.R. 906: Mrs. AXNE, Mr. COSTA, Mr. GAETZ, Mr. MCKINLEY, and Mr. MURPHY of North Carolina.

H.R. 919: Ms. JAYAPAL.

H.R. 945: Mr. O'HALLERAN, Mr. GOODEN, and Ms. WILD.

H.R. 1043: Ms. SÁNCHEZ.

H.R. 1049: Mr. SHERMAN and Ms. GARCIA of Texas.

H.R. 1126: Mr. RYAN.

H.R. 1151: Ms. SCHAKOWSKY.

H.R. 1166: Mr. MORELLE.

H.R. 1174: Mr. COURTNEY, Mr. RUPPERSBERGER, Mr. PERLMUTTER, Mr. NEGUSE, and Mr. STANTON.

H.R. 1191: Mr. STAUBER.

H.R. 1227: Mr. CALVERT.

H.R. 1266: Mr. SHERMAN, Ms. BARRAGÁN, Ms. PINGREE, and Mr. ROUDA.

H.R. 1289: Mr. MCNERNEY.

H.R. 1345: Mr. PERLMUTTER.

H.R. 1366: Mr. BALDERSON.

H.R. 1374: Mr. BILIRAKIS.

H.R. 1379: Mrs. MCBATH, Mr. SWALWELL of California, and Ms. JOHNSON of Texas.

H.R. 1400: Mr. KENNEDY.

H.R. 1407: Mr. DESAULNIER and Mr. CONNOLLY.

H.R. 1461: Mr. HURD of Texas.

H.R. 1554: Mr. O'HALLERAN.

H.R. 1679: Mr. HURD of Texas.

H.R. 1713: Ms. WATERS and Ms. JACKSON LEE.

H.R. 1754: Mr. KENNEDY and Mr. KILDEE.

H.R. 1786: Mr. BEYER.

H.R. 1834: Mrs. RADEWAGEN.

H.R. 1872: Mr. BACON.

H.R. 1878: Ms. SÁNCHEZ and Mr. CARTWRIGHT.

H.R. 1897: Ms. BONAMICI and Ms. TLAIB.

H.R. 1925: Mr. RED, Miss RICE of New York, and Mr. JEFFRIES.

H.R. 1987: Mr. MCKINLEY.

H.R. 2075: Mr. STIVERS.

H.R. 2079: Mr. CALVERT.

H.R. 2146: Mr. DAVID SCOTT of Georgia.

H.R. 2168: Mr. MORELLE.

H.R. 2179: Mr. CALVERT.

H.R. 2208: Mr. CARTWRIGHT.

H.R. 2214: Mr. HECK and Mr. LANGEVIN.

H.R. 2271: Mr. SWALWELL of California.

H.R. 2339: Mr. SERRANO.

H.R. 2419: Ms. JACKSON LEE.

H.R. 2420: Ms. GABBARD.

H.R. 2435: Mr. LAMB and Mr. YARMUTH.

H.R. 2456: Ms. DEGETTE, Mr. CROW, Mr. CARSON of Indiana, Mr. RYAN, Mr. PHILLIPS, Mr. PALLONE, Mr. KIND, Ms. ESHOO, Mr. COHEN, Mr. BROWN of Maryland, Mr. MICHAEL F. DOYLE of Pennsylvania, and Ms. LOFGREN.

H.R. 2468: Mrs. AXNE.

H.R. 2616: Mr. NEGUSE.

H.R. 2634: Ms. DEGETTE.

H.R. 2653: Mr. STEWART and Ms. TITUS.

H.R. 2662: Mr. PANETTA and Mr. KILMER.

H.R. 2669: Mrs. NAPOLITANO.

H.R. 2694: Mr. LAMB, Mr. COSTA, Mr. BUTTERFIELD, Mr. VEASEY, Mr. LUJÁN, and Mrs. AXNE.

H.R. 2708: Ms. CRAIG.

H.R. 2720: Mr. MCNERNEY.

H.R. 2746: Mr. FORTENBERRY.

H.R. 2775: Mr. CLEAVER.

H.R. 2777: Ms. FUDGE, Ms. FRANKEL, Ms. CASTOR of Florida, Mrs. DEMINGS, Mrs. DAVIS of California, Ms. BASS, Ms. HAALAND, Mr. MORELLE, Ms. CLARK of Massachusetts, and Mrs. AXNE.

H.R. 2896: Mr. LOWENTHAL.

H.R. 2897: Mr. WALTZ.

H.R. 2912: Ms. HAALAND.

H.R. 2929: Mr. WOMACK.

H.R. 2999: Mr. GALLEG0 and Mr. LAMALFA.

H.R. 3036: Mr. MORELLE.

H.R. 3077: Ms. FUDGE, Mr. COSTA, and Mrs. AXNE.

H.R. 3120: Ms. JAYAPAL.

H.R. 3225: Mr. KENNEDY.

H.R. 3241: Mrs. KIRKPATRICK and Mr. STEUBE.

H.R. 3250: Mrs. BROOKS of Indiana.

H.R. 3266: Mr. MOULTON and Ms. TORRES SMALL of New Mexico.

H.R. 3374: Ms. KUSTER of New Hampshire and Ms. DELBENE.

H.R. 3446: Ms. STEVENS.

H.R. 3463: Mrs. MURPHY of Florida.

H.R. 3553: Mr. SCHIFF.

H.R. 3565: Mr. FORTENBERRY.

H.R. 3598: Ms. SÁNCHEZ.

H.R. 3623: Mr. GARCÍA of Illinois.

H.R. 3657: Mr. ZELDIN and Ms. SPEIER.

H.R. 3663: Mr. MORELLE.

H.R. 3735: Mr. KENNEDY.

H.R. 3797: Mr. CARTER of Georgia.

H.R. 3874: Ms. LOFGREN.

H.R. 3884: Ms. MENG.

H.R. 3969: Mr. CICILLINE.

H.R. 3975: Mr. DANNY K. DAVIS of Illinois and Mrs. AXNE.



H.R. 4078: Ms. FUDGE, Ms. FRANKEL, Ms. CASTOR of Florida, Mrs. DEMINGS, Mrs. DAVIS of California, Mr. FLEISCHMANN, Ms. BASS, Ms. HAALAND, Mr. MORELLE, Ms. CLARK of Massachusetts, and Mrs. AXNE.

H.R. 4132: Mr. POCAN.

H.R. 4138: Mr. STEWART and Ms. MENG.

H.R. 4148: Mr. RICHMOND and Mr. SMITH of Washington.

H.R. 4296: Mr. TONKO.

H.R. 4346: Mr. KENNEDY.

H.R. 4347: Mrs. AXNE.

H.R. 4370: Mr. BYRNE.

H.R. 4436: Mrs. WATSON COLEMAN.

H.R. 4469: Mr. SMITH of Missouri.

H.R. 4508: Mrs. HARTZLER and Ms. SPANBERGER.

H.R. 4540: Mr. MCNERNEY, Ms. MENG, Mr. SIREN, Mr. HECK, Ms. KUSTER of New Hampshire, and Mr. CLAY.

H.R. 4555: Ms. SCHAKOWSKY.

H.R. 4588: Mr. MORELLE.

H.R. 4631: Mrs. HAYES.

H.R. 4644: Mr. KINZINGER.

H.R. 4697: Mr. KHANNA, Mr. CORREA, and Mr. PANETTA.

H.R. 4723: Ms. BONAMICI, Mr. CARTWRIGHT, and Ms. JAYAPAL.

H.R. 4738: Mr. TAYLOR.

H.R. 4823: Mr. MORELLE.

H.R. 4897: Mr. BOST.

H.R. 4945: Mr. STIVERS and Mr. MORELLE.

H.R. 4980: Mrs. BEATTY.

H.R. 4996: Mr. MCGOVERN, Ms. KENDRA S. HORN of Oklahoma, Ms. FINKENAUER, Mrs. AXNE, and Ms. SHALALA.

H.R. 5028: Mr. MORELLE.

H.R. 5046: Mr. RYAN.

H.R. 5064: Mr. CRAWFORD, Mr. MARSHALL, Mr. BAIRD, and Mr. KELLY of Mississippi.

H.R. 5092: Ms. CRAIG.

H.R. 5117: Mr. PASCRELL.

H.R. 5141: Mr. KENNEDY and Mr. CONNOLLY.

H.R. 5169: Mr. GIANFORTE.

H.R. 5191: Mr. PETERS, Ms. MENG, Mr. WELCH, and Mr. SMITH of Washington.

H.R. 5210: Ms. ESHOO.

H.R. 5268: Mr. COLE.

H.R. 5297: Mrs. WATSON COLEMAN.

H.R. 5319: Mr. GALLEGGO.

H.R. 5349: Mr. MORELLE, Mr. RASKIN, Mr. SMITH of Washington, and Ms. TITUS.

H.R. 5415: Mr. POCAN.

H.R. 5424: Mr. GRIJALVA.

H.R. 5434: Mr. CALVERT, Mrs. TORRES of California, Mr. BARR, and Mr. MITCHELL.

H.R. 5447: Mr. POCAN.

H.R. 5453: Mr. SMITH of Nebraska and Mr. OLSON.

H.R. 5491: Mr. BROWN of Maryland.

H.R. 5516: Mr. STEUBE, Mr. ROSE of New York, and Mr. RYAN.

H.R. 5517: Mr. COSTA, Mr. DANNY K. DAVIS of Illinois, and Mr. BISHOP of Georgia.

H.R. 5534: Mr. COLE, Mrs. AXNE, and Mr. CISNEROS.

H.R. 5543: Ms. SCHAKOWSKY, Mr. PERLMUTTER, Ms. PINGREE, Ms. LOFGREN, and Mrs. NAPOLITANO.

H.R. 5565: Ms. NORTON and Mr. COHEN.

H.R. 5570: Mr. JOYCE of Ohio and Mr. BYRNE.

H.R. 5577: Mr. ALLEN.

H.R. 5581: Ms. ESHOO and Mr. LARSEN of Washington.

H.R. 5582: Mr. CHABOT.

H.R. 5589: Mr. LEVIN of California and Ms. BARRAGAN.

H.R. 5599: Mrs. CAROLYN B. MALONEY of New York.

H.R. 5602: Mr. SHERMAN.

H.J. Res. 76: Mr. SEAN PATRICK MALONEY of New York, Ms. WASSERMAN SCHULTZ, Miss RICE of New York, Mr. KIND, Mr. GREEN of Texas, Mr. ROUDA, Mr. KIM, Mr. CÁRDENAS, Mr. PAYNE, and Mr. BUTTERFIELD.

H.J. Res. 81: Mr. COSTA and Mr. KIND.

H. Con. Res. 52: Mr. CORREA.

H. Res. 50: Mr. CHABOT, Mr. STEWART, Mr. OLSON, and Mr. KELLY of Pennsylvania.

H. Res. 399: Mr. GRIJALVA and Mrs. MURPHY of Florida.

H. Res. 672: Mr. RYAN.

H. Res. 694: Mr. NEGUSE, Ms. ESHOO, Ms. SCHAKOWSKY, Ms. ADAMS, Mr. GARCÍA of Illinois, Ms. OMAR, Mr. DAVID SCOTT of Georgia, Mr. DELGADO, Mr. ALLRED, and Mrs. MCBATH.

H. Res. 745: Mr. VAN DREW.

H. Res. 768: Mr. WRIGHT.

H. Res. 774: Ms. SHALALA.

H. Res. 785: Mr. KELLY of Pennsylvania and Mr. COOK.

H. Res. 787: Mr. KILDEE, Ms. BASS, Mr. YARMUTH, Mrs. BEATTY, Mr. BACON, Mr. LARSEN of Washington, Mr. SCHIFF, Mr. BILIRAKIS, and Mr. HASTINGS.

H. Res. 791: Mr. ROONEY of Florida, Mr. STAUBER, Mr. GONZALEZ of Ohio, Ms. FOXX of North Carolina, Mr. FULCHER, Mr. BISHOP of North Carolina, Mr. TIMMONS, Mr. ARMSTRONG, Mr. BANKS, and Mr. JOHNSON of Louisiana.

H. Res. 792: Ms. ROYBAL-ALLARD.



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, SECOND SESSION

Vol. 166

WASHINGTON, WEDNESDAY, JANUARY 15, 2020

No. 9

## Senate

The Senate met at 10 a.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, we whisper our prayer boldly before Your throne of grace. You have invited us to come to You with all our needs. We thank You for our requests that You have already answered. We have sought and found. We have knocked and walked through open doors.

Lord, with Your grace and mercy, strengthen our lawmakers for their journey. Prepare them for the ravages of the valley and the chill of the mountain summits. Guide them, great Redeemer. They are pilgrims on this Earth. They are weak, but You are mighty. Inspire them to keep their eyes on You and not the problems that seem too difficult to solve.

We pray in Your Holy 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. CRAMER). The Senator from Iowa.

Mr. GRASSLEY. Mr. President, I ask unanimous consent to address the Senate for 1 minute in morning business.

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

### IRAN

Mr. GRASSLEY. Mr. President, when President Obama signed the Iran deal, we were led to believe that this rapprochement with the Iranian regime would induce Iran to moderate its ag-

gressive foreign policy and that Iran would likely spend the money made available through that deal on economic development for the good of its people. Instead, under the direction of General Soleimani, Iran accelerated its effort at regional domination, funding terrorist organizations like Hamas and Hezbollah in the Palestinian territories and Lebanon, pro-Iranian militias in Iraq, the Assad regime in Syria, and the Houthi rebels fomenting civil war in Yemen. Iran did all of that with money from the Iran agreement.

Meanwhile, the suffering Iranian people staged widespread demonstrations against their government, which were met with a violent crackdown that killed hundreds. Years of appeasement didn't work, but it looks like President Trump's deterrence is having positive effect.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### IMPEACHMENT

Mr. MCCONNELL. Mr. President, today it appears that the House Democrat majority will finally stand behind its decision to impeach the President of the United States. Last year, the House of Representatives rushed through the least thorough and most unclear impeachment inquiry in American history. They took just 12 weeks—12 weeks.

There was more than a year of hearings before the impeachment of President Nixon. There were multiple years of investigation for President Clinton. When people are serious about compiling evidence and proving a case, these things take time.

That is not what happened this time. House Democrats performed a pale imitation of a real inquiry. They did not

pursue their own subpoenas through the courts. They declined to litigate potential questions of privilege. They pulled the plug as soon as Speaker PELOSI realized she had enough Democrat votes to achieve a political outcome.

This isn't really about Ukraine policy or military assistance money. It can't be because, for one thing, prominent Democrats were promising to impeach President Trump years—years—before those events even happened.

The day this President was inaugurated, the Washington Post said: "The campaign to impeach President Trump has begun." That was the day he was inaugurated, stated in the Washington Post.

More than 2 years ago, Congressman JERRY NADLER was campaigning to be the top Democrat on the House Judiciary Committee, specifically because he was an impeachment expert.

Just a few weeks ago, when a reporter asked Speaker PELOSI why the Democrats were in such a hurry, here is her response:

Speed? It's been going on for 22 months. Two and a half years, actually.

That is really interesting—really, really interesting. The events over which the Democrats want to impeach happened just 6 months ago—just 6 months ago—not 2½ years ago.

So how has impeachment been underway for 2½ years? The Speaker tried to say she was referring to the Mueller investigation, except the House couldn't impeach on the Mueller investigation because the facts let them down; remember?

The House impeached over events in Ukraine, events that happened only 6 months ago, but they still admit this was years in the making. It was not some earnest factfinding mission that brought us to where we are. This is not about the nuances of foreign assistance to Eastern Europe. This has been naked partisanship all along—naked partisanship all along.

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



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If that weren't already obvious, our colleague the Senate Democratic leader helpfully removed any shred of doubt just this past weekend. Here is what he said: He told reporters that as long as he can try to use the trial to hurt some Republican Senators' reelection chances, then whatever happens, "it's a win-win." That is what the Democratic leader said. This is a stunning statement.

Presidential impeachment may be the gravest process our Constitution contemplates. It undoes the people's decision in a national election. Going about it in this subjective, unfair, and rushed way is corrosive to our institutions. It hurts national unity, and it virtually guarantees—guarantees—that future Houses of either party will feel free—free—to impeach any future President because they don't like him. If you don't like him, impeach him. That is the message coming out of this.

But as long as our colleague the Democratic leader can weaponize this process in the next election, he thinks "it's a win-win." That really says it all; doesn't it? That really sums it up.

This partisanship led House Democrats to cross a rubicon that every other House of Representatives had avoided for 230 years. They passed the first Presidential impeachment that does not even allege an actual crime under our laws. We had a 230-year tradition of rejecting purely political impeachments, and it died last month in this House of Representatives.

So Speaker PELOSI and the House have taken our Nation down a dangerous road. If the Senate blesses this unprecedented and dangerous House process by agreeing that an incomplete case and a subjective basis are enough to impeach a President, we will almost guarantee the impeachment of every future President of either party when the House doesn't like that President.

This grave process of last constitutional resort will be watered down into the kind of anti-democratic recall measure that the Founding Fathers explicitly—explicitly—did not want.

The Senate was designed to stabilize our institutions, to break partisan fevers, and to stop short-term passions from destroying our long-term future. House Democrats may have descended into pure factionalism, but the U.S. Senate must not.

This is the only body that can consider all factors presented by the House, decide what has or has not been proven, and choose what outcome best serves the Nation. This is what we must do.

#### ORDER OF PROCEDURE

Mr. MCCONNELL. Mr. President, for the information of all Senators, with the House signaling that they will move forward later today, Members can expect to receive further guidance about the logistics and practicalities of the next several session days in short order.

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

Mr. MCCONNELL. Mr. President, on an entirely different matter, before the Senate shifts into the trial, we hope to complete an enormous accomplishment for this administration and, most importantly, for American families. It has now been more than 1 year—1 year—since President Trump hammered out the USMCA with the Governments of Mexico and Canada.

These two neighbors buy more than \$5 billion of American goods and services every single year. They buy nearly 30 percent of all the food and agricultural products we export to the entire world, and for 90 percent of our manufacturing sectors, Mexico or Canada rank as the No. 1 or No. 2 export destination.

Over the past quarter of a century, 12 million U.S. jobs have come to depend on U.S. trade with Mexico and Canada. That includes many livelihoods in my home State of Kentucky, from agriculture to manufacturing, to aerospace and motor vehicles, to our signature industries, like distilled spirits.

That is why workers, families, and small businesses in Kentucky and around the Nation have been clamoring to get this deal done for a year now. In addition to all the American livelihoods that this commerce already supports, experts predict the USMCA will create 176,000 new jobs as well.

On behalf of all of these Americans, we were troubled to see Speaker PELOSI slow walk this agreement for the better part of a year. But, finally, late last year, the overwhelming bipartisan pressure to move forward made an impact on the House. So we are finally on the threshold of approving this agreement and sending it to President Trump's desk to become law.

Our colleagues on the Finance Committee have already approved it by an overwhelming margin. Other committees of jurisdiction are wrapping up their consideration as we speak. Very soon, we hope the Senate will be able to vote on the floor and put this landmark accomplishment right on the President's desk.

It will be a major win for Kentucky and for all 50 States, a major win for our country, a major win for the Trump administration, and a major win for those of us who are already ready to move past this season of toxic political noise and get back to doing even more of the American people's business.

#### MEASURE PLACED ON THE CALENDAR—S. 3193

Mr. MCCONNELL. Mr. President, I understand that there is a bill at the desk that is due for a second reading.

The PRESIDING OFFICER. The clerk will read the title of the bill for the second time.

The senior assistant legislative clerk read as follows:

A bill (S. 3193) to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances, and for other purposes.

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

The PRESIDING OFFICER. Objection having been heard, the bill will be placed on the calendar.

#### RESERVATION OF LEADER TIME

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

#### MORNING BUSINESS

The PRESIDING OFFICER. Under the previous order, the Senate will be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

Mr. MCCONNELL. I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### IMPEACHMENT

Mr. DURBIN. Mr. President, before I make remarks on a different issue, I would like to address comments made this morning by the majority leader, the Senator from Kentucky. The first related, as most of his comments recently, to the pending impeachment trial in the U.S. Senate.

I listened carefully to his arguments that the House and the Senate have moved too quickly on this matter. It is true that they moved with dispatch, and I think it reflects the fact that the charges that have been made were timely, important, and relevant to the election campaign cycle which we now face.

The charges in the Articles of Impeachment suggest the President, in conversation with the President of Ukraine, asked for help in the campaign that is about to ensue, asking specifically for investigative material on the son of former Vice President Joseph Biden. At the same time, the President was withholding military assistance voted by the Appropriations Committee in Congress to Ukraine as they continue to battle with Russia. These are serious charges, and they were based on a telephone conversation last July.

It is true that the effort by the House of Representatives has been timely and, by measurement of previous impeachment investigations, much faster, but I believe that the timeliness is one of the important elements here because we are facing this campaign.

Secondly, there was an argument made by the majority leader that the Articles of Impeachment which we are about to receive in the Senate do not state that a crime was committed. I would refer the majority leader to the Constitution as well as to precedent in the U.S. Senate. The actual allegation of a crime is not required for an impeachment. I think the Senator from Kentucky knows that.

The last point he makes is one that I think is very important, and that is that there has been some delay by Speaker PELOSI in sending the Articles of Impeachment to the U.S. Senate. I would say, during the course of the period since they were first voted on last December in the House and their arrival in the Senate this week, we have seen several things of importance unfold, not the least of which was a recent disclosure of new witnesses and new evidence that has been collected since the House voted on the Articles of Impeachment. In the eyes of many, it is relevant evidence, and the fact that that information is now available to the Senate means we have a better chance of arriving at the truth after deliberation.

Secondly, I might add it is encouraging that some Republican Members of the U.S. Senate have made it clear that they oppose the notion of a motion to dismiss the impeachment charges as soon as they arrive. That might have been the dream of some in the White House—and perhaps even some in the U.S. Senate—but cooler heads have prevailed, and I salute my colleagues on both sides of the aisle who believe we have a special responsibility to treat this constitutional assignment with independence and dignity. That means we don't prejudge by coming to the floor and announcing, in some critical terms, that the Articles of Impeachment should not be taken seriously. We should take them seriously. It is a serious matter. I hope colleagues on both sides of the aisle will do that.

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

Mr. DURBIN. Mr. President, the majority leader, Senator MCCONNELL, also addressed the USMCA. This is characterized as the NAFTA-2 or "the new trade agreement" between the United States, Canada, and Mexico. As he noted, trade among our three countries is critically important to all of us and, certainly, to the American economy and to my home State of Illinois. Our trade with Mexico and Canada eclipses all the other trade around the world and is important, especially, to our agricultural sector.

Just last weekend, in my hometown of Springfield, IL, I held a historic press conference. I brought together the President of the Illinois State AFL-CIO, Tim Drea of Christian County in Central Illinois, and Dick Guebert, who is the president of the Il-

linois Farm Bureau, both of whom, through their organizations, support the USMCA trade agreement that is about to come before Congress. There were a lot of smiles and laughter in the room as these two friends of mine noted that it is the very first time they have ever come together at a press conference: organized labor and the farmers of the State of Illinois. They both agree that this USMCA trade agreement is a step forward, an improvement over the original NAFTA. They both endorse it, and I do too.

I also want to add that the suggestion that somehow Speaker PELOSI, in the words of the majority leader, slow-walked the USMCA really, in a way, ignores the obvious. In the period of time between the original submission of the USMCA and the vote that will take place soon in the U.S. Senate, changes have been made to the trade agreement which the President submitted to Congress—important changes. For example, there was a provision in the trade agreement submitted by the President to Congress that was a dream come true for the pharmaceutical industry of the United States. It extended the period of time of exclusivity for certain biological drugs in that treaty. What it meant was that these pharmaceutical companies could continue to charge the highest prices on Earth to American consumers while delaying any competition from generic drugs.

That was a deal-breaker, as far as I was concerned. I told everyone involved I would not support the President's original USMCA with that sweetheart deal for the pharmaceutical industry. Thank goodness, because of Speaker PELOSI; our leader on the Senate side, Senator SCHUMER; and many others, we had that provision removed. Now the majority leader is criticizing Speaker PELOSI for slow-walking. I don't see it as slow-walking. I see it as bargaining, negotiating, and coming up with the result which made this trade agreement more acceptable to people on both sides of the aisle.

There was also language which the Democrats insisted on ultimately included in the USMCA, which provides additional protection for workers in the United States when it comes to the competition with workers in Mexico and Canada, which provides for additional inspections of production facilities in those other countries if there is a suspicion that they are engaging in the treatment of workers in an unacceptable manner. In other words, we put more enforcement provisions in the treaty over the last year while it has been before Congress, as we should—exactly what the American people want. For the Senator to come to the floor and criticize this as somehow negative and political and slow-walking—I think those two things I have just mentioned are substantive and important and go to the heart of why this agreement now has strong bipartisan support, which it should have had. I think we have added to this process by making it truly bipartisan.

#### FOR-PROFIT COLLEGES AND UNIVERSITIES

Mr. DURBIN. Mr. President, this week the House of Representatives will have the opportunity to stand up for student borrowers who have been defrauded by the schools they attended. The House of Representatives will be voting on a resolution introduced by Representative SUSIE LEE of Nevada which will allow defrauded student loan borrowers relief from their student debt.

Under the Higher Education Act, currently the law of the land, when a student borrower is defrauded by their school, they are entitled to have their Federal student loans to attend that school discharged. That is what Congress intended. Why? The logic behind it is very straightforward.

Consider the following: The Federal Government recognizes the accreditation of these schools, colleges, and universities. That accreditation authorizes these schools to offer loans from the Federal Government to pay for the cost of attending. It is a very straightforward process. The schools are accredited. The U.S. Government recognizes the accreditation which authorizes the school to offer courses to students, and then it goes on to say that students attending those colleges and universities will qualify for Federal student loans. Now, that is where this particular statement I am about to make becomes particularly relevant.

The school makes promises about the education they are going to offer to the students to entice them to attend and to borrow money to attend. For example, the school may tell the students that the credits they earn at this school can be transferred to other schools, but sometimes that turns out to be untrue and false. These schools may tell the students there are jobs waiting for them in the fields that they want them to study at the schools. They tell them that, after graduation, there are plenty of employment opportunities, and oftentimes that turns out to be untrue. In fact, in the case of some of these schools, they have deliberately misrepresented the job placement of graduates to create the impression of success if you complete a course. The schools are lying to the students.

The school may also promise that, if you complete a course at the school, you will automatically be qualified for certain certifications under State law. Sometimes that turns out to be a lie. They may also tell the students there are certain teachers and courses available to them if they pay their tuition, and that may turn out to be untrue as well.

The law I referred to earlier is intended, when these types of lies and misrepresentations occur and the student is misled into borrowing Federal student loans based on these misrepresentations, to give the defrauded student the right to be relieved of the student loan responsibility under the law.

It makes sense. If the student is lied to, takes out a Federal loan, and it turns out the school lied to them and defrauded them, we don't want the students saddled with a loan from that school that could literally change their lives.

Now we have a new Secretary of Education under President Trump, Betsy DeVos. She has decided to rewrite the rules when it comes to these students receiving relief from the fraud I have just described. She places burdens on these students that we have not seen before. Basically, she is saying to the students: Lawyer up. You just can't make your plea to the Department of Education that you, along with a group of other students, were defrauded by representations in the materials they distributed or the statements they made—not good enough under the new rule written by Secretary DeVos. What she has basically said is that each one of these students now has an individual responsibility to prove that that student was defrauded, that there was a representation to that student as opposed to it being made by the school to all of the students or in its publications and the like.

The burdens which Secretary DeVos now places on defrauded students have led to estimates that only 3 percent of the students who have been defrauded can possibly expect to receive relief from their student debt—3 percent. You might say: Well, these things happen. It is a “buyer beware” market. Students ought to know better. Really?

When the Federal Government recognizes an accredited school and says to that school: You can offer Federal student loans, do we not bear some responsibility to the student and the family if that school lies and misrepresents facts to the students? Well, 78 percent of Americans happen to think, yes, we don't want to have students in a predicament where their own futures are going to be somehow compromised because of the fraud by the school.

How many students are affected by this? A handful? No. It turns out, a dramatically large number. Over the last decade, tens of thousands of college students in America have been defrauded in ways I just described, lured into enrolling in classes with false promises and aggressive tactics, only to be left with massive student debt and a worthless education and no job. Sadly, it is a common occurrence in the for-profit college industry. That industry, the for-profit college industry, is an industry that can be best described by two numbers. Nine percent of postsecondary students are enrolled in for-profit colleges and universities in America. Think about the University of Phoenix, DeVry, and others. Nine percent of students end up in schools like that. Yet 33 percent of all the federal student loan defaults are students from these for-profit colleges and universities—9 percent of the students, 33 percent of the student loan defaults. Why? The tuition is too high;

the education is virtually worthless; and there are no jobs at the end of the rainbow.

Some of these schools—for-profit colleges like Corinthian, ITT Tech, Westwood, Dream Center—preyed on students, reaped huge profits, and then conveniently went bankrupt. They may be gone, legally gone, but the debts for the students still live. Others, such as Ashford, University of Phoenix, Career Education Corporation, are still out there doing business. Virtually, all of these notorious schools have been the subject of multiple State and local investigations or lawsuits for unfair, deceptive, and abusive practices. Unfortunately, they continue to create more student victims due to the lack of enforcement by our own U.S. Department of Education and loopholes in the laws, which, sadly, Congress has been unable or unwilling to close.

Currently, there are more than 223,000 claims made by students of being defrauded and seeking relief under the Higher Education Act—over 200,000 student borrowers whose lives have been collared by student loan debt from these worthless, defrauding schools.

The claims—223,000 of them—come from every State in the Union, big and small, red, blue, and purple. There are over 11,000 from my State of Illinois; over 19,000 from the State of Florida; 7,800 from Ohio; 6,100 from North Carolina; 3,800 from Colorado; 1,000 from the State of West Virginia; 385 in Maine; and more than 200 in Alaska.

The American people believe these defrauded student borrowers and future defrauded borrowers deserve help. According to a poll by New America, 78 percent of Americans believe students should have their Federal student loans forgiven if their schools defrauded them. That includes 87 percent of Democrats and 71 percent of Republicans who feel that way.

This new rule by Secretary DeVos would not allow borrowers to receive the Federal student loan discharge currently in the law. It is why more than 60 organizations are supporting the resolution, which the House will vote on this week, and the companion resolution I have introduced in the Senate.

Among those supporting our effort are the American Federation of Teachers, the National Education Association, the Student Veterans of America—and one that I want to highlight.

I see there are others on the floor preparing to speak, so I am going to abbreviate my remarks, but I want to make one last point.

Among the groups supporting our efforts to undo the borrower defense rule, promulgated by Secretary of Education DeVos, is the American Legion. The American Legion sent me a letter last month, and, in support of our effort to undo the DeVos rule, they said, among other things, that the rule is fundamentally unfair to veterans. Listen to what they say about the plight of veterans having been defrauded by

schools, trying to get relief from their loans. This is from James “Bill” Oxford, national commander of the American Legion. He writes:

Thousands of student veterans have been defrauded over the years—promised their credits would transfer when they wouldn't, given false or misleading job placement rates in marketing, promised one educational experience when they were recruited, but given something completely different. This type of deception against our veterans and servicemembers has been a lucrative scam for unscrupulous actors.

As veterans are aggressively targeted due to their service to our country, they must be afforded the right to group relief. The Department of Education's “Borrower Defense” rule eliminates this right.

Mr. President, I ask unanimous consent to have printed in the RECORD the letter dated December 18, 2019.

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

THE AMERICAN LEGION,  
Washington, DC, December 18, 2019.

Hon. RICHARD DURBIN,  
Senate Dirksen Office Building,  
Washington, DC.

DEAR SENATOR DURBIN: On behalf of the nearly 2 million members of The American Legion, I write to express our support for Joint Resolution 56, providing for congressional disapproval of the rule submitted by the Department of Education relating to, “Borrower Defense Institutional Accountability.” The rule, as currently written, is fundamentally rigged against defrauded borrowers of student loans, depriving them of the opportunity for debt relief that Congress intended to afford them under the Higher Education Act. Affirming this position is American Legion Resolution No. 82: Preserve Veteran and Servicemember Rights to Gainful Employment and Borrower Defense Protections, adopted in our National Convention 2017.

Thousands of student veterans have been defrauded over the years—promised their credits would transfer when they wouldn't, given false or misleading job placement rates in marketing, promised one educational experience when they were recruited, but given something completely different. This type of deception against our veterans and servicemembers has been a lucrative scam for unscrupulous actors.

As veterans are aggressively targeted due to their service to our country, they must be afforded the right to group relief. The Department of Education's “Borrower Defense” rule eliminates this right, forcing veterans to individually prove their claim, share the specific type of financial harm they suffered, and prove the school knowingly made substantial misrepresentations. The preponderance of evidence required for this process is so onerous that the Department of Education itself estimated that only 3 percent of applicants would get relief.

Until every veteran's application for student loan forgiveness has been processed, we will continue to demand fair and timely decisions. The rule that the Department of Education has promulgated flagrantly denies defrauded veterans these dignities, and The American Legion calls on Congress to overturn this regulatory action.

Senator Durbin, The American Legion applauds your leadership in addressing this critical issue facing our nation's veterans and their families.

For God & Country,  
JAMES W. “BILL” OXFORD,  
National Commander, The American Legion.

Mr. DURBIN. Mr. President, I have an additional letter from 20 State attorneys general led by the Commonwealth of Massachusetts Office of the Attorney General. I ask unanimous consent to have printed in the RECORD the letter dated January 14, 2020.

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

THE COMMONWEALTH OF MASSACHUSETTS,  
OFFICE OF THE ATTORNEY  
GENERAL,

*Boston, MA, January 14, 2020.*

Senator DICK DURBIN,  
Washington, DC.

Representative SUSIE LEE,  
Washington, DC.

DEAR SENATOR DURBIN AND REPRESENTATIVE LEE: We, the undersigned Attorneys General of Massachusetts, California, Delaware, the District of Columbia, Hawai'i, Illinois, Iowa, Maine, Maryland, Michigan, Minnesota, New Jersey, New Mexico, New York, North Carolina, Oregon, Pennsylvania, Vermont, Virginia, and Washington write to express our support for the resolution of disapproval that you have introduced regarding the U.S. Department of Education's ("Department") 2019 Borrower Defense Rule ("2019 Rule") pursuant to the Congressional Review Act. In issuing the 2019 Rule, the Department has abdicated its Congressionally-mandated responsibility to protect students and taxpayers from the misconduct of unscrupulous schools. The rule provides no realistic prospect for borrowers to discharge their loans when they have been defrauded by predatory for-profit schools, and it eliminates financial responsibility requirements for those same institutions. If this rule goes into effect, the result will be disastrous for students while providing a windfall to abusive schools.

The 2019 Rule squanders and reverses recent progress the Department has made in protecting students from fraud and abuse. Three years ago, the Department completed a thorough rulemaking process addressing borrower defense and financial responsibility, in which the views of numerous schools, stakeholders, and public commenters were considered and incorporated into a comprehensive set of regulations. The regulations, promulgated by the Department in November 2016 ("2016 Rule"), made substantial progress toward achieving the Department's then-stated goal of providing defrauded borrowers with a consistent, clear, fair, and transparent process to seek debt relief. At the same time, the 2016 Rule protected taxpayers by holding schools accountable that engage in misconduct and ensuring that financially troubled schools provide the government with protection against the risks they create.

The Department's new rule would simply rescind and replace its 2016 Rule, reversing all of its enhanced protections for students and its accountability measures for for-profit schools. The Department's 2019 Rule provides an entirely unfair and unworkable process for defrauded students to obtain loan relief and will do nothing to deter and hold accountable schools that cheat their students. Among its numerous flaws, the Department's new rule places insurmountable evidentiary burdens on student borrowers with meritorious claims. The rule requires student borrowers to prove intentional or reckless misconduct on the part of their schools, an extraordinarily demanding standard not consistent with state laws governing liability for unfair and deceptive conduct. Moreover, even where a school has intentionally or recklessly harmed its students, it

is difficult to imagine how students would be able to obtain the evidence necessary to prove intent or recklessness for an administrative application to the Department. The rule also inappropriately requires student borrowers to prove financial harm beyond the intrinsic harm caused by incurring federal student loan debt as a result of fraud, and establishes a three-year time bar on borrower defense claims, even though students typically do not learn until years later that they were defrauded by their schools. Compounding these obstacles, the rule arbitrarily eliminates the process by which relief can be sought on a group level, permitting those schools that have committed the most egregious and systemic misconduct to benefit from their wrongdoing at the expense of borrowers with meritorious claims who are unaware of or unable to access relief.

We are uniquely well-situated to understand the devastating effects that the 2019 Rule would have on the lives of student borrowers and their families. State attorneys general serve an important role in the regulation of private, postsecondary institutions. Our investigations and enforcement actions have repeatedly revealed that numerous for-profit schools have deceived and defrauded students, and employed other unlawful tactics to line their coffers with federal student-loan funds. We have witnessed firsthand the heartbreaking devastation to borrowers and their families. Recently, for example, state attorneys general played a critical role in uncovering widespread misconduct at Career Education Corporation, Education Management Corporation, the Art Institute and Argosy schools operated by the Dream Center, ITT Technical Institute, Corinthian Colleges, American Career Institute and others, and then working with the Department to secure borrower-defense relief for tens of thousands of defrauded students. Though this work, we have spoken with numerous students who, while seeking new opportunities for themselves and their families, were lured into programs with the promise of employment opportunities and higher earnings, only to be left with little to show for their efforts aside from unaffordable debt.

A robust and fair borrower defense rule is critical for ensuring that student borrowers and taxpayers are not left bearing the costs of institutional misconduct. The Department's new rule instead empowers predatory for-profit schools and cuts off relief to victimized students. During the comment period on the 2019 Rule, we submitted these and other objections to the Department. Rather than engaging with our offices, the Department ignored our comments and left our concerns unaddressed. We commend and support your efforts to disapprove the 2019 Rule to protect students and taxpayers. Congress must hold predatory institutions accountable for their misconduct and provide relief to defrauded student borrowers and, by enacting your resolution of disapproval, ensure that the 2016 Rule remains the operative borrower defense regulation.

Sincerely,

Maurn Healey, Massachusetts Attorney General; Kathleen Jennings, Delaware Attorney General; Clare E. Connors, Hawai'i Attorney General; Tom Miller, Iowa Attorney General; Brian E. Frosh, Maryland Attorney General; Keith Ellison, Minnesota Attorney General; Hector Balderas, New Mexico Attorney General; Xavier Becerra, California Attorney General; Karl A. Racine, District of Columbia Attorney General; Kwame Raoul, Illinois Attorney General; Aaron M. Frey, Maine Attorney General; Dana Nessel, Michigan Attorney General; Gurbir S. Grewal, New Jersey Attorney General; Letitia

James, New York Attorney General; Joshua H. Stein, North Carolina Attorney General; Josh Shapiro, Pennsylvania Attorney General; Mark R. Herring, Virginia Attorney General; Ellen F. Rosenblum, Oregon Attorney General; Thomas J. Donovan, Jr., Vermont Attorney General; Bob Ferguson, Washington State Attorney General.

Mr. DURBIN. Mr. President, along with Attorney General Kwame Raoul of Illinois and others, signers include the attorneys general of Maine, Iowa, Pennsylvania, and North Carolina. In their letter, these chief state law enforcement officers write:

In issuing the 2019 rule, the Department has abdicated its Congressionally-mandated responsibility to protect students and taxpayers from the misconduct of unscrupulous schools. The rule provides no realistic prospect for borrowers to discharge their loans when they have been defrauded by predatory for-profit schools . . . if this rule goes into effect, the result will be disastrous for students while providing a windfall to abusive schools.

Senators are going to get a chance—Democrats and Republicans—to undo the mess created by the Secretary of Education. Senators will get a chance to stand up for the student loan borrowers who have been defrauded and, equally important, a chance to stand up for our veterans. How many speeches have been delivered on this floor about the men and women in uniform and those who have served and how much we honor them? Honor them by standing with the American Legion and vote to undo the borrower defense rule of Secretary DeVos.

I yield the floor.

The PRESIDING OFFICER (Mr. SASSE). The majority whip.

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

Mr. THUNE. Mr. President, later today, the President will sign phase one of the trade agreement we are negotiating with China. Of particular importance to my State, phase one includes a pledge from China to substantially increase its imports of American agriculture products.

That is good news for South Dakota. It is good news for farmers and ranchers who have been struggling in a tough ag economy. Low commodity and livestock prices, natural disasters, and protracted trade disputes have made the last few years challenging ones for farmers and ranchers around the country.

I spend a lot of time in South Dakota, talking to our farmers and ranchers. One thing they always emphasize is the need for trade deals that will open up new markets or expand current markets for their products.

The China deal should significantly increase demand for American agricultural products and boost the farm economy. But while this agreement is excellent news, we do need to make sure that China will actually live up to its commitments. China doesn't have



the best record in this regard, so it is important the United States make clear that any agreements must be honored.

As we wait for the China deal to take effect, one piece of definite good news on the trade front is the arrival in the Senate of the United States-Mexico-Canada Agreement. After months of delay by House Democrats, USMCA is finally—finally—moving through Congress. Here in the Senate, it is advancing rapidly through the required committees, and I expect it will be received for final Senate consideration in the next few days.

Last week, I voted in support of this agreement in the Senate Finance Committee, and just this morning—a few minutes ago, in fact—I voted for this agreement in a meeting of the Senate Committee on Commerce. The United States-Mexico-Canada Agreement has been a big priority of mine over the past year, in particular because of the ways the agreement would benefit farmers and ranchers.

Canada and Mexico are the No. 1 and No. 2 markets for American agriculture products, and this agreement will preserve and expand farmers' access to these two critical export markets and give farmers certainty about what these markets are going to look like going forward.

I am particularly pleased about the ways that USMCA will benefit dairy farmers. If you drive the I-29 corridor north of Brookings, SD, you can see firsthand the major dairy expansion South Dakota has experienced over the past several years.

The U.S.-Mexico-Canada Agreement will preserve U.S. dairy farmers' role as a key dairy supplier to Mexico, and it will substantially expand market access to Canada. The U.S. International Trade Commission estimates that the agreement will boost U.S. dairy exports by more than \$277 million. The agreement will also expand market access for U.S. poultry and egg producers. It will make it easier for American producers to export wheat to Canada and much more.

Of course, the benefits of this agreement are not limited to farmers and ranchers. The United States-Mexico-Canada Agreement will benefit virtually every sector of the economy, from manufacturing to digital services to the automotive industry. It will create hundreds of thousands of new jobs, boost our economic output, and increase wages for workers.

The agreement also breaks new ground by including a chapter specifically focused on small and medium-sized businesses—the first time a U.S. trade agreement has ever included a dedicated chapter on this topic.

Roughly, 120,000 small and medium-sized businesses around our country export goods and services to Mexico and Canada, including a number of businesses in my home State of South Dakota. The United States-Mexico-Canada Agreement will make it easier for

these businesses to successfully export their products. South Dakota businesses and consumers will also benefit from the fact that the agreement maintains the current U.S. de minimis threshold, which is something I fought hard to protect.

It is too bad farmers and ranchers had to wait so long for the USMCA trade agreement. This agreement was concluded well over a year ago, and it could have been taken up much sooner. But House Democrats have, unfortunately, been more focused on playing political games than on working with Republicans to do the American people's business.

I am very glad we are taking up this agreement now, though, and I look forward to voting for final passage of USMCA in the very near future. We should get this agreement to the President's desk without delay.

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. 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.

#### IMPEACHMENT

Mr. SCHUMER. Mr. President, today is a momentous, historic, and solemn day in the history of the U.S. Senate and in the history of our Republic. The House of Representatives will send Articles of Impeachment against President Trump to the Senate, and the Speaker will appoint the House managers of the impeachment case.

Two articles will be delivered. The first charges the President with abuse of power—of coercing a foreign leader into interfering in our elections and of using the powers of the Presidency, the most powerful public office in the Nation, to benefit himself. The second charges the President with obstruction of Congress for an unprecedented blockade of the legislature's authority to oversee and investigate the executive branch.

Let's put it a different way.

The House of Representatives has accused the President of trying to shake down a foreign leader for personal gain to help him in his campaign, and he has done everything possible to cover it up. This administration is unprecedented in its not being open, in its desire for secrecy, in its desire to prevent the public from knowing what it is doing, and it is worst of all when it comes in an impeachment trial.

The two offenses are the types of offenses the Founders had in mind when

they designed the impeachment powers of Congress. Americans and the Founding Fathers, in particular, from the very founding day of the Republic, have feared the ability of a foreign power to interfere in our elections. Americans have never wanted a foreign power to have sway over our elections, but that is what President Trump is accused of doing—of soliciting—in these articles.

I would ask my colleagues, and I would ask the American people: Do we want a foreign power determining who our President is or do we want the American voters to determine it? It is that serious. That is the central question: Who should determine who our President and our other elected officials are?

From the early days of the Republic, foreigners have tried to interfere, and from the early days of the Republic, we have resisted. Yet, according to these articles and other things he has done, President Trump seems to aid and abet it. His view is, if it is good for him, then, that is good enough. That is not America. We are a nation of laws—of the rule of law, not of the rule of one man.

So now the Senate's job is to try the case—to conduct a fair trial on these very severe charges of letting, aiding, abetting, and encouraging a foreign power to interfere in our elections and of threatening them with the cutoff of aid—and to determine if the President's offenses merit, if they are proven, the most severe punishment our Constitution imagines.

The House has made a very strong case, but, clearly, the Senators have to see that case and watch it firsthand. A fair trial means the prosecutors who make the case and the President's counsel who provide the defense have all of the evidence available. It means that Senators have all of the facts to make an informed decision. That means relevant witnesses, and that means relevant documents. We all know that. We all know—every Member of this body, Democrat or Republican—that you can't have a fair, open trial, particularly on something as weighty as impeachment, when we don't have the evidence and the facts.

The precedents of the Senate are clear. Leader MCCONNELL is constantly citing precedent. Here is one: The Senate has always heard from witnesses in impeachment trials. There have been 15 completed impeachment trials in the history of this country. In every single one of them, the Senate has heard from witnesses. Let me repeat that for Leader MCCONNELL's benefit since he is always citing the precedent of 1999. There have been 15 completed impeachment trials, including the one in 1999. In the history of this country, in every single one of them, the Senate has heard from witnesses. It would be unprecedented not to. President Johnson's impeachment trial had witnesses—41 of them. President Clinton's

trial had witnesses. Several of my colleagues, including the Republican leader, voted for them. Conducting an impeachment trial of the President of the United States and having no witnesses would be without precedent and, frankly, a new low for the majority in this body that history will not look kindly on.

Each day that goes by, the case for witnesses and documents gains force and gains momentum. Last night, a new cache of documents, including dozens of pages of notes, text messages, and other records, shed light on the activities of the President's associates in Ukraine. The documents paint a sordid picture of the efforts by the President's personal attorney, Rudy Giuliani, and his associate, Lev Parnas, to remove a sitting U.S. Ambassador and to pressure Ukraine President Zelensky to announce an investigation of one of the President's political rivals. Part of the plot to remove Ambassador Yovanovitch involved hiring a cheap Republican operative to follow her around and monitor her movements. How low can they go?

Just when you think that President Trump and his network couldn't possibly get any more into the muck, reports suggest they are even dirtier than you could imagine. I saw a novelist on TV this morning. He said: If I had brought this plot to my publisher, he would have rejected it. He would have said it was absurd, that it could never happen, and that people will not believe it.

Well, here it is, led by President Trump, who, again, cares not for the morals, ethics, and honor of this country as much as he cares about himself.

To allegedly have some cut-rate political operative stalk an American Ambassador at the direction of the President's lawyer, potentially with the President's "knowledge and consent"—that is what one of the emails read—I mean, how much more can America take in the decline of our morals, our values, and our standing in the world?

I don't care who you are—Democrat, Republican, liberal, conservative. Doesn't this kind of thing bother you if anyone does it, let alone the President of the United States?

I don't know how any Member of this body could pick up the newspaper this morning, read this new revelation, and not conclude that the Senate needs access to relevant documents like these in the trial of President Trump. The release of this new information dramatically underscores the need for witnesses and for documents.

The Republican leader has, so far, opposed Democratic requests to call for factfinding witnesses and to subpoena three specific sets of relevant documents. Despite their having no argument against them, the Republicans' position at the moment is to punt the question of witnesses and documents until after both sides finish their presentations. Then, they say they will

consider documents and witnesses with an open mind.

The Democrats have requested four fact witnesses. They are the President's top advisers, like Mr. Mulvaney. They are not the Democrats' men. They are the President's men. They are not Democratic witnesses. They are not our witnesses. They are just witnesses, plain and simple. Each of them has firsthand information about the charges against the President.

So, as the House prepares to send the articles to the Senate today, it is time for us—all of us—to turn to the serious job of conducting a fair trial, one that the American people will accept as fair, not as a coverup and not as something that has hidden the evidence. The focus of Senators on both sides must fall on the question of witnesses and documents.

#### CHINA

Mr. SCHUMER. Mr. President, on China, later this morning the President is expected to take part in the signing ceremony for the so-called phase 1 trade agreement with China.

Now, I have commended the President for his instincts when it has come to China. At one point, his instincts were to be strong and tough. I have compared his stances previously to those of previous administrations. I was rooting for the President to succeed for the sake of jobs and wealth and the economy in this country, and I told him that personally. So this phase 1 deal is an extreme disappointment to me and to millions and millions of Americans who want to see us make China play fairly. President Trump's phase 1 trade deal with China is a historic blunder. Several harmful policies and practices are reportedly unaddressed.

First, there appear to be no commitments to end China's subsidy program that continues to hurt U.S. industries and workers at all levels.

Second, there appear to be no commitments to reform the Chinese policy of state-owned enterprises, which unfairly compete with American enterprises and take American jobs away while they are allowed to freely sell here and while our best companies can't sell there.

Third, there appear to be no commitments to curtail the illegal dumping of Chinese products into our markets, which puts American firms out of business and workers out of jobs.

Fourth, glaringly, there appear to be no significant commitments to definitively end China's predatory and flagrant cyber theft of American intellectual property, which has stolen a generation of American jobs and American wealth.

Fifth, concerning what the deal achieves in terms of agricultural purchases, it appears the Trump administration has not addressed the fact that China has existing contracts with countries like Brazil and Argentina. It

doesn't need any more of our products, certainly not in the numbers that have been talked about, and the agreement does not grapple with the fact that American farmers have already lost billions, have watched their markets disappear, and have gone bankrupt in the time it has taken the President to reach the deal.

Reading the reporting of phase one of the trade deal feels like watching a bad rerun of the past 10 years of botched trade negotiations with China. I fear that President Xi is laughing at us behind our backs for having gained so much at our expense. The United States concedes our leverage, and in exchange, China makes vague, unenforceable promises it never intends to fulfill. We have seen this over and over again. China agrees to something, and they don't do it.

President Trump complained about President Obama and President Bush and others when they signed these deals and nothing happened, and he is doing the same darn thing—the same darn thing. It is no wonder they haven't made it public. They are afraid that when people actually read it, they will see that it is not good for America and that the Chinese took us hook, line, and sinker.

If I sound frustrated and angry, it is because I am. Even today, an hour before the deal is signed by the President, I have to use phrases like "appear to" and "according to reports" because the administration has shrouded the details of the agreement in secrecy and kept the text of the deal under lock and key. The Trump administration doesn't want the details of the agreement to come out before they can spin it because it knows that once the details come out, everyone will see that China has taken President Trump to the cleaners. President Trump, the great negotiator, has been totally out-negotiated by President Xi.

Just like on impeachment, the President and his team are afraid of the truth. They don't want anyone to see the facts or the truth; they just want to spin. If the Trump administration were proud of this deal, they would hold it up to the world and shout it from the mountaintops. Instead, they have kept it hidden. They want to spin it, but they can't spin away the fact that this deal is a bad deal for American workers, American companies, American jobs, and American wealth. Even today—the day the agreement will be signed—we have been told we may not get all the details.

Given the absurd secrecy surrounding President Trump's phase one trade deal, I expect that once everyone gets to take a look at it in the light of day, they will find that the administration has signed one of the most tragically one-sided agreements in recent memory.

Even the farmers—President Trump sold out the structural changes to try to help the farmers—when they look at the specifics, they are going to see that

they are a lot less than meets the eye and that our farmers will continue to suffer.

It was an opportunity to secure real reforms to China's rapacious trade and industrial policy. President Trump may have just squandered it indefinitely—a severe and potentially irreparable loss for the American people, American businesses, American workers.

Given how poorly trade deal one was executed with China, I have virtually no faith that trade deal two, if it ever comes about, will be any better. In fact, most Americans should fear it if it is anything like this one.

#### BORDER SECURITY

Mr. SCHUMER. Mr. President, on the wall, yesterday the Washington Post reported that the Trump administration is planning to divert \$7.2 billion in funding from the Defense Department to fund his border wall with Mexico.

Once again, the administration proposes stealing this funding from military families and counterdrug programs, bringing the total amount that the President has stolen—stolen—from our troops and our families to over \$13 billion.

The last time the President took money away from military construction, serious military projects suffered—schools in Kentucky, medical facilities in North Carolina, and hurricane recovery projects in Florida. Now the President wants to take even more money away from these projects for a border wall that he promised Mexico would pay for. This is another slap in the face to our Armed Forces, their families, and all of the places throughout America that have military bases that need new construction funding.

Some Senate Democrats strongly oppose this action. We will continue to oppose the transfer of counterdrug funding for the wall, and we will force yet another vote to terminate the President's bogus national emergency declaration and return these much needed military construction funds back to the military, to the men and women in our Armed Forces, and to their families. Our Republican friends, hopefully, will join us in that vote.

President Trump is once again subverting the will of Congress—once again thumbing his nose at the Constitution. The Founders gave Congress the power of the purse, not the President, and this Chamber has refused repeatedly to fund the President's wall. But whether it is to Federal appropriations, foreign policy, or our oversight authority, President Trump seems to have little regard for constraints placed on the Executive. He seems to view the Constitution as merely a nuisance, some inconvenient obstacle in the way of his personal and political interests. It is time for Democrats and Republicans to say: Enough.

I would say one final thing to my conservative friends. The true founda-

tion of conservatism is to minimize the powers of government, particularly the Executive, because they believe it provides more room for the individual. Where are our conservative voices when Donald Trump, in issue after issue—one of the most egregious being this border wall—takes the power away from Congress, away from the American people, and arrogates it onto his own personal wishes?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

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

Mr. TOOMEY. Mr. President, it appears that we are likely to be considering some version of the USMCA, implementing legislation this week, so I want to address this agreement, but in order to do that, I think we have to start with the underlying NAFTA agreement, which has been in place for some years, and ask a question, which is, Why did we go down the path of renegotiating NAFTA in the first place? Let's start there.

As I can imagine, one reason that one might want to renegotiate a trade agreement is if the trade agreement in question were not a reciprocal agreement. If it treated one party differently than it treated the other parties, then you might question whether that is a fair arrangement and might decide that if it is not, it needs to be revisited. That certainly would not describe NAFTA. NAFTA is entirely reciprocal.

Another reason one might decide to renegotiate a trade agreement is if there were tariffs—meaning it wasn't really a free-trade agreement; it was an agreement that maybe changed the terms of trade. But if you still had tariffs, you might decide, as a free-trader like me, that it would be a good idea to renegotiate so that we can eliminate the remaining tariffs.

Well, that certainly isn't the motivation, either, because with NAFTA, there are zero tariffs on 100 percent of manufactured goods that cross the borders of any of the three countries that are parties and zero tariffs on 97.5 percent of agricultural goods. So really there is not much more to do on the tariff side.

By the way, that is true about any other kinds of restrictions on trade. There are no quotas, no obstacles. This is a free-trade agreement. That is what it is. It is fair, it is free, and it is reciprocal among the three countries. As a matter of fact, since NAFTA was adopted, U.S. exports to Mexico, for instance, have increased 500 percent.

That is true of Pennsylvania exports to Mexico, as it is on average for all 50 States.

I will state that modernizing the agreement always made sense, right? We now have this huge digital economy that did not exist back in the early nineties when NAFTA was adopted, so it definitely makes sense—it always makes sense to modernize, to update. But I think it is very clear that modernizing and updating were not the driving motivations for renegotiating NAFTA and adopting USMCA. The fundamental reason was that we have a trade deficit with Mexico. It is pretty persistent every year. It is not a huge deficit, but we have a trade deficit with Mexico, and that was deemed to be unacceptable to the administration.

So the fundamental purpose of renegotiating NAFTA and the reason Mexico and Canada had to be coerced into this new agreement was so that we could diminish exports from Mexico. Despite the fact that economists universally understand that a trade deficit with a country like Mexico is a meaningless measure, nevertheless, that is the goal.

Since trade in cars and car parts is the source of the trade deficit with Mexico, it is the auto sector that bears the brunt of the restrictions.

Let me suggest that one useful way to think about USMCA is that it is NAFTA with two categories of changes. The first category is the modest constructive modernizations I alluded to. They are mostly taken from the Trans-Pacific Partnership Agreement that had been negotiated by a previous administration. Examples include requiring that there be free digital trade. So you can't impose a tax on a data transfer, for instance, or you can't impose a tariff on software, and you can't require that data be stored locally. These are good things.

It is important to note they are codifying existing practices. Canada, Mexico, and the United States do not currently impose obstacles and tariffs on this kind of economic activity. Under USMCA, they won't be able to; it will be codified. So we will make permanent that which is already the practice. There is a very, very tiny reduction in Canadian protectionism with respect to dairy products.

For the most part, these modernizing features are modest, they come from TPP, but most importantly, they could have been achieved without the second category of changes I am about to describe. They could have been achieved because they weren't really controversial.

The other important category of changes to NAFTA that USMCA contains is a full series of protectionist measures that are designed to diminish trade and/or investment. So for the first time in certainly modern times, we are going to consider a trade agreement that is designed to diminish trade, which should be very disturbing for those of us who understand how

much economic growth comes from trade.

What are some of the specifics? Well, the specific changes that are meant to diminish trade—as I said, the auto sector bears the brunt of it. It really is the end of free trade in automobiles and auto parts with respect to Mexico. The agreement imposes minimum wage requirements that are designed to be impossible for Mexican factories to meet, and when they don't meet them, Mexican autos and auto parts will be subject to a tax. So Americans who buy these cars will have to pay a tax on them. This is designed to make Mexico and Mexican factories less productive.

We have folks who think that is somehow a good thing for the United States. It is not. This minimum wage requirement and the tariffs that will follow from it will simply make the entire North American auto industry less competitive because we have integrated supply chains, and American domestic manufacturers use parts that originate in Mexico. Those parts will now be more expensive. It will mean higher prices for American consumers, who will have to pay more money for a car and therefore will have less money available for any of the other things they would like to consume. It will probably lead to an increase or acceleration in the shift to automation because when you artificially establish an arbitrary wage rate that is unaffordable, it creates an incentive to avoid labor costs entirely with automation. All of that means fewer jobs.

We are already seeing a reduction. We have a terrific economy generally, but the manufacturing sector is actually not participating in this tremendous expansion. We have been losing jobs in manufacturing as a result of tariffs we have been imposing.

With the full anticipation of this agreement coming, the auto sector in the United States of America has been shedding jobs. We have been losing jobs as employers in this sector see where we are heading on this policy. That is one item.

Another way we are restricting trade is by arbitrarily putting an expiration date on this trade agreement. It expires 16 years from the date of enactment. There is a mechanism by which, if all three parties unanimously and simultaneously agree, they can extend it, but the default setting is for this thing to go away, for this to expire.

We have never put a termination date on a trade agreement. On all of the trade agreements we have done—and there are dozens—we have never had an expiration, and there is a good reason. The reason is, as you get anywhere close toward that expiration date, an uncertainty emerges about what the trade regime would be like if the agreement is not extended. That has a chilling effect on trade and investment, so it is a very bad idea.

Our Trade Rep has argued that, well, these trade agreements ought to be renegotiated periodically anyway. First

of all, not necessarily—a free and fair and reciprocal trade agreement that has no barriers to trade doesn't necessarily need to be renegotiated with any specific frequency, and secondly, it can be renegotiated without an expiration. The question is, What is the default setting? Do we assume the arrangement continues, or do we assume the arrangement ends? Unfortunately, in USMCA, it all comes to an end.

There is another provision that is very disturbing, and that is the almost complete destruction of what is known as the investor-state dispute mechanism. This is the mechanism by which American investors in Canada and Mexico, in this case, can adjudicate a dispute because sometimes the local court in those countries does not treat the foreign investor—the American investor—in that country fairly. That happens sometimes.

So 50 or more of our bilateral investment treaties and trade agreements have this mechanism, the investor-state dispute settlement mechanism, so that if an American investor or an American employer with an investment overseas in one of these countries is being treated unfairly, they have a place to go to get a fair adjudication of their dispute.

In March of 2018, 22 currently serving Republican Senators sent a letter to the Trade Representative. It says: "ISDS provisions at least as strong as those contained in the existing NAFTA must be included in the modernized agreement to win congressional support."

There is actually a broad consensus about its importance, which is why it is in every other trade agreement we have ever had. But USMCA completely guts these investor protections. It limits it very narrowly to just several sectors in Mexico and eliminates it entirely in Canada. The irony of this is, in the 30 years that we have had these investor-state dispute settlement provisions, every time the United States was a litigant, the United States won.

This has been a jurisdiction that has been very, very helpful to the United States, and we have given it away. It is out the door. That is because there are some, I think, advocates for eliminating this who think, in a classic protectionist mindset, that an investment in another country necessarily comes at an expense to investment in America. That is completely wrong. Most investment overseas is meant to serve overseas markets, and it results in jobs in the United States in management and supervision and accounting and planning and all kinds of aspects of overseeing that investment overseas. But now we are going to have a chill imposed on this activity.

Well, those provisions I just described were the deal as it was reached back in May, and at that point, our Democratic colleagues said that the agreement was not acceptable. So our Trade Rep and a number of House Members, in particular, entered into a

whole new series of negotiations, and from there, the agreement got worse.

What happened there—let me talk about just a couple of categories. One is a whole set of labor provisions. Basically, the United States forced Mexico to pass labor laws designed to facilitate the unionization of their factories. It is none of our business what the labor laws are in Mexico, but we forced them to pass these laws.

Then it gets worse. The USMCA creates this elaborate mechanism by which American taxpayers are forced to pay to enforce Mexican labor laws. Richard Trumka, from the AFL-CIO, said: "For the first time there truly will be enforceable labor standards—including a process that allows for the inspections of factories and facilities that are not living up to their obligations."

So he is alluding to the mechanism that is established in USMCA to allow site inspections. I remind my colleagues that this agreement is fully reciprocal. I wonder how much American businesses are going to appreciate having Mexican inspectors come in to inspect their facilities to see if they are in compliance with American labor law. This is there because it is perceived to be in organized labor's economic interests.

First, it increases the expense and diminishes the productivity of Mexican plants, which some people think is a good thing. I think it is a bad thing for American consumers to have to pay more than necessary. But in any case, American taxpayers are going to pay hundreds of millions of dollars over years to enforce another country's labor laws.

Another provision that was insisted on in the latter parts of the negotiation is the removal of intellectual property protection for biologics. As you know, biologics are complex new medicines derived from living cells. It is one of the most exciting things in medicine because it has allowed scientists to use living organisms—or these cells from living organisms—to produce wonderful, wonderful curative medicines. It is very exciting.

Under U.S. law, when a business develops such a new medicine, which comes at enormous cost to get it to market, we provide 12 years' worth of what we call data exclusivity. It is the exclusive ability to market that medicine so that the company can recoup the billions of dollars that are spent developing it.

Well, 12 years is the period of protection we provide for that intellectual property. When the Trans-Pacific Partnership was being negotiated, the Obama administration insisted on at least 8 years. We are the only country that is, by far, the leading country in developing this new category of medicine. We are the ones who have the incentive to protect this intellectual property. Other countries—such as Mexico, Canada, and other countries around the world—don't really care

about protecting it because it is not theirs. They argue for less intellectual property protection; we argue for more. That is the general nature of the context.

As I said, under the Trans-Pacific Partnership, everybody had agreed on 8 years. Not in USMCA. In USMCA, we agreed to zero—zero—no period of data exclusivity to protect the intellectual property of this very exciting, new kind of medicine. This is so ironic because right now—as an aside—we are in this ongoing, protracted, tough battle with China over a number of their economic practices. Chief among them is their theft of intellectual property. We are rightly insisting that we are going to defend and protect our intellectual property because it is the crown jewel of the American economy. The most precious thing we have is the creativity of the American people. So we are insisting that we have robust protection for intellectual property. Here, in USMCA, we give it away. We just give it away.

There is another aspect of this that is important to consider, and that is that there is not going to be any boost to economic growth as a result of swapping out NAFTA for USMCA. The U.S. International Trade Commission, which is an independent agency, part of the U.S. Federal Government, did a big, extensive study, and they did a report.

Their report said that USMCA will create a net of 176,000 jobs. Well, if that were true, it would be trivial in the context of our economy. Our economy has been creating more than that number of jobs every month for years now. It is a tiny number for 72 months when we have been producing more jobs than that each and every month—not over 72 months. But worse than being a very small number, it is just not true. The study says that, on balance, the trade restrictive provisions, some of which I alluded to, will diminish trade and cause U.S. growth to decline, and any offsetting growth just comes from reducing the uncertainty about whether the free trade and digital trade that I alluded to continues.

However, the ITC cost-benefit analysis explicitly chose not to attempt to quantify the sunset clause. There is no question that is a negative. They didn't even attempt to quantify it. They did their analysis before these new labor provisions and before the abandonment of protection for intellectual property of biologics—before that even emerged on the scene. We know those have a negative effect on growth. The bottom line is, there is going to be no additional economic growth from this agreement.

But there is a tax increase. The Congressional Budget Office did their analysis, and they concluded—rightly—that there will be tariffs added to the sales of cars. American consumers will be paying a tax increase in the form of this tariff on autos and auto parts. That is definitely part of this agreement.

To conclude on the substantive matters, we took a true free trade agreement, and we added some constructive features. We did some modernizing from the Trans-Pacific Partnership, which was constructive, but then we slapped on an expiration date. We imposed costly new restrictions on one of our trading partners. We eliminated the dispute settlement mechanism for U.S. investors. We dropped the intellectual property protection for the most innovative medicines we have. We saddled American taxpayers with \$84 million over 4 years to enforce Mexican labor and environmental laws. For all of this, we get basically no additional economic growth—probably a little bit.

It is worth noting that the Members of this body who have proudly and openly opposed every trade agreement they have ever been asked to cast a vote on—they voted no. On this, they are going to vote yes. For the first time in two decades, the AFL-CIO is supporting a trade deal when they have opposed all free trade agreements. There is a reason. It is because we are going backward on trade. It is because this agreement is designed to limit trade.

A quick word on process here—this is important. The implementing legislation that is going to get to the floor one way or another sometime soon is not compliant with trade promotion authority. What that means is, it should not get the expedited treatment and the protection from all amendments that trade promotion authority confers on a narrow category of legislation that conforms completely—completely—with the trade promotion authority law.

Let's remember a few fundamental things here. Trade policy is the responsibility of Congress. The Constitution assigns it to the U.S. Congress to establish trade policy, including the establishment of tariffs, the management of tariffs, and everything to do with trade.

With TPA, we delegate the responsibility that is ours to the executive branch with a lot of conditions attached, and if they don't comply with those conditions, then this legislation shouldn't be whisked through Congress on a simple majority vote with no amendments, which is meant, under TPA, to be limited only to those pieces of legislation that comply entirely with the trade promotion act legislation.

Here are a couple of specific ways in which this agreement violates the trade promotion authority. First of all, Congress did not receive the final agreement according to the timeframe contemplated by TPA. We are supposed to get the final agreement 30 days before there is a vote in committee or on the floor on the implementing language. The reason that is important is so that Congress can give some feedback to the administration. This is a draft that is meant to be a draft of the implementing legislation submitted to

Congress so that Congress can then consider how it might want to make changes since this is, after all, our responsibility. The administration chose not to do that at all. They finalized this agreement in early to mid-December, and there was a vote on the House floor on the final version of the implementing language within a week or so—nothing close to the 30-day period that is meant to enable Congress to influence its own product.

There is another provision in the trade promotion authority legislation that requires that the implementing legislation must contain only provisions “strictly necessary or appropriate to implement such trade agreement.” Why is that important? It is because we passed this legislation with a 51-vote threshold—simple majority threshold. Almost everything else in the Senate requires 60 votes. So we are saying that if you want to use the expedited process and if you want to be able to pass this legislation with a simple majority, you have to limit it only to that which is absolutely strictly necessary and appropriate for implementing this trade agreement; otherwise, obviously, people could stick in any old thing they want that they think there is a majority vote for if there are not 60 votes for it. In other words, abusing this narrow construct really dramatically underlines the 60-vote threshold for legislation in the Senate.

Well, let me give you a few examples of cases where it is clearly being abused in this agreement. One is that there are appropriations in the implementing legislation. This is a complete first. In all of our trade agreements in the past, there has been a necessity for some spending. The appropriations bill to spend that money has always been a separate legislative vehicle precisely so that it would be open to scrutiny, subject to amendment, and subject to a 60-vote threshold. Not this time. The hundreds of millions of dollars of spending in this bill include, for instance, \$50 million in salaries and expenses for the office of the U.S. Trade Rep. Well, maybe the folks at the U.S. Trade Rep all deserve a big raise; maybe that is true. But that should be done in a separate piece of legislation because it is not necessary and appropriate for the implementation of USMCA. Not only that, but they have taken all of this spending and imposed an emergency designation on it. There is an emergency designation on it. So, apparently, it is an emergency that the folks over at the U.S. Trade Rep's office get a pay raise. Apparently it is an emergency that all this money be spent. That is ridiculous; of course it is not. The reason they put the emergency designation on it is that spending in this body—spending in Congress that gets an emergency designation doesn't have to be offset. So if it exceeds the permissible maximum spending we have all agreed to and if you slap on an emergency designation, then that is

OK. If you don't have the emergency designation, then new spending has to be offset with reduction in spending somewhere else.

The reason we have the emergency designation is that emergencies actually can occur. There are earthquakes; there are fires; there are floods; and those happen. But I am sorry, a pay raise for staffers at the U.S. Trade Rep does not qualify.

So, for a variety of reasons, this legislation we are going to be considering is not compliant with trade promotion authority. That doesn't mean it can't move. It simply means it needs to move under the regular order. It should be an ordinary bill on the floor as any ordinary legislation, and, sadly, from my point of view, I am pretty sure the votes are there to pass it. There are probably going to be the votes to pass what I think is a badly flawed agreement—an agreement that restricts trade rather than expanding trade. I certainly hope we will do it under the regular order because it does abuse trade promotion authority.

The last point I would make is that I certainly hope this does not become a template for future trade agreements. We have an opportunity to do wonders for our constituents, our consumers, and our workers by reaching new and additional trade agreements with the UK, Japan, Vietnam, and all kinds of countries that have tremendous growth potential, and our economy will grow if we can work out mutual free trade agreements with these countries. I am very much in favor of that. I wouldn't want these protectionist, restrictionist policies that found their way into this agreement to be part of future agreements.

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

#### IMPEACHMENT

Mr. CORNYN. Mr. President, about 4 weeks after the House voted on the Articles of Impeachment, the House will name impeachment managers, and we will see those Impeachment Articles delivered here to the Senate, but for the impeachment managers' role in the Senate, that will conclude the House's participation in the impeachment process, and ours—the Senate's responsibilities—will begin.

As I said, this vote occurs 4 weeks after the House concluded its whirlwind impeachment investigation. As I look more and more closely at this, it strikes me as a potential case of impeachment malpractice, and I will explain.

Four weeks after they passed these two Articles of Impeachment, 4 weeks

after they concluded the President has acted in a way to invoke our most extreme constitutional sanction that he should be removed from office, they finally will send these Impeachment Articles to us.

As I look at the Impeachment Articles, I am astonished that even though we heard discussions of quid pro quo, bribery, and other crimes, the House of Representatives chose not to charge President Trump with a crime. How you then go on to prove a violation of the constitutional standard of high crimes and misdemeanors when you don't even charge the President with a crime, I am looking forward to having the impeachment managers and the President's lawyers address that. At least at first blush, it does not appear to meet the constitutional standard of bribery, treason, high crimes, and misdemeanors.

President Clinton was charged with a crime—the crime of perjury—but, here, President Trump has not been accused of a crime. The vague allegation is that he abused his office. That can mean anything to anybody. Just think, if we dumb down the standard for impeachment below the constitutional standard, what that does is it opens up the next President, who may have a House majority composed of the other party, vulnerable to charges of impeachment based on the allegation that he abused his office, even if they did not commit a high crime or misdemeanor. So impeachment becomes a political weapon, which is what this appears to be, rather than a constitutional obligation for the House and the Senate.

Last month, the chairman of the House Judiciary Committee, JERRY NADLER, said on national television it was a "rock-solid case" against the President—"rock-solid," but in the moments after the House voted to impeach the President, there seemed to be a lot of doubt about whether there was sufficient evidence to convict the President of high crimes and misdemeanors; so much doubt, in fact, that it led the Speaker of the House to withhold the articles until the Senate promised to fill in the gaps left by the House's inadequate record.

She sought promises from Senator MCCONNELL, the majority leader, that the Senate would continue the House's investigation—continue the House's investigation—the one which only a few weeks prior one of her top Members said was a rock-solid case. Well, it either is or isn't.

I would say that the Speaker's actions and her cold feet and her reluctance to send the Impeachment Articles here for the last month indicate to me that she is less than confident that the House has done their job.

As a matter of fact, in the second Article of Impeachment, they charged the President with obstruction of Congress. Here is the factual underpinning of that allegation: Chairman SCHIFF would issue a subpoena to somebody who works at the White House. They

would say: Well, I have to go to court to get the judge to direct me because I have conflicting obligations—a subpoena from Congress and perhaps a claim of some privilege based on confidential communications with the President. Rather than pursue that in court, which is what happened in the Clinton impeachment and what should happen in any dispute over executive privilege, Chairman ADAM SCHIFF of the House Intelligence Committee dropped them like a hot potato, and they simply moved on in their rush to impeach without that testimony and without that evidence. So now they want the Senate to make up for their failure here by calling additional witnesses.

I sometimes joke that I am a recovering lawyer and a recovering judge. I spent 20 years or more of my life either in courtrooms trying cases or presiding over those cases or reviewing the cases that had been tried based on an appellate record in the Texas Supreme Court.

Our system of justice is based on an adversary system. You have the prosecutor who charges a crime—that is basically what the Articles of Impeachment are analogous to—and then you have a jury and a judge who try the case presented by the prosecution. We have a strange, even bizarre, suggestion by the Democratic leader in the Senate that somehow the jury ought to call additional witnesses before we even listen to the arguments of the President, his lawyers, and the impeachment managers who spent 12 weeks getting 100 hours or more worth of testimony from 17 different witnesses.

So this discussion about whether there will be witnesses or no witnesses is kind of maddening to me. Of course, there will be witnesses—witnesses whom the impeachment managers choose to present, maybe through their sworn testimony and not live in the well of the Senate, but it is no different in terms of its legal effect, or witnesses and evidence, documentary evidence, that the President's lawyers choose to present.

I think the majority leader has wisely proposed—and now it looks like 53 Senators have agreed—that we defer this whole issue of additional witnesses until after both sides have had the chance to present their case and Senators have a chance to ask questions in writing.

This is going to be a very difficult process for people who make their living talking all the time, which is what Senators do. Sitting here and being forced to listen and let other people do the talking is going to be a challenge, but we will have a chance to ask questions in writing, and the Chief Justice will direct those questions to the appropriate party—either the impeachment managers or the President's lawyers—and they will attempt to answer those questions.

As I look at this record more, I am beginning to wonder whether the basic



facts are really disputed. So when people talk about calling additional witnesses, I think what they are more interested in is a show trial and getting cameras and media coverage rather than actually resolving any disputed facts and applying the legal standard—which is what the Constitution provides—in order to decide whether the President should be acquitted or convicted. That should be the role of the Senate sitting as a jury.

The House, it seems, was under no deadline—other than an internally imposed deadline—to complete their impeachment investigation. They could have subpoenaed more witnesses. They could have waited for those subpoenas to play their way out in court and held a vote once they truly believed they had sufficient evidence to impeach the President, enough evidence that they felt confident presenting at a Senate trial.

If a prosecutor were to do in a court of law what the House impeachment inquiry did, they would be justly accused of malpractice. To drop the witnesses rather than to actually go to court to try to get the testimony you need in order to support the Articles of Impeachment, that is malpractice because you know if this were a court of law, in all likelihood, the judge would summarily dismiss the case, saying: You haven't shown the evidence to support the charges that the grand jury—in this case, the House—has made under the Articles of Impeachment.

We know that rather than develop the record that would be sufficient to prove their case, Members of the House gave themselves an arbitrary deadline for their investigation and made speed their top priority. Now finding themselves with the short end of the stick, they are trying to pin their regrets and their malpractice on Members of the Senate.

Our Democratic colleagues are trying to paint the picture in a way that makes it look like Senate Republicans are failing in their duties, but we will fulfill our constitutional role and duties. The only question is, did the House perform their constitutional duties in an adequate way to meet the constitutional standard?

Speaker PELOSI went so far as to say that failing to allow additional witnesses would result in a “coverup.” I think I have heard that same charge by the Democratic leader here. I don't really understand the logic of that one. It seems like the only coverup happening is when the Speaker is covering up her caucus's shoddy and insufficient investigation.

She is trying to distract from the fact that there is very little, if any, evidence to support the Articles of Impeachment. She is trying to place the blame on the Senate—a strategy you don't have to have x-ray vision to see through.

The Speaker went so far as to say last Sunday that Senators will “pay a price” for not calling witnesses, but I

think they are now beginning to take the mask off and expose their true motivation. Based on what we know now, this is no longer about 67 votes to convict and remove President Trump; this is about forcing Senators who are running for election in 2020 to take tough political votes that can be then exploited in TV ads. That seems to me to demean this whole impeachment affair. This is a thermonuclear weapon in a constitutional sense. To accuse someone of high crimes and misdemeanors and to seek to convict them in a court and remove them from office is a very serious matter, but it has been treated and is being treated like a trivial political matter, a political football.

Based on the way that Speaker PELOSI and others have characterized the need for additional witnesses, you would think no one had testified before or had been deposed. But that would be to ignore the House Intelligence Committee's 298-page report—a 298-page report—detailing their impeachment inquiry. It details the actions of the committee, including dozens of subpoenas and the taking of more than 100 hours of testimony from 17 witnesses. So when somebody says this is a question of witnesses or no witnesses, I say that is not true. Those are not the facts. We already have 100 hours of testimony that could be presented in the Senate if it is actually relevant to the Articles of Impeachment, to what is charged.

To be clear, all the information will be available to the Senate, and the testimony of 17 of those witnesses will likely be presented by the impeachment managers.

Again, our Democratic friends in the House apparently are having a little bit of buyer's remorse, cold feet. Pick your metaphor. With 4 weeks of deep contemplation separating them from the impeachment vote they took, they no longer believe, apparently, that they have enough evidence to prove a high crime and misdemeanor, which is the constitutional standard. As for that 298-page report that they were once so proud of, apparently now they concede by their actions that it falls short of that rock-solid case they promised. So rather than taking responsibility for their own impeachment malpractice, rather than admitting that they rushed through the investigation, skipped over witnesses whom they now deem critical to the inquiry, they try now to blame the Senate and put the burden of proof on our shoulders. Well, as I said earlier, there is no question whether witnesses will be presented. Some of them will be presented who testified in the House of Representatives—the 17 witnesses who testified over 100 hours.

I think the Senate, based on the vote of 53 Senators, has wisely deferred whether additional witnesses will be subpoenaed until after we have had a chance to hear from the parties to the impeachment and an opportunity by Senators to actually ask clarification questions.

Leader MCCONNELL has been consistent in saying that we wouldn't be naming witnesses before the start of the trial, in line with the precedent set by the Clinton impeachment trial. Ironically, the Democratic leader was in a position during the Clinton impeachment trial that no additional witnesses should be offered and now finds himself, ironically enough, in the opposite posture based on nothing more than the difference in the identity of the President being impeached.

To reiterate, we will have a chance to hear the arguments from both sides, along with any documents they choose to present. We will move to the Senators' questions, and then we will decide whether more evidence is required. I personally am disinclined to have the jury conduct the trial by demanding additional evidence. I think that is the role of the impeachment managers and of the President's lawyers. I know fair-minded people can differ, and if 51 Senators want additional witnesses under this resolution, they will have an opportunity to have them subpoenaed.

This is going to be a fair process, unlike the House process, which has been—well, I was going to say “a three-ring circus,” but that is not fair to the circus. We are going to have a dignified, sober, and deliberate process here, befitting the gravity of what we have been asked to decide. No one, neither the prosecution nor the defense, will be precluded from participating. As a matter of fact, they will drive the process. That is the way trials are conducted in every courthouse in America, and that is the process we should adopt here.

In stark contrast to the partisan chaos that consumed the impeachment inquiry in the House, we are going to restore order, civility, and fairness. Over the last 4 weeks, there has been a whole lot of talk but not much action from our colleagues on the other side of the aisle in the House. They have taken what should be a serious and solemn responsibility in Congress and turned it into a partisan playground less than a year before the next election, when tens of millions of Americans will be voting on their choice for President of the United States.

By needlessly withholding the Articles of Impeachment for 4 weeks, the Speaker has all but ensured that the Senate's impeachment trial will overlap with the Iowa caucuses. That is where our Democratic friends will choose their Presidential primary winner, starting with the Iowa caucuses.

This trial could even stretch into the New Hampshire primary or the Nevada caucuses. I find it curious that the Speaker's decision will force four Senators who are actually running for President in those primary contests to leave the campaign trail in these battleground States and come back to Washington, DC, and be glued to their seats, sitting as jurors during this trial, when I am sure they would rather be out on the hustings. Rather than

shaking hands with voters, they will be sitting here like the rest of us. That will be a big blow to their election. Based on what we have seen in the press, these four Senators aren't what I would call "happy campers," and I don't blame them.

You had better believe, though, that their competitors are celebrating. They are going to have the Iowa caucuses, perhaps, and maybe New Hampshire and Nevada all to themselves while these four Senators who are running for President in the Democratic primary will have to be here like the rest of us.

So, in holding the articles for 4 weeks, the Speaker just cleared out some of the top contenders in the Presidential primaries—the early ones—and it is pretty clear that the candidate who stands the most to gain from their absence is former Vice President Biden.

The politics of this impeachment circus show that it was never a serious one. A constitutional issue? Wrong. It was a political exercise from the start, meant to hurt this President and help the Speaker's party elect a Democrat in his stead in November—or at least NANCY PELOSI's friends in the Democratic Party.

Over these last 4 weeks, we have been standing by, waiting to do our duty, wasting valuable time, while the Democrats in the House try to come to terms with their embarrassing and inadequate investigation, and watching them as they try to figure out how they could possibly get themselves out of this embarrassing box canyon they have walked into.

I know we are all eager for the process to finally shift from the House's hands to the Senate, and I am hopeful that later this evening we will finally be free from Speaker PELOSI's manipulative games when it comes to impeachment.

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

Mr. CORNYN. Mr. President, finally there is some good news here in Washington that we will actually get some important things done, and, particularly, I am talking about the USMCA, or the United States-Mexico-Canada Trade Agreement. I am hopeful that we can get that voted out of the Senate by tomorrow and get it onto the President's desk. This is a top priority for my constituents, who are farmers, ranchers, and manufacturers, as well as consumers, whose daily lives are impacted by trade with our neighbors to the north and south. We will soon be able to mark it as yet another win for Texas under this administration.

For more than a quarter of a century, NAFTA, or the North American Free Trade Agreement, the predecessor to the USMCA, has been the guiding force in our trading relationships with Mexico and Canada. By virtually any measure, it has been a great success. The

U.S. Chamber of Commerce estimates that 13 million American jobs have been created and are dependent on trade with Mexico and Canada. That is a big deal.

A lot has changed over the last 25 years. In fact, then, the internet was in its infancy, smartphones didn't exist, and the only shopping you did was at a brick-and-mortar store. The way business is conducted today has evolved significantly. It is time we bring our trade agreements up to date.

That is where the USMCA comes in. It preserves the basic hallmark provisions of NAFTA, like duty-free access to Mexican and Canadian markets, and it adds measures to modernize the agreement. Additionally, the USMCA includes strong protections for intellectual property, which is critical to protecting the incredible innovation that Americans create right here at home. It also cuts the redtape that has been preventing countless small businesses from tapping into foreign markets.

It also accounts for e-commerce and digital products at a time when governments around the world are proposing all kinds of new taxes on e-commerce. It is actually the first free-trade agreement with a digital trade chapter. That is why a lot of folks call the USMCA "NAFTA-2.0." It is better, it is stronger, and it is up to date.

I have no doubt that this agreement will be a boon to both our national and Texas economies, but I do have some concerns about the path it has taken to ratification. This product was essentially negotiated with the House and given to the Senate as a fait accompli, and I worry that that can set a dangerous precedent for future trade agreements. I hope that is not something we will allow to become a habit, but it doesn't diminish the fact that this trade agreement will bring serious benefits to my constituents and my State and continue to strengthen our national economy.

I appreciate the President's commitment to strengthening our trading agreements with our neighbors and bolstering a stronger North America. The USMCA is a big win for all three countries involved, and it is a big win for the State of Texas.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### IRAN

Mr. CARDIN. Mr. President, last week we were very close to an act of war between the United States and Iran. I must tell you, we have been talking about this potential threat for a long time. I am a member of the Senate Foreign Relations Committee. We have held numerous meetings in our discussion about the fact that there is no authorization for the use of military force by the United States against Iran that has been approved by Congress. I remember, during hearings, listening

to administrative witnesses who said: Well, there is no intent to use force against Iran.

Well, Congress did not act. Even though, I must tell you, several of our colleagues, including this Senator, had urged us to take up an authorization for the use of military force in regards to the problems in the Middle East, there was no action taken. I want to applaud Senator Kaine, who has been working on this for several years, and our former colleague Senator Flake, who did everything they could to bring a bipartisan discussion and action in regards to exercising congressional responsibility on the use of force by our military.

Well, we now know that this is a real threat, that we may be going to war without Congress's involvement, which is contrary not only to our Constitution but to the laws passed by the U.S. Congress. So I want to thank Senator Kaine and Senator Lee for filing S.J. Res. 68, a bipartisan resolution. I hope it will receive the expedited process that is envisioned in the War Powers Resolution, and I hope that we will have a chance to act on this in the next few days. It is our responsibility—Congress's responsibility—to commit our troops to combat, and it rests squarely with the legislative branch of government.

Let me first cite the Constitution of the United States. You hear a lot of discussion about the Constitution here on the floor of the U.S. Senate. Article I, section 8, of the Constitution says that Congress has the power to declare war.

Now, that was challenged in the 1970s, after Congress had passed the Gulf of Tonkin resolution in regards to our presence in Vietnam.

It was passed in an innocent way to protect American troops and ships that were in that region, but as we know, that resolution was used as justification by President Johnson and others to expand our involvement in Vietnam and, ultimately, led to a very active and costly war for the United States—and lengthy war, I might add.

In 1973, Congress passed the War Powers Act. It wasn't easy. President Nixon vetoed it. We overrode the veto in a bipartisan vote in the U.S. Congress. We did that because of the abuse of power during the Vietnam war.

Let me read what the War Powers Act provides because it is very telling in regard to what we saw last week in regard to Iran, a little over a week ago now. It requires consultation with Congress by the President "in every possible instance before committing troops to war." No. 1, it requires the President to consult with us before he commits any of our troops to an engagement. No. 2, the President is required to report within 48 hours "into hostilities or into situations where imminent involvement in hostilities is clearly indicated by the circumstances." So it provides for the imminent involvement or threat to the United States.

No. 3, the President is “required to end foreign military action after 60 days unless Congress provides a declaration of war or an authorization for the operation to continue.”

We now know that to be an AUMF, an authorization for the use of military force.

Let’s fast forward from the passage of that bill in 1973 to rein in the abuse of power by the Executive during the Vietnam war. Let’s fast forward to what happened in early January, on January 2, when President Trump ordered the action against Soleimani in Baghdad and took out his life.

Let me start off by saying, none of us has any sorrow over the loss of General Soleimani. He was a bad guy. He was responsible for the deaths of hundreds of people. He was very much a person who should have been held accountable for his activities, but there is a reason for our constitutional protections of checks and balances as it relates to the use of military force by the United States.

The Commander in Chief has certain powers. Congress has certain powers. The Framers of our Constitution intentionally provided for there to be a robust discussion and debate between the legislature and the Executive on war and peace; that we should have that open discussion; and that, in many cases, diplomacy needs to be pursued much more aggressively before we use our military might; that our national security interest in keeping America safe rests with these checks and balances. Again, to bring it to current times in regard to the circumstances with Iran, every witness I have listened to, every expert I have talked to with regard to the Middle East, says it is in the U.S. national security interest to find a diplomatic way to handle our issues in regard to Iran; that a military option would be very costly, a long time, and, most likely, counterproductive with the United States having to keep its troops in that region for a very long time.

Diplomacy is clearly the preferred path. These constitutional provisions provide us with an opportunity to be able to make sure we do what is in the best interest of American national security.

Trump ordered this attack, and the Senate now needs to act, as we saw in the 1970s when Congress did act. Let me start with the War Powers Act and how President Trump had violated the War Powers Act in all three of the provisions I mentioned earlier.

First, was there an imminent involvement or threat? We have all now heard the explanations given by this administration. It was short on detail. It was basically the general concerns. What is most disturbing, we now read press accounts that the President had been planning for months—or the generals had been planning and going over with the President for months whether they should take out General Soleimani.

If they had been planning for months, why didn’t they consult with Congress, as required under the War Powers Act? Violation No. 1 to the War Powers Act: Congress was not consulted by President Trump.

No. 2, there are two violations so far; the fact that there wasn’t an imminent threat and the fact that there was no consultation with Congress—two violations of the War Powers Act. Then, if he continues to use force beyond the 60 days, he has to come to Congress and get authorization or he has to remove the troops.

Does anyone here believe the President will not hesitate again to use force against Iran? Yet there are no intentions to submit a resolution.

We find the President has violated the War Powers Act in three ways: first, by having no evidence of imminent threat; second, by not consulting with Congress before the attack; and third, by not submitting to us an authorization for the use of military force.

There are some who say the President already has that authority under the authorizations for the use of military force that were passed by Congress after the attack on our country on September 11, 2001.

We are getting to 18 years beyond when that attack took place and those authorizations passed, but let me go through them. The one that is cited the most by the President is the 2002, which is to “defend the national security of the United States against the continuing threat posed by Iraq.”

First, let me say, I voted against that resolution, and I believe that was the correct vote, but I think almost everybody in this body would say that authorization is no longer relevant. Since that resolution was passed, the United States has worked with Iraq and has worked with the Government of Iraq. This is a country we try to do business with, so they no longer present the threat that was supposedly present when this resolution was passed. Even to get beyond that, what does Iran have to do with Iraq? I understand they may start with the first letter “I,” but there is no relationship here. Under any stretch of the imagination, there is no way you can use the 2002 resolution.

Let’s go to the 2001 resolution that was passed on the authorization for use of military force. That was immediately after the attack on September 11: “. . . to use all necessary and appropriate force against those nations, organizations, or persons he determines planned, authorized, committed, or aided the terrorist attacks that occurred on September 11, 2001, or harbored such organizations or persons.”

There is absolutely zero connection between that language and General Soleimani or Iran as it relates to 9/11, and I think no one could make that connection.

I understand that 2001 has been misused by many administrations. There

is no question, I would concur in that conclusion, but in all of those cases, they tried to connect dots. There is no connection of dots here whatsoever.

As we saw in the late 1960s and 1970s in Vietnam, when we had the Gulf of Tonkin resolution that was passed to defend our assets in the Vietnam area—in the Gulf of Tonkin—how it was used by administrations to commit us to a long, engaged military operations. Here, one cannot argue that there is even a semblance of authorization that has been passed by Congress as it relates to Iran.

We also know the President is violating the War Powers Act, and he is likely to use force again in violation of our Constitution and the War Powers Act.

It was my generation that paid a very heavy price because of the Vietnam war. I lost a lot of my high school classmates in the Vietnam war. Let us not exceed our responsibility under the Constitution or allow the President to exceed his. We need to act. The Senate needs to act. We don’t need another endless war.

The resolution before us allows us to do what is responsible. I am going to quote from the resolution that Senator Kaine has filed, S.J. Res. 68: “. . . the President to terminate the use of United States Armed Forces for hostilities against . . . Iran or any part of its government or military, unless explicitly authorized by a declaration of war or specific authorization for use of military force against Iran.”

By the way, the resolution also provides that we always have the right to defend ourselves from an imminent threat, provided that it is an imminent threat, and that we comply with the War Powers Act—I am adding this—that was passed by Congress.

The President has a long track record of exceeding his constitutional authority on matters of foreign policy. We cannot afford to become accustomed or complacent in the face of those excesses. It is our responsibility to carry out our constitutional responsibility.

I urge my colleagues to strongly support S.J. Res. 68 when we have a chance to vote on that, I hope, within the next few days.

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

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

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

Mr. GARDNER. Mr. President, over the last several years, Congress has had significant debates on trade—the

importance of trade, what it means to our markets, what it means to exports, and what it means to States like mine, that being Colorado. The USMCA is incredibly important as we turn to that debate this week.

NAFTA and what it meant to Colorado was incredibly significant and the number of jobs that it created as was the United States-Korea Free Trade Agreement and the number of jobs that its agreement created. We have seen the benefits of trade in a State like Colorado for a number of years, and we see the opportunity for additional trade agreements in the future. This past year and this past Congress, we adopted the Asia Reassurance Initiative Act, which created U.S.-Asia trade partnership opportunities in energy—renewable energy and traditional energy.

This week, Congress turns its entire focus to the USMCA and its modernization of the North American Free Trade Agreement. We have to continue looking for new trade opportunities—ways to open up trade around the globe. It is vitally important to agriculture, to our electronic sector, and to our service sector. People of all walks of life and business in Colorado understand the importance of trade and what it means to our industry. If we don't seek out new trade opportunities—it is not like we operate just by ourselves—we know what will happen. We will see China, India, and other countries displace us. We will see them build new supply chains and go around the United States, and we will end up losing those market opportunities, those investment opportunities, and the jobs that go along with them.

If we don't open up new trade opportunities, farmers and ranchers in my home State will suffer. We have already seen incredibly low commodity prices hurt our agricultural communities. One way to overcome that is to open up new markets and create value-added opportunities in those new markets. That is how we can add one more potential tool to our ag economy to help make it survive and thrive. We have new product flows all the time out of our State, and this USMCA agreement is one more way we can create that new flow of opportunity. The North American Free Trade Agreement supports, really, 14 million jobs around the United States. Those are thousands of jobs in all 50 States.

Despite its benefits, however, we can always do a better job of making sure it meets the needs of our modern-day economy by modernizing NAFTA. Modernizing NAFTA to increase market access, to expand energy exports, to maximize domestic energy production, including having provisions on intellectual property and e-commerce, will make this agreement even more beneficial to the United States. If you think back to 1994 and the timeframe of pre-iPhones and pre-iPads and of so much of the technology that we have today, this agreement was in place before

that. That is why modernizing this agreement makes sense.

As I mentioned, the United States-Mexico-Canada Agreement is incredibly important to the State of Colorado. Out of 750,000 trade-related jobs, there are nearly 220,000 jobs in Colorado—a great pro-trade State—that are directly related to the USMCA. Canada and Mexico are our State's largest trading partners. Obviously, that makes sense, for right in the middle is our State. Amongst Colorado, Canada, and Mexico, we trade more than \$2.7 billion worth of goods and support the 220,000 jobs that I just talked about.

Colorado's farmers produce nearly half of all of the potatoes that Mexico imports from the United States. We also supply about 97 percent of all U.S. beverages to Mexico. Mexico has certainly been able to tap the Rockies when it comes to our beverage production in Colorado. Our biggest export—beef—accounts for more than \$880 million worth of goods that are shipped to Mexico and Canada.

In 2018, Colorado exported to Mexico more than \$45 million worth of milk, cream, cheese, and related dairy products. Meanwhile, we have exported about \$2.2 million worth of those products to Canada. The USMCA will reform Canada's protectionist dairy policies and help American dairy farmers access the dairy markets in Canada so that we can increase our exports to Canada in cream, milk, cheese, and other dairy areas. We sent more than \$31 million worth of cereals, like wheat, to Mexico in 2018 and more than \$2 million worth to Canada.

Even our sugar and candy manufacturers benefit from trade with Mexico and Canada. I just had a meeting with the Western Sugar Cooperative of Colorado. We talked about the importance of trade and about getting this trade agreement right. Both countries have received more than \$14 million a piece worth of Colorado's sugar and confectionery exports.

Increased trade with these countries will also benefit the beverage industry in Colorado. As I mentioned, 97 percent of the beverages that Mexico imports are from Colorado, and we shipped more than \$63 million worth of beverages to Canada in 2018. Beyond commodities like wheat, dairy, and sugar, Colorado's electronic manufacturers shipped to Canada more than \$105 million worth of its goods in 2018, and Mexico received about \$60 million worth of our electronic goods.

The United States-Mexico-Canada Agreement includes new digital provisions to account for our changing landscape of new technologies, advanced manufacturing products, and it tackles the issue of cross-border dataflow, which is something that was just, basically, in its very infancy when NAFTA was enacted.

We know that the USMCA is a better opportunity for us to gain even more jobs, more income, and more opportunity for the State of Colorado. We

know that these trade agreements add to the household incomes across our State and that it benefits our economy. This agreement brings opportunity to all four corners of our State.

New customs and trade rules will cut redtape and make it easier for Colorado's startups and entrepreneurs to sell their products into Canada and Mexico. U.S. agricultural and food exports are expected to rise more than \$2 billion every year if the USMCA is adopted. So many goods in Colorado that are in our top 10 exported items are ag related. This \$2 billion-a-year increase will mean there will be significant opportunities for Colorado's agriculture.

Obviously, I am very encouraged by the Senate Committee on Finance in its reporting the agreement out favorably last week. I was honored to support the USMCA this morning by voting for the agreement—voting it out of the Committee on Commerce, Science, and Transportation and out of the Senate Committee on Foreign Relations, which are two of the committees on which I serve. I look forward to its expeditious passage here in the U.S. Senate.

I live in rural Colorado. I am surrounded by wheat farms, corn farms, hog producers, feed lots, and I know how important trade is to our State. This agreement to modernize and continue our agreement with Canada and Mexico is critical to the survival of agriculture in Colorado and this country. I know, with new markets opening around the world, this agreement will continue to be the keystone of Colorado's trade. We stand to benefit tremendously, enormously from this update. Our farmers and ranchers are counting on us to get this done, and our manufacturers are counting on us to get this done. Our economy depends on our getting this done.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### IMPEACHMENT

Mr. VAN HOLLEN. Mr. President, at this particular moment in our history, we are witnessing the convergence of three events.

The Senate will likely be sworn in tomorrow for the impeachment trial of President Trump. One of the Articles of Impeachment that will be coming over from the House relates to the President's abuse of power—the charge that he has used the power and prestige of the Office of the Presidency to, among other things, withhold vital U.S. security assistance to Ukraine in order to pressure it to announce an investigation into Burisma, Hunter Biden, and, possibly, Joe Biden in an attempt to get Ukraine to interfere in the upcoming 2020 election on behalf of President Trump.

Now, I am not here today to go into issues directly related to that trial. It is vitally important that we get relevant witnesses, that we get relevant

documents, and that we have a fair trial and get to the truth.

The second event that we learned about just this week that relates to the impeachment trial was that Russian military hackers broke into the Burisma computers in Ukraine and that they used the same phishing techniques that the GRU used—the Russian military intelligence—to break into the Democratic National Committee headquarters' servers during the 2016 Presidential elections. All of the evidence points to another attempt by Vladimir Putin to use his military GRU hackers to interfere in an American election—this time in the 2020 election.

I don't know what is going to happen during the election on November 3 of this year. Obviously, each of us has his hopes as to what the result will be, but that is not the purpose of my being here on the floor today. My focus is on what should unite all of us in this body—that should unite all 100 U.S. Senators—and that is that we should all agree that it is outrageous for any foreign power to interfere in an American election the way Russia interfered in our election in 2016 and that it would be equally outrageous for us, in our knowing that this is Russia's intent in 2020, to sit here and not do anything to protect the integrity of our democracy.

Look, we all know what happened in 2016. Just to refresh our memories, it was the unanimous conclusion of all U.S. intelligence agencies that Russia interfered in the 2016 Presidential election. That was the unanimous conclusion of the leaders of intelligence agencies appointed by President Trump. It was also the bipartisan verdict of the Senate Intelligence Committee, which painstakingly documented the fact that elections systems in all 50 of our States were targeted to one degree or another by Russian hackers in the 2016 elections. In fact, we know this from the outcome of the Mueller investigation that led to the indictment of 12 Russian military intelligence individuals, members of the GRU. They were indicted because of their interference in the 2016 elections.

We also know that Vladimir Putin and the Russians intend to interfere in our elections again in 2020. We know that because of the revelations this week about the actions the GRU is taking with respect to Burisma—same fingerprint, same techniques—but we also know that from our own U.S. intelligence agencies, which, in November of last year, all got together to issue a warning that Russia was going to interfere again in 2020.

I am holding in my hand a joint statement from the leaders of U.S. intelligence and law enforcement agencies, and what they say is that our adversaries—and they point to Russia—will seek to interfere in the voting process or influence voter perceptions. This document is not about the past. This document is not about 2016. This document is about the here and now

and the November 2020 elections. And this is, again, from the heads of our intelligence agencies and law enforcement agencies who have been appointed by President Trump.

Now we have overwhelming evidence that Russia interfered in 2016, we have overwhelming evidence and predictions that Russia will interfere again in our elections in 2020, and so we clearly are facing an immediate danger to the integrity of our elections and our democracy. It is like we have a Russian missile in the air right now headed toward our election integrity systems and our electoral process. That is what the intelligence agencies are telling us right now.

We learned the hard way in 2016, and now it is happening all over again. So the question for this body is, When you know something is happening, what are you going to do about it? There are two things we should be doing about it. We should be working to strengthen our elections systems here at home, to harden them, to make it more difficult for Russian military intelligence to hack into them. We should be working with social media companies to prevent the Russian Government and their agents from spending money on advertising on social media or using other techniques on social media to influence American voters. We need to be doing all that. We have appropriated some funds to do that.

We should be doing more than we have, but the best defense is a good offense. We can and should spend money to strengthen and protect our elections systems, but that is not enough because it is kind of like the arms race. We will work to try to better strengthen and protect those systems, and the hackers who are trying to get in will develop new techniques to try to get around them. It is an endless cycle. That doesn't mean we shouldn't harden them—we should—but that is not enough to protect the integrity of our elections.

We have to apply the principle that the best defense is a good offense and make it clear up front to Vladimir Putin and Russia that the costs of interfering in another American election far outweigh the benefits. That is what we need to do because right now it is absolutely cost-free to Vladimir Putin to mess around in our elections. In fact, it is a big benefit to Vladimir Putin and the Russians. That is why they do it.

What do they accomplish? Well, first of all, they succeed in dividing Americans against one another. They succeed in undermining public confidence in the outcome of our elections, and that is part of their overall strategy—to try to undermine democracies, whether here in the United States or in Europe or other places around the world. Maybe they also succeed, ultimately, in weighing in and helping their preferred candidate in an election.

But the point is, right now, if you are Putin, there is zero cost to getting

caught interfering in our elections and lots of perceived benefits by Vladimir Putin. So that is why, more than 2 years ago, Senator MARCO RUBIO and I introduced the bipartisan DETER Act, and there are many other Senators, both Democrats and Republicans, who were on that bill. The DETER Act is very straightforward. It would enact into law a very straightforward proposition. It says to Russia—and also to other countries, but the main attack seems to be coming from Russia—it says to Putin and Russia: If we catch you again interfering in our elections, there will be immediate and very harsh penalties for you to pay.

This will happen virtually automatically. So Vladimir Putin will know up front that if our intelligence agencies catch them again, which they are likely to do, then he will finally pay a price for interfering in our elections and trying to undermine our democratic processes. These are not sanctions against a couple of Putin's pals. These are not sanctions against a couple of oligarchs. These would be sanctions against major sectors of the Russian economy—state-owned banks, state-owned parts of their energy industry—so their economy will take a big hit if we catch them attacking our democracy once again.

That is absolutely appropriate because what Putin is doing is undermining faith and confidence in our democratic process, and we need to make it clear up front that there is a big price to pay—not because we want those sanctions to go into effect but because we don't. That, of course, is the entire idea behind deterrence. You raise the cost, you raise the price on Putin and Russia to the point it is no longer worth it to interfere in our elections.

That is why Senator RUBIO and I introduced this legislation 2 years ago. We hoped it would be in place before the 2018 midterm elections, but that date has passed, and still here we are in the U.S. Senate having failed to adopt this bipartisan legislation.

I was right here on the floor of the Senate just a few months ago when we were debating the NDAA, the National Defense Authorization Act. I asked for a vote to include the essential provision of the DETER Act in the Defense authorization bill because it makes a lot of sense that in a bill that is supposed to defend the United States, we include a provision to defend the integrity of our democracy and electoral system against Russian attack or any other attack. Apparently every single Senator in this body agreed because it passed unanimously.

The Senate went on record unanimously saying we should include provisions like the DETER Act in the NDAA to deter Russian interference in our elections. Then we were in negotiations on the NDAA, and it turned out that in the back rooms, behind closed doors, the Trump administration got Republican Senators to insist on throwing that provision out of the NDAA bill.

This was one of the matters that was discussed until the final stages of negotiations on the NDAA, and apparently the majority leader and other Republican Senators, at the behest of the Trump administration, said no—said no to a provision that had been agreed to unanimously by this body to help protect our elections by deterring Russian interference. The question is, Why? Why, when our own intelligence agencies are telling us that Russia is planning to do in 2020 what they did in 2016, would Republican Senate leaders block a provision that lets Putin know “You will be punished if you do that again. You will be punished if you attack our democracy”? And I haven’t gotten a straight answer to that question. Why not? Why not include that provision? Clearly, there are Senators who don’t want to build up our defenses and deterrence against Russian interference in our elections.

When we failed to get that into the NDAA, I came to the Senate floor, and I asked for unanimous consent to bring up the bipartisan DETER Act. Because every one of the Senators in this body had voted or said through lack of objection that they wanted the DETER Act in the NDAA, I brought up the bill for unanimous consent passing here. Well, the chairman of the Senate Banking Committee came to the floor and objected, and we had a back-and-forth conversation about the DETER Act.

Yesterday, I was planning to come to this floor and again ask for unanimous consent to take up the DETER Act, but we heard from the chairman of the Banking Committee that he wanted to find a way to get this done. So I am going to take the chairman of the Banking Committee up on that offer, and I hope we can get it done. But I want to be really clear. If we are not able to work this out in a smart, straightforward way, which is what the bill does right now—as I said, it has strong bipartisan support right now—then I will be back on the Senate floor regularly to ask for unanimous consent, and any other Senator who wants to come down here and object can do that. That is their right. But I am going to keep pushing this issue because the clock is ticking. Every day that passes while we know from our own intelligence agencies that Russia plans to interfere in the 2020 election and we don’t do anything about it—we are grossly negligent.

I want Senators who are not going to support that to come here in the light of day and let the American public know they are blocking that effort. I hope we don’t have to do that. I hope we can work this out. I hope we can pass the bipartisan legislation that has been sitting in the Senate for over 2 years now as we get warning after warning after warning that Vladimir Putin, the GRU, and the Russians intend to interfere in our democratic process again and attack the integrity of our electoral system.

Let’s get this done. Let’s protect our democracy. Let’s make it clear in advance to Putin that the price he will pay for trying to interfere in our democracy will be much higher than any benefit he expects to gain.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

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

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

#### IRAN

Mr. CASEY. Mr. President, I rise today to discuss U.S. policy regarding Iran. We know that in 2009 the new Obama administration came into office at a time when the Iranian regime was racing to develop a nuclear weapon. The prospect of the Iranian regime with a nuclear weapon would present a substantial threat to America and to our allies. At the same time, Iran was engaged in a host of other malign activities, but the most urgent and significant threat was nuclear.

In 2013, Iran was 2 to 3 months from being able to build a nuclear weapon. The Obama administration decided to use hard-nosed diplomacy resulting in the 2015 Joint Comprehensive Plan of Action, known by the acronym JCPOA. This agreement was entered into with a number of countries, three of them our allies—the United Kingdom, France and Germany. We also had two partner countries—countries with which we have a lot of tensions and conflict. We were partners with China and Russia. So this agreement stretched from one end of the world to the other.

The Joint Comprehensive Plan of Action prevented Iran from acquiring a nuclear weapon by, among other steps, authorizing some of the most intrusive inspections that have ever been put into place. This agreement, the JCPOA, did not cover several other nonnuclear malign activities that the Iranian regime was and is engaged in. The JCPOA isolated and largely solved the most dire threat, that of a nuclear-armed Iran in the near future.

This agreement, from its signing in 2015 through 2018, worked. Until recently, Iran was complying with the Joint Comprehensive Plan of Action. That is the considered judgment of the International Atomic Energy Agency, known as IAEA. The considered judgment of the U.S. intelligence community was that Iran was complying with the agreement. It was also the judgment made by the U.S. Department of State and the U.S. Department of Defense in both the Obama administration and the Trump administration.

The determination that Iran was complying with the agreement is also the assessment of our allies and partners with whom the Obama administration worked to bring into a coalition.

Here is a sampling of assessments prior to recent events. In September

2017, then-Secretary of State Rex Tillerson stated that Iran is in “technical compliance” with the JCPOA.

Second, in October 2017, then-Defense Secretary Jim Mattis stated that Iran was “fundamentally” in compliance with the JCPOA. “Overall our intelligence community believes that they have been compliant and the IAEA also says so,” said General Mattis, then Secretary of Defense.

In March 2018, IAEA Director Amano stated: “Iran is implementing its nuclear-related commitments. . . . If the JCPOA were to fail, it would be a great loss for nuclear verification and for multilateralism.”

Finally, No. 4, in January 2019, former Director of National Intelligence Dan Coats, a former Republican Senator from the State of Indiana, said: “We continue to assess that Iran is not currently undertaking the key nuclear weapons development activities we judge necessary to produce a nuclear device.”

Three of the four officials—Secretary of State Tillerson, Secretary of Defense Mattis, and Director of National Intelligence Coats—all three were appointed by President Trump.

President Trump came into office determined to pull out of this agreement, despite the fact that it was working. He surrounded himself with advisers who supported a policy of regime change. Of course, the words “regime change” are words that they will not say out loud—the President or his administration—but that is the policy. The American people, after nearly two decades of conflict, know that regime-change policy is a march to war.

This administration calls their regime change policy a “maximum pressure campaign.” Its stated goal was to force Iran to negotiate a new agreement that would include a host of other nonnuclear issues. Despite the stated goal, an examination of the methods used to achieve it make it obvious that the administration was engaged in a policy that would most likely lead to war instead of a new agreement. The administration pulled out of the nuclear agreement, which was working, and while it was in effect, it took the threat of a nuclear-armed Iran off the table.

The administration reimposed sanctions which were lifted as part of the nuclear agreement. They engaged in a host of other activities that resulted in increased risks and moved us further away from a diplomatic resolution.

The administration’s regime change policy was supposed to deter the Iranian regime from threatening our Nation and its allies. This policy has not done that. This policy was supposed to bring Iran to the bargaining table. It has not. It was supposed to cajole Iran to behave like a “normal nation.” Once again, it has not.

Tensions have increased. Threats to our servicemembers, our citizens, and allies have increased, not decreased. The region—the Middle East—is less



stable. Iran is closer—closer—to obtaining a nuclear weapon.

The terrible results of this policy were predictable. The administration, including Secretary Pompeo and former National Security Advisor John Bolton, never had any intention of forging a new diplomatic agreement with Iran. All of this is how our Nation has found itself on the brink of war with Iran, facing the potential of another bloody conflict in the Middle East.

Americans across our country are well aware of the events leading up to the killing of Iranian General Qasem Soleimani, the leader of Iran's Quds Force on January 2. Following the killing of an American contractor at a U.S. military compound in Kirkuk, Iraq, on December 27, the U.S. military retaliated with a strike against the Iranian-backed Kataib Hezbollah terrorist group, killing at least 25 members of the militia and wounding others.

In response, the Iranian Government orchestrated protests in Baghdad, which led hundreds of pro-Iranian protesters to storm the U.S. Embassy in Baghdad on New Year's Eve. The strike against the Quds Force Commander Qasem Soleimani followed.

Soleimani was a military figure who inflicted terror and killed thousands in Israel, Iraq, and Syria as well. You can add other places to that. He killed thousands. He worked to prop up Bashar al-Assad in Syria. He aided Shiite forces that killed hundreds of Americans in Iraq. We have been told that he was behind the attacks on the U.S. Embassy in Baghdad on New Year's Eve. Qasem Soleimani was directly responsible for the killing of hundreds of American soldiers and civilians and wounding many more. He was a despicable person who was the leader of an entity designated as a terrorist organization.

Across the international stage, there are many committed enemies of America who plot every day to do our Nation and our allies harm—every single day. Those entrusted with the national security of our Nation have to assess whether taking direct action against one of those individual enemies increases or decreases risks over time and whether taking actions against those individuals is consistent with our values and our commitment to the rule of law.

This is a high standard, and it should be. We are the United States of America, and we believe that conflicts have rules and limits. We strive for a higher standard that both honors our values and protects our security. Because we have high standards and because we expect our leaders to act prudently and with deliberation, the Constitution requires substantial consultation with Congress regarding matters of war except in limited, urgent circumstances.

Acting with disregard for these standards, President Trump took this unilateral action. The President may

have endangered the lives of U.S. servicemembers in the Middle East. He may have also prompted near-lethal retaliation from Iran.

Iran's retaliatory strikes against U.S. bases at Al-Asad and Erbil on January 7 thankfully did not claim any American lives. However, conflicting reports continue to emerge about whether Iran intentionally avoided hitting U.S. personnel, and that raises questions about whether Iran sought to escalate or de-escalate its conflict with the United States.

Video evidence has emerged in recent days showing that the Iranians actually decimated housing units for soldiers on the base. Without having received a classified briefing from the administration about this incident—as opposed to the briefing we had on the killing of Soleimani, which I will get to later—without having that classified briefing, we can rely upon press reports for some information. Press reports indicate that the Iranians were aiming to take American lives.

The fallout from the Soleimani strike didn't end there. On January 8, the Iranian Government covered up the fact that it mistakenly shot down a civilian aircraft killing 176 people on-board. The Iranian people have since taken to the streets in protest of the coverup. I strongly condemn the Iranian Government's crackdown on protesters and support the Iranian people's right to rise up and demand human rights and democratic governance in their country.

But let's not lose focus on a very important matter: President Trump ordered a targeted killing of a high-ranking military official of a country with which we are not in a declared or authorized conflict. This is a serious step which required both a rigorous examination as well as an explanation from the administration. Thus far, the explanations we have received from this administration have been woefully inadequate and inconsistent—and I think that is an understatement.

We have been told that this strike was in response to an "imminent threat" that four U.S. Embassies abroad were being targeted, which Defense Secretary Esper almost immediately contradicted.

The word "imminence" is important here. Imminence derives from the doctrine of self-defense, which under article 51 of the United Nations Charter and the broader "laws of war," imminence justifies use of force in another state's territory when an armed attack occurs—occurs—or when an armed attack is imminent. Some national security scholars define "imminence" as "leaving no reasonable time for non-forceful measures to obviate such a threat."

I will speak for myself only, but this is true of a number of Senators, I believe. I have yet to see clear evidence that there was "no reasonable time" to seek nonlethal, diplomatic options prior to killing Soleimani. The admin-

istration has failed to disclose sufficient detail regarding the imminence of this threat. When asked on Friday, Secretary Pompeo said he did not know when this asserted imminent threat was supposed to take place.

The American people have also heard from Secretary Pompeo and President Trump that the attack was a matter of retribution from events that occurred in the past. We have heard from Secretary Pompeo that this attack was designed to "restore deterrence," but it is unclear that he coordinated with his national security colleagues across the interagency.

We know from reporting from the New York Times that Secretary Pompeo was among the "most hawkish voices arguing for a response to Iranian aggression." The article also goes on to say: "Top Pentagon officials were stunned" in reference to the strike.

So the question of why this strike was launched and when it was launched remains unanswered. Both Democratic Senators and Republican Senators asked this question in a classified briefing last week and few received a satisfactory answer. We still lack answers on the "imminent threat."

The President has spent the last week at rallies and other appearances triumphantly marking the killing and indicating that the Iranian threat is behind us. The strike authorized by President Trump may have been reckless, taken without appropriate planning for the consequences and aftermath, and done without serious consultation with Congress and—and—within the administration. Contrary to the President's boast, I am gravely concerned we will feel the adverse consequences of this administration's actions across the Iran policy landscape for years to come.

If we think the attacks on the Al-Asad and Kirkuk bases last Tuesday were the end of Iranian retaliation for Soleimani's death, we are likely mistaken, due to the continued threat of the Iranian regime's proxy forces throughout the Middle East. Let's examine the potential negative consequences of the strike. I hope this is something that the administration engaged in before the strike, but it is important to review this.

On January 5, Iran announced that it is no longer bound by the restrictions of the Joint Comprehensive Plan of Action as it relates to uranium enrichment. This agreement unequivocally extended Iran's breakout time, which is the time it would take to obtain enough highly enriched uranium for a nuclear bomb. The agreement extended the breakout time to 12 months—1 year. Again, before the agreement, Iran's breakout time was 2 to 3 months. So the agreement extended that time, meaning making the world safer by extending that time from 2 to 3 months to 1 year. That is where we were with the implementation of the agreement.

Without this agreement—the JCPOA—without that agreement in

place, Iran could reach the requisite uranium stockpile in as little as 6 months, if not sooner. Iran is closer today to a nuclear weapon than it was a week or so ago, and certainly it is closer to a nuclear weapon since 2018, when the administration withdrew from the Joint Comprehensive Plan of Action. That is one consequence we have to consider. Iran is closer to a nuclear weapon.

No. 2 is ISIS. If the President's October 2019 withdrawal of U.S. forces from Syria and the concurrent abandonment of our Kurdish allies—if that did not create space for the resurgence of ISIS in the Middle East, the President's recent action will almost certainly allow for ISIS to regain a foothold in the region. Just 3 days after the Soleimani strike, the New York Times reported that, and here is the headline, "U.S.-Led Coalition Halts ISIS Fight as it Steels for Iranian Attacks"—halts ISIS fight. NATO has already suspended its operations against ISIS. We have to consider, how does that outcome make us safer?

Next, No. 3, we have to consider what is happening in Iraq. Iraq voted to expel U.S. troops from their country as a result of the strike. If we fully withdraw from Iraq, where are we going to launch counter-ISIS operations in both Iraq and Syria from? How do we do that—from where? Where was the effort to work with the Iraqi Government in quashing Kataib Hezbollah and countering Iranian influence in Iraq? Now that the Iraqi Government opposes U.S. troop presence in its country, what is the plan? How does the administration plan to restart conversations with Iran to negotiate a "better" nuclear deal that will ensure Iran never has a nuclear bomb? How do they restart those negotiations? This strike looks more like another step forward in a policy of regime change rather than a coherent strategy designed to keep our Nation safe by using tough diplomacy and alliance-building to confront Iran.

I have been one of the most determined advocates of being tough on Iran, especially regarding sanctions. Since I came to the Senate in 2007, I have been part of almost every sanctions push in efforts to so-call tighten the screws on the Iranian regime and hold them fully accountable for their actions. All those steps that I have been a part of, and people of both parties have been a part of, were part of a strategy to get the results we saw when the Joint Comprehensive Plan of Action was signed.

Now, 2 years and after one particularly dangerous week, President Trump has badly undermined all that progress. The advocates of regime change in Iran are closer than ever to getting the United States into a shooting war with Iran.

The events of the last few weeks remind me of the lead-up to the U.S. invasion of Iraq in 2003. Across both the House and the Senate, Congress held

only seven hearings that dealt directly with the proposed 2002 authorization for the use of military force to authorize the Iraq war. AUMF is the acronym for that. Are seven hearings, over a period of 3 weeks between the House and the Senate, sufficient discussion and debate prior to voting to go to war with Iraq? No. No, that is not sufficient time and not a sufficient number of hearings.

At last count, 201 Pennsylvanians were killed in Iraq and over 1,200 were wounded. Have we learned from the mistakes of 2002 and 2003 that led to those deaths and all those Pennsylvanians being wounded and many thousands beyond that killed and wounded in the Iraq war? Have we learned? Have we learned those lessons yet? We have a duty—an abiding obligation—not to repeat the mistakes of the past and to constrain the actions of a President who may endanger the lives of U.S. servicemembers and Americans abroad.

Before we get too far down this path, Congress must reassert its constitutional duty to debate and authorize war. Prior to authorizing a strike, we must assess—and I hope the administration did this—whether such an action would have an adverse impact on our national security. Before we march our sons and daughters off to fight another war, we need to make sure we are doing everything possible to prevent the loss of American lives.

I have been clear in opposing a direct confrontation with Iran without—without a clear authorization from Congress. The Trump administration acted without a congressionally approved authorization for the use of military force last week. That is why I and many others have cosponsored Senator TIM Kaine's bipartisan S.J. Res. 68 to prevent the President from going to war with Iran without congressional authorization. If you want to go to war with Iran, you ought to be compelled to vote for it, up or down—vote for or against as a Member of Congress. Specifically, this resolution, S.J. Res. 68, requires the President to "terminate the use of the United States Armed Forces for hostilities against the Islamic Republic of Iran or any part of its government or military unless explicitly authorized by a declaration of war or a specific authorization for the use of military force" as enacted by Congress. Nothing in this resolution prevents the United States from "defending itself against imminent attack." Those are the exact words.

It is authorization or declaration before you go to war with Iran. I think a lot of Americans—most Americans—believe that is not just the right thing to do but that is our duty, no matter who is President.

When the administration fails to brief Congress on threats we face and concurrently takes unilateral actions that could lead to all-out war, we must act quickly and decisively to prevent further escalation and demand a strategy. We owe it to Pennsylvanians, and

we owe it to all Americans, especially our men and women in uniform and their families, to engage in a substantial, robust public debate on what engaging in hostilities with Iran would mean for U.S. national security and how it could endanger American lives. The House vote of last Thursday was to reassert this congressional authority, and the Senate will vote this week. I urge a vote in support of S.J. Res. 68, which has several bipartisan cosponsors.

This is a dark time, and I cannot overstate my level of concern. I know that concern is shared widely here in Congress but also across the country. As to Iran, we are headed down a path to war, one which could be more bloody, more complicated, and more protracted than any in my lifetime. We have been walking down this path since President Trump pulled out of the Joint Comprehensive Plan of Action. Every week since, we are a little closer to an armed conflict, and the events of these past weeks have likely turbocharged the dangerous path we are on.

Going back to the time of the Vietnam war and thereafter, elected leaders of both political parties have lied to the American people. The American people were told we were making progress, when we weren't. The American people were told that insurgencies were in their "last throes," when the opposite was true. The American people demand that politicians don't make serious mistakes that lead to war.

The good news is, we still have time. We have time to get it right. We have time to engage in hard-nosed diplomacy. We have time to reject a policy of regime change regarding Iran. There is time for this administration to outline and implement an effective Iran strategy that substantially reduces the likelihood of war in a nuclear-armed Iran, but time is running short.

The administration may be committed to a policy of regime change, but the Senate can act. We can pass the bipartisan S.J. Res. 68 and other measures to make sure this administration cannot take us recklessly to war with Iran without congressional authorization or a declaration of war. We owe it to the American people and to our servicemembers to do this.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### CHINA TRADE DEAL

Mrs. BLACKBURN. Mr. President, over the past few months, we have spent a great deal of time in this Chamber discussing our adversarial relationships with other countries, but

today I want to draw attention to a truly great economic and foreign policy victory negotiated with one of our adversaries. In fact, it was signed just a few hours ago.

When it comes to trade, we have devoted most of our energy to drafting and promoting the benefits of the USMCA, but we have also gotten a great start on two other trade deals—those that were negotiated with Japan that went into effect January 1 and also with China, signed today. We are looking forward to this Chamber passing the USMCA this week and sending it to the President's desk.

Back home in Tennessee, what I hear from our agriculture community is, we want trade—consistent, dependable, respectful, and fair trade. Entrepreneurs depend on consistent, productive trade relations to keep their businesses up and running and to put food on their employees' tables.

These Tennesseans play a special role in the U.S. relationship with China. In 2017, we exported \$2.7 billion worth of goods to China. That is from the State of Tennessee. Imports from China accounted for 7.3 percent of Tennessee's GDP in 2018. They are our third largest trading partner, after Canada and Mexico.

Let me tell you, when things go south with the Chinese, Tennesseans feel the heat because of our ag trade. They are really paying attention to the ins and outs of our dealings with China, the good and the bad. They see the news stories about China's behavior in Hong Kong and Taiwan, about spying, about intellectual property theft, and about those shady apps that children have probably downloaded onto their phones and their tablets. Yes, indeed, they are rightfully concerned. They are concerned because they see all of this in the context of their day-to-day lives, and they know that diplomatic tensions have just as much potential to derail their operations as economic tensions.

Make no mistake—today's signed deal with China is critical because it couples desperately needed relief with backstops that will help to keep our friends in Beijing in line. What does that look like? China agreed to increase purchases of American products and services by at least \$200 billion over the next 2 years, which will reduce our trade deficit and take care of our farmers, our energy producers, and our manufacturers. They committed to reducing nontariff barriers to agriculture products and ease restrictions on the approval of new biotechnology.

American producers are covered in terms of free-flowing goods and when it comes to the nuts and bolts of the business of innovation. The phase one deal includes stronger Chinese legal protections for patents, trademarks, and copyrights. We wrote in improved criminal and civil procedures to combat online infringement and the exchange of pirated and counterfeit goods. These are good signs for our cre-

ative community in Tennessee. It contains commitments by China to follow through on pledges to eliminate pressure on foreign companies to transfer technology to Chinese firms before they are given market access.

I will tell you, we are going to be keeping an eagle eye on this one as we move to the phase two negotiations. It also includes new pledges by China to refrain from competitive currency devaluations and exchange rate manipulation. All of this is covered by enforcement measures U.S. officials can trigger if we discover Beijing is acting in bad faith.

I will tell you, so many in our agriculture community have said of these enforcement mechanisms that this is what is going to make a difference in their ability to count on trade. Now, these protections are more than just an ace up our sleeve; it is peace of mind for every American who depends on trade to support their family.

So phase one is in the books. What is next? More of the nuts and bolts that I just talked about.

If you have been following the past few years of our relations with China, you know that businesses trying to deal with Beijing run the constant risk of losing control over their own inventions. Intellectual property theft and forced technology transfers have defined China's relationship with foreign businesses. This is what they complain about. They steal those inventions and sometimes actually beat them or match them moving into the marketplace.

In phase two, we will be negotiating a deal that ensures participation in the Chinese market is not dependent on these unbalanced arrangements. Our efforts will be backed by previously passed legislation that enhanced our controls on the export of new technology—like advanced robotics and artificial intelligence—and strengthened reviews of foreign investment in the United States. We know it is an uphill battle. We certainly believe it can be done.

I want to make it clear that no trade deal is ever going to be perfect. It is impossible. However, the first phase of this is a good, solid first step. We are taking care of our producers, taking care of our workers, and opening up the flow of goods and services. We are protecting our innovators in a way that will allow them to prospect in one of the globe's most competitive markets without risking the loss of their intellectual property. We are giving business owners and families peace of mind in the form of enforcement mechanisms that will kick in the moment officials determine our relationship with China is about to go off the rails.

Today, our President signed this deal on behalf of the American people, and I encourage my colleagues to get involved now as we move forward with discussions for phase two.

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

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

## LEGISLATIVE SESSION

### UNITED STATES-MEXICO-CANADA AGREEMENT IMPLEMENTATION ACT

Mr. McCONNELL. Mr. President, I move to proceed to Calendar No. 406, H.R. 5430.

The PRESIDING OFFICER. The clerk will report the motion.

The senior assistant legislative clerk read as follows:

Motion to proceed to Calendar No. 406, H.R. 5430, a bill to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

The PRESIDING OFFICER. The motion is not debatable.

The question is on agreeing to the motion.

The motion was agreed to.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 5430) to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

The PRESIDING OFFICER. In accordance with section 151 of the Trade Act, there will now be 20 hours of debate equally divided between the two leaders or their designees.

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

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

### PUERTO RICO

Mr. MERKLEY. Mr. President, a lot is happening right now across our country and in Washington, DC, and in the House and the Senate—and across the globe, for that matter. There are a lot of issues. There is one that has not received the attention it should, which is about a group of Americans who have suffered enormous calamity in the last few days who deserve our attention and our focus.

I am speaking, of course, about the devastation in Puerto Rico. Seismologists report that over 1,200 tremors, earthquakes, and aftershocks have struck the island since January 1. More

than 70 of these were of a magnitude 3.5 or greater. Residents on the island have felt at least 100 of these earthquakes. The largest of the quakes, a magnitude 6.4, struck last Tuesday, taking one life and injuring many others.

More than 2 weeks after the Earth started shaking, these quakes and aftershocks are still going on. In fact, this last weekend, the island was struck by an earthquake with a 5.9 magnitude. Yesterday morning, a 4.6-magnitude tremor could be felt. This morning, there was a 5.1-magnitude quake.

The damage from these quakes is so severe, it can be seen from space. According to NASA, the satellite shows the land in parts of Southern Puerto Rico, near the epicenter of the quake, has moved 5½ inches. That is a very dramatic change in the landscape.

You don't have to be in space; you don't have to have those images or be orbiting the planet and looking down to see the damage because the damage is everywhere. There is \$110 million in damages estimated by the Governor's office. Other estimates from the Geological Survey now have the damage approaching \$1 billion.

Power has been restored to most of the island, but periodic outages are still happening in different parts of the island, and severe energy conservation is in place.

The Costa Sur plant in the town of Guayanilla was so severely damaged, they are telling us that it will take over a year to get it up and running. That island needs 500 megawatts of emergency generation until that plant is fixed.

As of last Thursday, hundreds of thousands were without water. The world-renowned chef Jose Andres' relief organization World Central Kitchen has served tens of thousands of meals in just the last few days. Buildings and homes have collapsed and been destroyed. Thousands are living outside of their homes, both with the damage done and the damage feared.

It is reported that a total of 559 structures are affected. Look at this picture. Look at this pile of rubble lined up and crossing the street of collapsed buildings, hundreds of piles like that where building, or parts of buildings, once stood. There are 4,000 to 6,000 residents in shelters, thousands sleeping in hammocks or inflatable mattresses and in tents because they are afraid to sleep in their homes.

My heart goes out to the people of Puerto Rico who are enduring yet another natural disaster, while they still have been fighting to rebuild their homes and their lives after the destruction of Hurricane Maria 3 years ago. The truth is, we haven't done nearly enough to help them. Not nearly enough from the last disaster has made it to the island to help them repair all of that damage done. The aid that has come has not come quickly enough.

Indeed, just today, we are hearing that the aid that was supposed to be re-

leased no later than last September—\$8 billion related to Hurricane Maria—is being released, or at least put in the Federal Register so it can be prepared to be released years after the disaster, when that aid was needed immediately after the disaster to rebuild.

The citizens of Puerto Rico are American citizens. They don't have a vote in this Chamber, and that is a problem we should remedy. What we see is, when citizens don't have a Senator who represents them, there is no one to stand up and advocate with the same ferocity and determination and passion as somebody who is elected by those individuals, so the rest of us need to stand in—Democrats and Republicans, Senators from the South and the North and the East and West—we need to stand in together on behalf of our fellow Americans in this devastated landscape of Puerto Rico.

This neglect of the citizens of Puerto Rico, of this island that is part of America, is staggering. That is why I have joined with Senator SCHUMER and 31 of my Democratic colleagues in a letter to President Trump supporting the Governor of Puerto Rico's request for a major disaster declaration, but this shouldn't be a partisan letter. Let's all join together—Democrats and Republicans together—to fight for the aid that is needed by our fellow citizens.

President Trump signed a declaration that provides only \$5 million for immediate emergency services. Five million dollars isn't close to addressing what the Geological Survey says is close to \$1 billion in damage. That \$5 million is useful, but far more is going to be needed—far more—for removing debris, building temporary shelters, providing electric generators, distributing food and water, providing immediate emergency lifesaving medical care. They are going to need a lot of help, in addition, for long-term rebuilding. A major disaster declaration can help in that. That has not happened. It has been sitting on the desk in the Oval Office since last Saturday.

Let's join together—Democrats and Republicans together—and say: Mr. President, sign that declaration that brings along with it crisis counseling, help rebuilding homes, help repairing roads, help restoring bridges, water control, water supply. Clean water supply is so important to health. Water treatment, which is so important in preventing cholera, job training, aid for businesses—that is the type of thorough, significant assistance the people of Puerto Rico need, and they need it right now, not tomorrow and not a month from now, not years from now. They need it now. I say, let's join together and call on President Trump to sign that major disaster declaration that unleashes this help.

There is a lot going on in the world, a lot here in Washington. We prepare for one of the rare moments in American history where we will be conducting a trial related to Articles of

Impeachment. Just a week ago Tuesday, 8 days ago, I was sitting in front of a television very worried about escalation to major war with Iran. There are big issues going on, absolutely, but don't let these big issues prevent us from addressing the plight of our fellow Americans. Let's pay attention. Let's make sure the people of Puerto Rico are neither ignored nor neglected. Swift action is needed. Let's join together and make it happen.

The PRESIDING OFFICER. The Senator from Iowa.

REMEMBERING CHRIS ALLEN

Mr. GRASSLEY. Mr. President, last week, the Senate Finance Committee and the entire Senate lost a dedicated public servant—and, by the way, an all-around wonderful man—with the unexpected passing of Chris Allen.

Chris had been a member of the Finance Committee tax team since 2018. I was fortunate that he was willing to continue in that role when I reclaimed the gavel last year after the retirement of my friend, and former chairman, Orrin Hatch.

As Members, we are blessed with dedicated people like Chris, who come to Capitol Hill to perform public service. They come here to make a difference, no matter what their party or ideology. They come from all walks of life, religious backgrounds, and from all over the country. They work long hours, and sometimes their work is stymied by the political headwinds we know about in the Congress of the United States. But when an idea is a good one and the people pursuing it do so with a full heart and focused mind, it will eventually become law.

Last year proved to be a year when a number of good ideas finally became law in the area of retirement security, in no small part because of Chris' hard work and dedication.

After more than 3 years, we were finally able to pass the Finance Committee's Retirement Enhancement and Savings Act. We use acronyms around here, and that is RESA. RESA became law after it was incorporated into the Setting Every Community Up for Retirement Enhancement Act, and that acronym is the SECURE Act.

Chris was very instrumental in helping navigate the long and, at times, very contentious process that culminated in this important package of retirement provisions being enacted just before last Christmas.

Possibly even more important, Chris brought a very deep knowledge of multiemployer pensions to bear over the past several years to help us move forward on important reforms.

In the last Congress, Chris served as the staff director of the Joint Select Committee on Solvency of Multiemployer Pension Plans. Congress formed this committee for the very important job of addressing the impending insolvency of a number of multiemployer plans and the projected insolvency of the multiemployer fund of the Pension Benefit Guaranty Corporation.

With Chris' steady hand and his tireless efforts, the Joint Select Committee laid a critical foundation in 2018 for addressing the multiemployer pension crisis.

Throughout 2019, Chris carried that work forward as a member of my Finance Committee staff. Through months of work with Finance Committee member offices, and also working with the HELP Committee, working with the PBGC, and, most importantly, stakeholder groups that are affected by any reform we do, Chris was the one leading the effort to build on the Joint Select Committee's work of the previous year. That effort led to the development of the Multiemployer Pension Recapitalization and Reform Plan that Chairman ALEXANDER and I released in November. Resolving the multiemployer pension crisis remains a top priority, and now there is another important reason to see it done in Chris' memory because he put so much effort into where we are at this point.

While Chris has been a key asset to the Finance Committee on retirement and pension policy, his depth of knowledge was much deeper than just that issue. Prior to joining the committee, Chris served as Senator ROBERTS' senior tax policy adviser for 7 years. Chris played a key role in helping us develop and pass the Tax Cuts and Jobs Act of 2017. In that effort, he focused heavily on the tax rules affecting farmers and ranchers across the Nation. Farmers and ranchers are a key interest of Senator ROBERTS and the State of Kansas.

A close look at Chris' resume shows that he was very successful in working for the National Association of State Treasurers and then with another organization, the Financial Accounting Foundation. He also worked at other firms linked to his expertise in financial services, regulation, and legislation.

What stands out about Chris is his ability to bring folks with very different views together in the classic legislative process. And boy, I watched him in meetings on the multiemployer pension issues and how he navigated all that, and I thought to myself: Without Chris, this couldn't be done.

He had great ability with numbers and great dedication to public policy. That is what made Chris stand out. I am confident that had the Good Lord not taken Chris last week, he would have remained a fixture on the Finance Committee staff for many years to come. Public service was very simply at the core of Chris' identity as a professional.

A key to Chris' success was his genial nature. You might not know it by looking at him, but he had a very quick wit. It seems like everybody felt comfortable with Chris, and Chris was comfortable with them. He had a lot of contentious meetings. I had a chance to observe some of them and his working with the stakeholders on multiemployer pensions. I saw the comfort they had with him, even when he was trying

to go in just a little different direction than certain interest groups might have wanted to go because Chris knew that to get anything done in this body, you have to compromise. As you can tell, policy work was fun for Chris. Policy work was important, and he saw policy work as sustaining over a long period of time.

I hope I am pointing out that this type of goodwill and dedication was infectious. Every day was meaningful. Every day was a source of joy.

As I said in my statement on Friday night after I learned of Chris' passing, Chris was a public servant who brought a deep well of knowledge to his work. We all know he is going to leave behind a legacy of impact on so many lives that he was able to improve with his expertise, with his confidence, and the example he set with his hard work. But he never let that keep him from living life to the fullest, especially where his family was concerned.

You learn these things about a staff member's family with the crisis of a passing, but Chris was a devoted father to two wonderful daughters, Lucie and Sophie. Chris was a loving husband for nearly 30 years to his wife, Lynda-Marie. Chris was a thoughtful and compassionate son and brother. Chris was a fierce friend to so many who came to know him during his 58 years. Chris knew how to live life.

Losing Chris is extremely difficult for all of us. At times, the finger of God reaches down and takes a person who we know and love. It is not for us to know why that happened. What we know is we all got to know Chris and got to know him well. He was part of our lives, and we all benefited from the time that we had with him. We are all blessed to have that.

For his family and the countless others who had the good fortune to know and work with Chris Allen, a piece of him will live on with each of us in every memory of him. Whether it was of Chris' positivity and sincerity, or the endless way he could inject humor into a very difficult situation, Chris was a blessing to those who were fortunate enough to know him.

Rest in peace, my friend, Chris Allen.

God bless Chris' family and may He show them His grace as they take these next steps in their own life's path.

Chris will be greatly missed.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

#### IMPEACHMENT

Mr. BARRASSO. Mr. President, I come to the floor after Speaker PELOSI has ended her delay of the Senate impeachment trial today.

For the past month, the American people have watched the Speaker, I believe, make a spectacle of herself. They talked about the need to pass this in a way that was rushed, that was partisan, that was sloppy, but they had to get it done. Their key word from the Speaker and from so many in the House was "urgency." We have to get this done, they said—urgency, urgency, urgency. So they took the vote in the House before Christmas. Then the Speaker decided to sit on this for 4 long weeks. She blocked the moving of the articles from the House to the Senate by refusing to send over the necessary papers.

In the end, the American people, including key Members of the Democrats in the Senate, realized that this was just a political stunt. Even the Senate Democrats lost patience with her cynical scheming. The American people saw what this was. A Harvard-Harris poll cites that 56 percent of Americans say that what she was doing was just a political stunt. We are talking about the impeachment of the President of the United States, but it was just a political stunt. She should have done her job. She should have delivered the articles in a timely manner.

Nevertheless, the Senate Republicans are ready to move forward today. We have the majority's support to adopt the rules that were used in the impeachment trial of President Clinton. President Trump deserves the same treatment. In 1999, all 100 Senators—all 100—including the Democratic leader, Senator SCHUMER, voted for these rules, and 77 percent of the American public says: Hey, if it is good enough for Clinton, we ought to do the same thing today. So, after making his own, unreasonable demands for weeks, Senator SCHUMER now says he is ready to begin the trial.

The truth is that the Democrats have already made a mockery of impeachment. What they really want is a show trial, not a fair trial, and that is what happened in the House of Representatives. It was all for show. What do I mean by that? Let's take a look at what happened in the House.

First of all, their hearings were in secret, behind closed doors, in the basement of the Capitol. Then they selectively released misleading information. They denied the President due process, and they denied the President the opportunity to face his accusers and to face the whistleblower. Even though there was immediate interest and, at first, they said "Oh, the whistleblower will testify," they then said "No, no, no. We don't want you to even know who the whistleblower is or what reason or personal issues related to the whistleblower may have brought forth the reason for that person to come forward. We don't want you to know where the whistleblower's alliances may lie."

The Democrats have always known they cannot remove this President.

Their real agenda is the 2020 Presidential election and the Senate elections. Thankfully, the Democrats' 3-year-long partisan impeachment effort—their goal being to impeach from day No. 1—is finally nearing an end. It was from day No. 1. We saw ELIZABETH WARREN, candidate for President, on the debate stage last night. Yet, in December of 2016, after Donald Trump had been elected but before he had even been sworn in, she had held a press conference and had talked about impeaching him.

On the day the President took the oath of office, there was a headline in the Washington Post that read: "The campaign to impeach President Trump has begun."

Here we are now, over 3 years since election day of 2016, and we are getting ready to have votes in Iowa in less than 3 weeks. So this isn't really about trying to remove President Trump from office; it is about trying to influence the vote of 2020. With voting in Iowa being 3 weeks away and the general election's not being far away—November 3—voters, not Congress, are going to decide whether to keep President Trump in office.

The President has a terrific record to stand on. There have been 7 million new jobs created since he has been elected. The President has cut taxes and gutted regulations that have been punishing to the economy. There have been trade deals. He is signing one with China today, and there are additional trade deals. We are going to pass the USMCA tomorrow. There is a new trade deal with Japan. Unemployment is at an all-time low. There is a 50-year low in unemployment in this country, and wages are going up.

It is time for the Democrats to stop wasting the time of the American people. There are jobs that need to be done. Congress needs to get its job done, which is to focus on the issues that the American public care about—roads, highways, bridges, tunnels, infrastructure. There is key legislation we need to be advancing, like lowering the costs of prescription drugs—helping people get insulin that is cheaper for them. We need to help those families. We need to secure the border. That is what is going on.

To think that we are going to spend the amount of time that we are going to spend on impeachment as a result of what the House has been doing and the Democrats have been doing since day No. 1 is a misuse of taxpayer money and is a misuse of Congress's time to do the job that we were elected to do—to help the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

#### WAR POWERS RESOLUTION

Mr. MARKEY. Mr. President, I rise in support of S.J. Res. 68, to prevent an unnecessary and unauthorized war against Iran.

I thank my friend from Virginia, Senator Kaine, as well as Senators Dick Durbin, Mike Lee, and Rand Paul, for standing up for our laws and for the U.S. Constitution, which gives Congress, not the President, the power to make war and to authorize the use of military force.

The assassination of Iranian General Soleimani was a massive, deliberate, and dangerous escalation of conflict with Iran by Donald Trump. Rather than deterring new attacks on American interests, as the administration insists, Soleimani's assassination invited them, and they came in the form of airstrikes on U.S. air bases in Iraq.

But instead of sharing with Congress and the American people information and intelligence that justify the Soleimani attack, President Trump and his counselors have deflected, fabricated, and just plain refused to tell the truth about the so-called imminent threat that was prevented.

We now have press reports confirming that President Trump authorized the killing of General Soleimani 7 months ago. The administration doesn't just look to be misrepresenting the imminent threat of Soleimani, it appears to be fabricating information intended to bypass Congress's constitutional role to authorize war.

Last week, President Trump revealed more information on the killing to a FOX News personality, and he gave more information to that personality on FOX than he did in a 75-minute briefing to the entire U.S. Senate. That is completely and totally unacceptable. FOX News should not know more about our national security interests than the 100 Senators who sit here and have the responsibility to ensure that we are a check and balance on the executive branch.

No evidence has yet been presented to support President Trump's outlandish claim that Iran would "probably" target four U.S. Embassies—an assertion that was contradicted days later by his own Secretary of Defense. Perhaps that is why President Trump's latest defense is just to simply throw up his hands and say: I am sorry; I am not giving you the information that you need. He tweets that the imminence test "doesn't really matter because of [Soleimani's] horrible past." So it is no longer imminent threat, from his perspective, because he says it really doesn't matter. He decides, and he decides without consultation with the Congress.

Here is the lesson Donald Trump seems unwilling or unable to learn: The truth does matter. In matters of war and peace, the truth is nonnegotiable.

Trump's reckless actions have put tens of thousands of American Armed Forces, diplomats, and civilians at greater risk, and his continued fabrica-

tions about intelligence threaten to draw the United States into an illegal war with the country of Iran.

Look at what has happened as a result of Trump's escalation: Our Iraqi strategic partners are demanding that U.S. troops leave bases in Iraq prematurely, increasing the chance that ISIS will reconstitute itself in the region. The truth matters.

Iran has announced that it is no longer bound by enrichment restrictions under the deal. This only makes it more likely that Iran will hasten its quest for a nuclear bomb. The truth matters.

Despite Donald Trump's best efforts, the United States is a country that abides by the rule of law. Our laws say Congress has the sole authority to make and to authorize war. Neither the 2001 nor the 2002 authorizations for the use of military force can be used to provide legal cover for a war with Iran, and we owe it to the American people to repeal these obsolete authorizations, which Presidents of both political parties have abused to justify military campaigns in far-flung parts of the planet.

To guard against another quagmire as we experienced in Vietnam, Congress acted, through the War Powers Resolution of 1973, to rein in Presidential overreach when it came to war. That resolution, which informs our debate on the Senate floor today, makes it clear that the President cannot put our brave men and women in harm's way without a vote by Congress or if there is an armed attack on the United States.

Neither the 2001 nor the 2002 authorization for the use of military force provides legal cover for the killing of Soleimani or any other future attacks against the country of Iran.

It bears repeating that a possible war with Iran did not begin with Iran's attack on the U.S. Embassy in Baghdad, nor did it begin with the President's decision to select the extreme option of assassinating Soleimani. The uptick in Iran's attacks in the region and that of its proxies can be traced to President Trump's unilateral and irresponsible exit from the Iran nuclear deal—the deal to put inspectors in every one of the Iranian nuclear facilities. The Iran deal was working. It was the best tool we have to ensure Iran never obtains a nuclear weapon—that was until Trump's capricious decision to pull out of the deal and crush Iran by ratcheting up American sanctions.

Trump is now doubling down on his failed approach by ratcheting up sanctions on new sectors of the Iranian economy. This escalation will make the Trump deal that he says he wants all the more elusive.

Before the United States backed out of the Iran deal, the President's own CIA Director, Director of National Intelligence, and the United Nations' international watchdog agency all said Iran was upholding its end of the deal. Iran was upholding its end of the nuclear deal. Since then, however, Iran



has moved away from its nuclear-related commitments in phases. Most worrisome was Iran's announcement last week that it was no longer bound by enrichment restrictions under the deal.

But we can still salvage a diplomatic outcome. All of Iran's steps are reversible. For one, Iran remains party to the Nuclear Non-Proliferation Treaty, requiring it to forswear acquisition of a nuclear bomb. Additionally, international inspectors from the International Atomic Energy Agency maintain access to Iranian nuclear sites to detect and deter any ramp-up in enrichment or reprocessing.

But pulling the United States back into a position where we are not going to war will require a change in strategy by the President of the United States. It means a commitment from the President to, one, cease any further military action, as today's resolution calls for; two, engage in talks with Iranian President Hasan Ruhani or other senior leaders to defuse the crisis and to support our allies as they work in good faith to preserve the Iran nuclear deal; three, make clear that the United States does not seek to impose regime change in Iran—the future of Iran must be decided by the Iranian people alone; and four, cease any and all threats against Iranian cultural sites and civilians. These would be war crimes. Destroying cultural sites is what ISIS does. It is what the Taliban does. It is what the Chinese Government does. That is not who we are in the United States of America. Finally, we must repeal the 2001 and 2002 authorizations for the use of military force immediately.

Americans strongly reject President Trump's deliberate and escalatory action against Iran. They do so not just because it is wrong, but they do not want to get embroiled into another costly war in the Middle East without end. A poll last week shows that Americans by more than 2 to 1 say that the killing of General Soleimani has made the United States less safe. Sadly, they are right.

In passing Senator Kaine's resolution, this body has a chance to reclaim our Founders' vision for the proper role of Congress. We are the direct representatives of the people. Congress must express the will of the people to determine when, where, and against whom our country decides to go to war.

We cannot and must not get pulled into war with Iran, and we cannot allow Trump to start a war all on his own.

I thank Senator Kaine for his leadership on this resolution that I call upon all of my colleagues here on the Senate floor to support.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Mr. President, what is the business now before the Senate?

The PRESIDING OFFICER. The pending question is H.R. 5430, the USMCA bill.

H.R. 5430

Mr. WYDEN. Mr. President, this afternoon, the Finance Committee is kicking off this debate. I will have some remarks, and then the distinguished chairman of the committee, Senator GRASSLEY, will have some remarks, and Senator BROWN, who has played such a key role in the enforcement issues, will follow.

I am glad we are getting on this debate. There is a lot to say about this topic, and I want to talk first about how the new NAFTA got to this point.

In the 2016 Presidential campaign, then-candidate Trump said he was going to pull the United States out of NAFTA. He said it was "the worst trade deal maybe ever signed anywhere, but certainly ever signed in this country."

As President, Donald Trump went in a different direction. After negotiating with Canada and Mexico, the Trump administration announced a deal in 2018 that actually doubled down on several key mistakes of the original NAFTA. The new NAFTA the Trump administration came up with was way, way too weak on enforcement of the trade laws. Here in the Senate, we Democrats said it wasn't good enough—not even close—to get through the Congress. So we got down to work and we fixed it.

The bill we will be considering is the end product of all that work. This legislation is now the first real measure of certainty and predictability on the crucial issue of trade which American workers, our businesses, and families have. It is the first real measure of certainty and predictability since the beginning of the Trump administration.

It now has the strongest trade enforcement system ever written into a trade agreement. There are significant new resources put into protecting American workers. Unfortunately, there has been an effort by a few on the other side to strip the crucial enforcement resources for enforcing the rights of workers and protecting the environment. It is masquerading under a whole lot of procedural lingo, but it is really a trojan horse to go back to business as usual with weak enforcement of trade laws that doesn't get the job done.

Over the last week—and I see the distinguished chairman of the committee here—these procedural gimmicks have been opposed by the chairman and myself. I want to thank the chairman this afternoon for doing so. For decades, there has been a lot of happy talk in Washington about enforcing trade laws, but the government just moved too slowly and did too little to protect American workers when trade cheats came after their jobs. Workers and businesses were forced to wait for years for the government to crack down on the rip-off artists, and so often it was too late. Workers were laid off, factories were shuttered, and communities were left without a beating economic heart.

The original NAFTA was a part of the problem. It made strong enforce-

ment almost impossible and was particularly a problem with labor rights in Mexico. The same government that allowed corporations to undercut American jobs by paying rock bottom wages and abusing rights in Mexico had the power to actually block our country from fighting back for the workers. So it was a head-scratcher when the Trump administration proposed essentially a new NAFTA that kept the old NAFTA enforcement system. It ought to have been the first part of the original NAFTA that they threw in the trash can, but, sure enough, in 2018, the Trump administration agreed to language on trade enforcement that really did not enforce anything.

So Senator BROWN, who has fought for years for tough trade law enforcement, said: We are going to get together, and we are going to change this. We put together a proposal that makes the U.S. enforcement system faster, tougher, and directly responsive to American workers and businesses that are targeted by the trade cheats. Our approach puts trade enforcement boots on the ground to identify when factories in Mexico break the labor standards we should insist on. It will be a lot easier to penalize the violators and protect the jobs they threaten to undercut. Senator BROWN and I worked with our colleagues, Democratic colleagues on the Finance Committee, but we talked to plenty of Republicans as well. We took our ideas to the House leadership. We got their input and support. We told the Trump administration that tough enforcement with what has come to be known as the Brown-Wyden proposal was going to be a prerequisite to getting the new NAFTA through Congress. As I said, I think this is the toughest labor enforcement measure that our country has seen, and that is a big reason why the AFL-CIO has endorsed the bill.

When you combine this all-in approach to enforcement with significant new standards on labor and environmental protection, you also get the benefit of beginning to stop the race to the bottom. You raise other countries to the standards set by our country instead of forcing American workers to compete in a game that is rigged against them.

These have been core Democratic trade policies for a long time. Commitments on labor and the environment weren't a part of the original NAFTA. Those issues were just pushed aside into what was essentially called a side letter. They were the trade policy equivalent of a pinky swear and about as easy to enforce. Now they are going to be at the heart of the agreement. The United States will have more power than ever to hold Mexico and Canada to the commitments made in this legislation.

On technology and digital trade, something that I put an enormous amount of my time into, the new NAFTA redefines what trade policy will be about. Digital trade wasn't even

a part of the original NAFTA because, by and large, it didn't exist. Smartphones were science fiction. The internet was still years away.

Senator GRASSLEY has heard me say this many times. The internet was years away from becoming the shipping lane of the 21st century. The problem has been that our trade laws were still stuck in the Betamax mindset.

Technology and digital trade are obviously at the core of a modern economy. They account for millions of good-paying jobs. They are woven into every major American industry you can think of—healthcare, education, manufacturing, agriculture, and the list goes on. So when the United States fights for strong rules on digital trade, it is fighting to protect “red, white, and blue” jobs.

That is why the new NAFTA helps to protect our intellectual property and prevent shakedowns of American businesses for their valuable ideas. It also includes something that I felt very strongly about, and that is it established U.S. law that protects small technology entrepreneurs that want to build successful lasting businesses in a field that is now dominated by just a few Goliaths.

It is long past time for the United States to bring its trade policy into the modern digital world. Getting smart digital trade laws on the books is not just about boosting exports. What the internet looks like in 10, 20, or 50 years is going to be an open question. Will it be an open venue for communication among people around the world or will more governments follow the lead of China, Russia, Turkey, and Iran, because what they are talking about could fracture the internet around national borders. Will the internet be a platform for free speech or will Chinese officials and corporations find new ways to reach across the ocean and trample on the rights of the American people?

These are just a few of the important questions the United States will have to confront when it comes to technology.

In my view, locking in digital trade rules that protect our jobs and promote free speech and commerce online is a good place to start. Labor rights, environmental protection, rules on technology and digital trade, and aggressive enforcement to protect American workers are all areas where there has been significant improvement in the new NAFTA. I call this “trade done right.”

My State, along with Senator GRASSLEY's State, is so dependent on trade. One out of four jobs in Oregon revolves around international trade. They often pay better than do the non-trade jobs because they have a higher value-added component. Most of them are small businesses, and they export. Agriculture is a big part of our economy. The new NAFTA will put more of our wine on shelves outside the United States. It will increase dairy exports.

It will end unfair practices that discriminate against American-grown wheat.

Oregon companies that sell services like apps and engineering plans to customers overseas will have new protections under the digital trade rules. It will help our manufacturers because the new NAFTA raises the bar and includes those protections on labor rights I have described.

There are a lot of Members to thank who pitched in. We are going to hear from a number of them on the floor, and I am going to thank them before we wrap up.

I will close with this. The last few years have delivered one trade gut punch after another to our farmers, our shippers, our manufacturers, and our exporters. The administration has driven away traditional economic allies. A lot of manufacturers are hurting. Farm bankruptcies have surged. Foreign markets are more closed off—many of them to American exports—than they were before the Trump administration began. With this legislation we have an opportunity to begin—and I want to underline that, to begin—to change that.

I particularly want to thank Senator BROWN for his laser focus and leadership on the issue of enforcement. I think Senator CANTWELL, who will speak on this issue soon, has done a particularly good job about trying to build an infrastructure for enforcing our trade laws. I think it is only appropriate to have a special Senate shout-out for Ambassador Lighthizer, who has been straight with members of our committee. I know the chairman will speak on that next. I call him the hardest working man in the trade agreement debate.

I support this bill. I hope my colleagues will do it. I know the chairman will have remarks, and Senator BROWN will be here. Other colleagues will be here. I know Chairman GRASSLEY is glad we are getting at this. I share his views.

We have plenty to do on healthcare and other issues, and we look forward to working with him.

I yield the floor.

The PRESIDING OFFICER. The President pro tempore is recognized.

Mr. GRASSLEY. Mr. President, before I start my remarks, I think it is important for all Senators to know that when there were negotiations going on between the White House and the Democrats in the House of Representatives, one of the real sticking points was enforcement. I think everybody expects a trade agreement to be enforced, but a lot more had to be done than what was originally agreed to when the agreement was signed.

I want to recognize Senator WYDEN and Senator BROWN because months before, maybe even years before—I don't want to take away from how hard they were working on some ways of improving enforcement—but at least they had an idea out there that was salable to

both sides. I don't know whether it was 100 percent or 90 percent or 80 percent that was incorporated in this bill, but their laying the groundwork was the basis for getting an agreement between the White House and the House of Representatives so we could move this to the point where the Senate is going to pass it tomorrow, I hope. So I thank Senator WYDEN and Senator BROWN, who is not here, but maybe you can tell him I said thank you.

Mr. WYDEN. I will.

Mr. GRASSLEY. It is said that good things come to those who wait. Others say it is better late than never. Either way, we can agree that this day has been a long time coming.

With the passage of the United States-Mexico-Canada Agreement by what will be an overwhelming margin here in the U.S. Senate, America's economy will continue to thrive and drive prosperity for hard-working American farmers, workers, and taxpayers all across our economy.

You have heard the old saying: “A rising tide lifts all boats.” The new NAFTA, the bill that we are working on, puts a bigger oar in the water for our trilateral trade relationship with our northern and southern neighbors. It is important to point out that we wouldn't be here without the bold leadership and the determination of President Trump. The President is doing exactly what he said he would do.

So many people running for President run on a platform, but they don't stand on that platform. He ran on a platform of doing something about what he considered were bad trade agreements, and, of course, he is standing on that platform.

Undaunted by those who set to throw him out of office since day one, President Trump forged ahead for the good of the American people. He forged ahead to update and improve NAFTA for Americans. We heard, during the campaign, that it was the President's opinion that it is the worst agreement that has ever been made. I might not agree with the extreme of that, but I do know, as Senator WYDEN has pointed out, that there were a lot of things that weren't even negotiable 30 years ago when we first sought NAFTA, and at least an updating needed to be done.

The President has done more than update. As the President promised during his campaign, at the end of the day, President Trump successfully steered that final trade pact into the 21st century. He did so with a tireless and tenacious team of advisers, especially the leadership of the U.S. Trade Representative, Bob Lighthizer. Senator WYDEN just gave more adjectives to Bob Lighthizer's work, and I associate myself with the remarks and the description that Senator WYDEN gave to Bob Lighthizer's heavy lift to get this job done because Bob Lighthizer worked in good faith to broker and fine-tune the USMCA.

Mr. Lighthizer built a strong and sweeping coalition to strengthen and

expand markets for U.S. agriculture, manufacturing, and service exports. Mr. Lighthizer built a broad and sweeping coalition to improve labor and environmental protections in a balanced fashion, and Mr. Lighthizer built a broad and sweeping coalition that will end up growing wages for our workers. He ensured that all of this would be subject to strong enforcement, which is the bedrock of any good trade agreement, and it is in that enforcement that he took good ideas from Wyden and Brown.

Unfortunately, these efforts that I just described to you became entangled in a time-wasting partisan roadblock from the House of Representatives. It is unfortunate for the American people, especially our farmers, ranchers, and workers, that public policymaking took a back seat to a partisan obsession of impeaching the 45th President. That is a shame.

The President is upholding his promise to put America and Americans first. His message resonates with tens of millions of Americans who want to restore the American dream for their children and grandchildren. These Americans want the next generation to have the same opportunity to lay claim to the American dream that nine generations before, going back to the Colonies, have built upon so that each generation can live better than the preceding generation.

That American dream is that if you work hard and play by the rules, you can earn a good living, get ahead, and stay ahead. A big plank in President Trump's platform is fixing broken trade agreements. USMCA is not the first of it because he has worked with Japan, and he has worked with Korea, and today we saw the signing of phase one of the Chinese agreement, so he is making great progress.

The President is determined to stop America's farmers and manufacturers and workers and consumers from being taken for a ride. When it comes to unfair trade agreements, we are finding out now that the buck stops with President Trump. I am not sure, 3 years ago, I would have said that, but I think after 3 years and USMCA, the Chinese agreement, the Korean agreement, the Japanese agreement, and some other things he has done in trade, he ought to wake everybody up that what he ran on in his platform he has carried out.

With NAFTA, when it took effect 26 years ago this month, the digital economy and the commercialization of the internet didn't even exist. The USMCA creates the first U.S. free trade agreement with a digital trade chapter. These important measures will help the \$1.3 trillion U.S. digital economy to flourish and grow faster. It improves efforts to stop importers of counterfeit goods from ripping off consumers, producers, and content creators. It provides for copyright and patent protections to uphold trade secrets and to secure data rights so that American inge-

nuity and innovation will drive economic growth, create jobs, drive up consumer choices, and drive down prices for goods and services our consumers need.

The USMCA levels the playing field for the U.S. auto industry by encouraging companies to use more North American content and higher wage labor. USMCA also fixes enforcement flaws that hog-tied NAFTA from keeping everyone accountable to their commitments.

Speaking of hogs, the new NAFTA is good news for American farmers and ranchers. My State of Iowa happens to benefit from this to a great extent because my State is the Nation's No. 1 pork producer. In 2018, Canada and Mexico bought more than 40 percent of U.S. pork exports. These exports supported 16,000 U.S. jobs.

USMCA preserves critical, duty-free access to Mexico and Canada. It removes unfair restrictions on U.S. farm and food products. For the first time ever, U.S. eggs and dairy exports will be sold in Canada. This is very good news. It means an additional \$227 million for dairy exports to Canada and \$50.6 million of exports into Mexico. My home State of Iowa also is the No. 1 egg producer in the country. USMCA will increase U.S. exports of poultry and eggs to Canada by \$207 million. It also addresses restrictions that kept U.S. wheat and wine out of Canada.

I thank the former Iowa Governor and previous Agriculture Secretary, Tom Vilsack, because, as the leading Democrat in the State of Iowa, he set aside partisan motives embraced by other Members of his party to work together with Senator ERNST, Governor Kim Reynolds, and me to champion USMCA.

According to the U.S. International Trade Commission, the USMCA will raise real GDP by more than \$68 billion, and USMCA will create nearly 176,000 jobs. So, all told, the trade pact is forecast to boost farm and food exports by at least \$2.2 billion. Considering the slump in the farm economy, it is really shameful that passage of the USMCA was stalled for over a year and nearly derailed by a partisan agenda, including the impeachment.

Under the Trump economy, the United States is enjoying the longest economic expansion in U.S. history. Ratification of the USMCA will help America's economic engine fire on all cylinders and refuel prosperity in rural America.

If you remember, I mentioned at the beginning of my remarks that passage of the USMCA is better late than never, and while I am looking forward, I also take this opportunity to call on Canada to quickly ratify the agreement. Now that Mexico has ratified and the United States will soon be done with our ratification, all eyes will be on Canada to get the job done quickly so that we can all work together to implement this agreement. I don't have any doubt that Canada is going to do

that because I had opportunities earlier last year, several times, to visit with the Canadian Foreign Minister, and she was very certain that they would be passing this.

Let's not delay the people's business on other important matters before us, such as drug pricing and retirement and pension legislation that would provide peace of mind for Americans for their healthcare and financial security. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mrs. BLACKBURN). The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Mr. BROWN. Madam President, tomorrow I will do something I have never done in my time in the House and Senate. I will vote for a trade agreement for the first time in my career. I am voting for that trade agreement because of the work my colleague from Oregon Senator WYDEN and I did to fix President Trump's deal and secure new protections for American workers for the first time ever, in spite of the President's intransigence, in spite of the President's lining up, as he always does, with corporate interests.

Our trade agreement, for the first time ever—ever—put workers at the center of this agreement. Every trade agreement I have seen in my time in Congress—the North American Free Trade Agreement, the Central America Free Trade Agreement, the trade agreements with Colombia, South Korea, and Panama, the permanent normal trade relation with China—one after another, every one of these trade agreements, every one of these trade actions were written fundamentally in secret by corporate interests to serve corporate interests. Workers were never at the center of these trade agreements.

One of my proudest votes in the House was against the North American Free Trade Agreement. I have voted no ever since. Again, it is because all of these trade agreements were written by corporations to maximize profits and compensation for executives and to enrich stockholders, always at the expense of workers and at the expense of communities like Mansfield, Portsmouth, Toledo, and Youngstown, OH.

I was talking to a friend of mine in Trumbull County, former Senator Cafaro. She knows what has happened with these trade agreements. We all know how they undermine communities and hurt workers, always, again, because these trade agreements were written by corporations in secret.

We have watched the spread of the corporate business model because of NAFTA and these trade agreements and because of the Trump tax policies, where you pay a lower tax rate if you

move overseas than you pay in the United States, and in spite of, in those days, Ranking Member WYDEN's efforts to stop those kinds of tax breaks that go to the richest people in the country.

With those business models, you shut down production in Lima or in Zanesville or in Cleveland, OH. You get a tax break, you move overseas, and then you sell your products back in the United States. That has been the business model based on our trade policy for years.

Candidate Trump promised something different. He promised to renegotiate NAFTA. The problem is, when he put his agreement in front of us, it was the same old, same old. They were the same old economic policies that, again, put corporate interests in the center of this trade agreement. It was a trade policy that was like all of our trade policies in the past.

Over and over again, this President has betrayed workers, from tax giveaways to corporations, to his judges who put their thumbs on the scale, always supporting corporate interests and putting corporations over workers and always supporting Wall Street over consumers.

As we know, down the hall, where Senator MCCONNELL's office is—almost every day he walks down here to try to confirm far-right extremist judges, always young judges who do that same thing: put their thumb on the scales of justice, always supporting corporations over workers.

As I said, last year, we got an initial draft of President Trump's agreement. It was another betrayal. His first NAFTA draft was nowhere near the good deal that the President promised. He had negotiated, pure and simple, another corporate trade deal. It meant nothing for workers, and it was a sell-out to drug companies. In fact, the White House looks like a retreat for Wall Street executives, except on Tuesdays and Fridays, when the White House looks like a retreat for drug company executives.

It took us—Senator WYDEN and Speaker PELOSI and unions—months and months and months working together to improve this deal. The President resisted and resisted and resisted, but we finally approved a deal to put workers at the center of our trade policy.

We have a provision that Senator WYDEN and I will talk about that says violence against workers is a violation of the agreement. It might sound obvious, but it has never been in a trade deal before. For the first time ever, we spell out workers' right to strike. Again, it should be obvious, but it was never included before.

If the workers don't have that right to strike—not something workers want to do very often, if ever. My wife, whose dad was a utility worker in the union for 35 years, talks about growing up. They went on strike twice when she was a kid. Workers never really recover from a strike, but sometimes they have

to. It needs to be in trade agreements to make sure workers' rights are protected.

We have improved some of the legalese that, since the beginning, has been included in our trade agreements to make it nearly impossible to win a case when a country violates its labor commitments.

Most importantly, we secured our Brown-Wyden provision that amounts to the strongest ever labor enforcement—ever—in a U.S. trade deal. The provision Senator WYDEN and I wrote and fought for is the first improvement to enforcing the labor standards in our trade agreements since we have been negotiating them.

We know why companies close factories in Ohio, in Oregon, and open them in Mexico. They pay lower wages, and they take advantage of workers who don't have rights. They have weaker and nonexistent environmental laws.

American workers can't compete when companies move overseas and exploit low-wage workers. We essentially get a race to the bottom on wages. The only way to stop this is by raising labor standards in every country we buy and sell to and in every country with which we trade and export and import, raising labor standards, making sure those standards are actually enforced.

If corporations are forced to pay workers a living wage and treat them with dignity and really honor the dignity of work no matter where those workers are located, then we take away the incentives to move jobs overseas.

Think about this. The missions of companies in the United States state—it is sort of the business practice of shutting down production in Niles, OH, and moving it overseas. They will be less likely to do that if the workers overseas are paid decent wages. Then those workers will be able to buy our products because they are more likely to be in the middle class.

That is what Brown-Wyden is all about. It is a completely new way of holding corporations accountable. A worker in Mexico will be able to report if a company violated their rights. Within months, we can determine whether workers' rights have been violated, and we take action against that company.

We apply punitive damages when companies cheat, break the law, stop workers from organizing, and if they keep doing it, the final strong enforcement is we stop their goods from coming into the United States. In essence, we say: OK. You are cheating. You are breaking the law. You are violating your workers' rights. You are not going to have access to the U.S. market. That is enforcement.

When Mexican workers have the power to form real unions and negotiate for higher wages, it helps our workers. Mexican workers right now can be paid as little as \$6.50 a day. The

minimum wage per hour in our country—in Tennessee, Oregon, and Ohio—is higher than that. This is \$6.50 a day. We have been asking American workers to compete with that.

We have already heard some critics say Brown-Wyden will force Mexican wages to rise. I know a lot of CEOs who make \$7 million, \$8 million year who want to keep wages low in other countries. They accuse us of forcing Mexican wages to rise. That is kind of the point. That is what we want to do because it takes away incentives for those CEOs—those \$7 million, \$8 million, \$9 million-a-year CEOs in America—from looking abroad to hire cheap labor and to exploit workers and make more money for themselves.

I want to especially thank Senator WYDEN and his staff. Without his endorsing the proposal and without his pushing aggressively, we would not be here.

I want to be clear, though. We will be straight with American workers. It is not a perfect agreement. One trade deal that the Democrats fixed, over the President's opposition, is not going to bring back auto plants like the President promises.

I have real concerns that the auto rules of origin are much weaker than the administration says they are. We know the administration always exaggerates its successes and doesn't tell the truth about many of the things it does.

We know that this trade agreement was a corporate trade agreement and not a worker trade agreement. Now workers are at the center. We will be watching the President. He needs to ensure companies actually comply with these rules. I will demand we strengthen them if we need to.

One trade deal the Democrats fixed also will not undo the rest of President Trump's economic policies. It is a policy that, as I said, put corporations over workers. We haven't raised the minimum wage because the President is opposed. The President took overtime pay away from 50,000 Ohioans by changing the rule on how overtime is paid. This deal is not going to fix all that.

This USMCA is not going to stop outsourcing when we have President Trump's tax plan that gives companies a tax break to send jobs overseas.

I am going to keep fighting President Trump's corporate trade policies and tax policy, just as we did with this agreement. We have more work to do to make our trade agreements more pro-worker.

I will vote yes. As I said at the outset, I will vote yes for the first time ever on a trade agreement because, by including Brown-Wyden, Democrats have taken another corporate trade deal brought to us by President Trump and Democrats have made this agreement much more pro-worker. As the Senator from Oregon knows, we have set an important precedent that Brown-Wyden will be included—must

be included—in every future trade agreement.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I ask unanimous consent to pose some questions to my colleague from Ohio.

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

Mr. WYDEN. He has done so much work on these issues—not just in the last few months but for years and years. I want to thank him for his extraordinary commitment to the rights of workers and to all these communities that, he has pointed out, essentially lose their economic heartbeat by trade policies that cheat workers.

I want to ask the gentleman about this. I have heard this, and I have heard this in lots of places. People have said: These ideas seem good, but are they really that consequential?

Mr. BROWN has been at this for more than a quarter of a century. We have watched him out on the floor year after year after year. Let me give my calculation of what this package which we have worked on and which he deserves so much credit for consists of.

As far as I can tell—and we have worked on it with the staff—this is the fastest enforcement process by more than 300 percent because of what the Senator has done to speed up the timeline for protecting workers. It is the toughest because for the first time it allows our country to hit the worst actor the hardest by stopping rip-off artists at the individual factory level. It is the strongest because it allows us to hit companies that repeatedly violate the law. We are able to stop the products of exploitive labor at the border.

I want to ask the Senator a couple of questions, but I wanted to give this overview first. Having been at this for more than a quarter of a century, is there any trade enforcement regime that, in terms of those specifics, comes close to what that new regime would consist of?

Mr. BROWN. I thank Senator WYDEN. I thank him for his help in putting this all together.

Not even close. We have seen trade agreement after trade agreement that simply is not—even when labor standards look fairly strong, they are not ever really enforceable. Part of what we recognized—we went back and looked at what happened after NAFTA was passed, and not just what people promised but what happened with NAFTA and what happened with CAFTA. We have seen that, with any attempts at labor enforcement, the companies or the governments that don't want to enforce labor laws find a way, as lawyers are very good at doing, of just taking forever. They slow-walk. So whenever you push them to do something, they end up staying in court.

There was a Central American case in Guatemala, I believe, that went on for 7 or 8 years. You know the old say-

ing: Justice delayed is justice denied. You can't really get enforcement if the people who have done the violation, who have committed the violation, take forever.

So speed is one of the things. Mr. WYDEN mentioned at the outset how important that is. Another part of it is and one of the things we knew would speed it up, No. 1, and would mean that enforcement would work was that the workers would have an ability to kick off the investigation, to literally call a toll-free number. They can register that they have seen child labor violations; that they have seen workers attacked, violence aimed against workers; that they have seen wages denied for all kinds of illegal reasons. So workers can speak out and band together and go to a panel and get quick action.

If a company keeps doing it—we found cases where a company would get a little slap on the wrist. They would do it again and get a slap on the wrist and then do it again. So what we did was we increased the penalties. The first time, they get fined. The fine is proportional to the violation, so it is not a huge penalty. The second time, it is more. The third time, we can deny that company NAFTA benefits if they sell in the United States.

Essentially, if you break the law, if you attack workers, if you keep out the union illegally, if you deny pay to workers who have earned it, you are going to see your market dry up in the United States. That is the best incentive to stop. We literally keep the product out of the market, out of the United States, if you are a serial cheater and a company that does that to its workers.

Mr. WYDEN. I appreciate Mr. BROWN's taking us through this. It is faster. It is tougher because it gets at the individual factory level. It is stronger because it stops those repeat offenders who come up with products using exploitive labor.

I want people to know and have it highlighted in the RECORD that my take is that this, given what we have seen over the last 25 years, is far better than anything we have seen before.

Look, the Senator and I have worked on a lot of enforcement efforts over the years. He will recall that at one point I chaired the Trade Subcommittee, and we found people tripping over themselves to cheat because they were merchandise laundering. It was a little bit different from this. We set up a dummy website just to try to keep tabs on all the people who were cheating. We would remember—and we didn't know whether to laugh or cry—that all over the world, people were coming forward to cheat. That was useful. It didn't come close to the breadth of what has been done here.

Let me just ask a couple more specific questions because I have heard lots of people in all the campaigns and the like talking about whether this was modest or really a bold set of

changes. Now we have just walked through how much stronger this is than anything we have seen in the last quarter-century.

The gentleman mentioned how workers can use this hotline to enforce their rights. If a worker reports violations of their rights at a call center and the government believes the complaint has merit, my understanding is that the government is obligated under the law to send labor inspectors to that facility. Is that correct?

Mr. BROWN. Yes. Whether it is a call center or an auto factory, if the violations occur and there is evidence that there are violations—and in many cases, we know about them because workers have spoken out—then inspectors can go into those factories.

One of the outcomes of this: We know corporations don't want that kind of punishment. We know corporations don't want to see inspectors there looking at their businesses because there have been legitimate, reasonable accusations of lawbreaking. So that is going to mean that corporations will probably quit breaking the law.

Those corporations that have decided to move to Mexico because it is easy to evade labor laws and they can pay low wages, when they see we mean business, when they see the USMCA—Senator WYDEN and I took an agreement that was another corporate trade agreement handed down by President Trump and fixed it, so it has these strong labor provisions. When they see that we mean business, that we are going to enforce these labor laws, and that we are going to pass an agreement that works for workers, some companies are going to think twice about shutting down production in Youngstown, Marietta, Toledo, or Dayton and moving overseas. That is part of the goal of this enforcement too.

Mr. WYDEN. If you would, Senator BROWN, take us through what kinds of actions can be taken against a facility. In other words, my understanding is, if the labor inspectors find violations when they inspect it, they have a host of remedies. The gentleman touched on this in the committee, but what kinds of actions can be taken against that particular facility?

Mr. BROWN. First let me talk for a second about a sector that is very important in my part of the country: the auto sector. If a company cheats in an auto facility in a Mexican community and we find labor violations and we take action against that company, the action is not against just that company's facility in that community. If a company cheats its workers and has broken the law on any number of labor violations, that applies to any product that company ultimately sends in from any one of its factories in Mexico. It addresses sort of the Whac-A-Mole kind of attempts companies might have: Well, they cheat there, but they bring in products from somewhere else.

We look at that in a pretty broad way. Fundamentally, it works this

way: If we find a violation, first, there is a fine, and the fine is essentially proportionate to the violation, meaning that it is not as punitive. The first offense is not especially punitive. The second and the third offense get more serious. For the second offense, the fine is much greater—beyond proportionality, if you will. The third offense is when we step in and deny them NAFTA benefits, deny them access to our markets, and deny them the breaks they get under NAFTA at the border on the tariffs. So if it is a violation of labor law, by the third violation, the enforcement and the penalties are such that the companies are going to quit doing it.

I mean, that is the whole point. I don't want to levy these fines. I want companies to obey the labor law that the Mexican Government has passed in their new labor law and that are under the NAFTA agreement.

Mr. WYDEN. So would Senator BROWN be saying that if it is found that there were labor violations at a car factory, the penalties could apply to any car that might come into the United States from that factory throughout the investigation, not just going forward?

Mr. BROWN. Correct, from that factory and also from other factories owned by the same automaker, so that you can't cheat one place and expect to get all your autos into the United States without tariffs.

We thought a lot about this. Over the last 20 years, we looked at what has happened. We looked back over the last couple of decades, working with the very good Democratic staff of the Finance Committee and with our office, and found every possible example we could on how violations occur and how you stop those violations. So we built in a process. It is pretty complicated, and it took a while.

As I said, the President handed down another corporate trade agreement that helps corporations at the expense of workers, and we weren't going to let that happen this time. That is why the Trump USMCA took a long time to pass—because for a whole year, they were resistant to good labor enforcement. They wanted to help their corporate buddies.

Senator WYDEN will remember that there was a provision in there to help the drug companies, a big giveaway to the drug companies. We said no to that. Speaker PELOSI said no to that. We stripped that out of the agreement. We wanted this agreement to center on workers—not to help the drug companies, not to help Wall Street, not to help and encourage those companies that outsource jobs.

Mr. WYDEN. I have appreciated this colloquy with Senator BROWN.

I have a couple of town meetings at home this weekend, working-class neighborhoods, where trade has been really important. One out of four jobs in my State revolves around trade, and those jobs often pay better than do the

nontrade jobs. If anybody says “Well, Ron, do you think anything is really going to be accomplished with what you and Senator BROWN are talking about?” I am going to say that I went through the entire enforcement process in terms of the key provisions, and we laid out for the country and the Senate that you have led an effort to speed up by more than 300 percent the timeline for an enforcement action. I mean, it used to take years and years sometimes. You have shortened that by literally more than 300 percent. You have been part of an effort that is tougher because you can go after the individual factories.

Then, finally, I think this enforcement proposal gets to the heart of what we need to be doing because it means if you rip off workers, we are going to stop products those workers have produced at the border.

My guess is, there will be a lot more discussion. I see we have another valuable colleague from the Finance Committee who has been heavily involved in these issues for a lot of years. But I want to say again that this didn't happen by osmosis, because when we got that flawed bill, I think everybody said: Well, they will probably have some discussions about it, and that will be pretty much it.

Mr. BROWN. I saw this when Senator WYDEN and I announced the success of getting Brown-Wyden into the bill. I heard from a lot of—shall we say—pro-Trump, pro-corporate lawmakers in this body, mostly on that side of the aisle but all over. They were pretty angry because they thought this was going to be another trade agreement—USMCA was going to be another trade agreement written by corporations, mostly written in secret, that will serve corporate interests, that will pad the bottom line, that will help million-dollar-a-year executives make multimillion dollars a year, that will help their major stockholders and will ignore workers.

They were fine with that because that is too often what this body does. They found that—oh, my gosh—this trade agreement actually puts workers at the center. That was, I know, your goal and my goal. That is why people at your town meetings in Eugene and Portland and Bend and all over Oregon are going to hear from you about how this will help the middle class, fundamentally.

I appreciate the time.

Mr. WYDEN. Madam President, I think this has been central to what we will be debating and we will be voting on tomorrow morning.

I want to thank Senator BROWN. This bill would not have happened without tough trade enforcement led by Senator BROWN. This bill would not have happened, period, full stop.

With that, I yield the floor.

THE PRESIDING OFFICER. The Senator from Delaware.

Mr. CARPER. Madam President, before the senior Democrat, the ranking

member of the Finance Committee, leaves the floor and before the Senator, my colleague from Ohio, leaves the floor, I want to thank them both. We would not be here on this day without them and without their leadership—both of them.

When SHERROD BROWN says that he has never met a trade agreement he wanted to even think about supporting—thank you for making this one that virtually all of us can support. My highest regards.

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

Madam President, I have a speech here that starts off with “Mr. President” over and over again, but I am going to say “Madam President.” I rise today to discuss the new treaty to replace the North American Free Trade Agreement, affectionately known as NAFTA.

Last week, those of us who serve on the Finance Committee had an opportunity to evaluate the new NAFTA. In fact, about a half dozen or so committees have been given different jurisdictions to do that, with respect to this trade agreement.

As you know, trade deals are often dense agreements that have hundreds of provisions relating to any number of issues. Ultimately, trade agreements and trade legislation move through the Senate Finance Committee. We just heard from two of our senior members.

As another senior member of that committee for many years now, I have considered many trade bills and looked at what impact those bills would have on American consumers, producers, manufacturers, farmers, and businesses—citizens. After all, our economy depends on making sure that other countries can sell to us and that we can sell to other countries, especially close allies like Canada to our north and Mexico to our south.

Following years of uncertainty, thanks to the President's haphazard trade wars, I believe this agreement will provide a measure of certainty for those who help drive our economy. Provisions included in the new NAFTA will help in our State, on the Delmarva Peninsula, our poultry producers gain better access to Canadian markets. It is not just important to Delaware; it is important to Delaware, Maryland, Virginia, and other places where they raise chickens.

Further, the new trade deal increases market access for dairy farmers in Delaware, and those across the country, to sell their milk products—products like powdered milk—to Canada. The International Trade Commission estimates that this will allow for an additional \$315 million in exports annually. That is a \$315 million increase in exports just under the milk side, the dairy side, in sales to Canada every year.

When we evaluate the new NAFTA as what it is—a trade deal—I believe that it makes significant improvements on past trade agreements, including the



original NAFTA. New NAFTA adds stronger language to ensure that the obligations to all three countries under multilateral environmental agreements, including the Kigali Amendment to the Montreal Protocol, can be fully enforced. I will come back and talk more about that in a short while.

Thanks primarily to Democrats, though, it is no longer the case that the failure of one NAFTA country to ratify an environmental agreement can be used to prevent the others from being held accountable for failing to honor their obligations. New NAFTA also includes new provisions that have never been included in trade agreements before.

Environmental violations will now be treated as trade violations, so when the United States does bring cases under the new NAFTA's environmental obligations, those cases will be easier to win going forward.

This agreement also includes significant new wins for coastal States, including binding provisions around overfishing, around conservation of marine species, and marine debris. When we talk about marine debris, just keep this in mind: There is, floating out in the oceans of the world, something called the Great Pacific Garbage Patch. It is largely plastics. It is twice the size of Texas—not twice the size of Delaware, not twice the size of Maryland; it is twice the size of Texas.

In addition to the \$88 million for environmental monitoring, cooperation and enforcement, the new NAFTA creates an enforcement mechanism that gives environmental stakeholders an expanded role in enforcement matters. This will go a long way toward ensuring that environmental violations can be investigated and remedied in a substantive and timely manner.

My colleagues have heard me say before that I have a friend who, when you ask him how he is doing, he replies: Compared to what?

Well, compared to all the previous trade agreements that this body has considered, new NAFTA and its implementing legislation have the strongest environmental enforcement provisions we have seen to date, period. That is good news, especially for a trade deal put forth under this administration.

Does the new NAFTA include everything that my Democratic colleagues and I—and some Republican colleagues—would have liked to see with regard to environmental protection? No, it does not.

This new NAFTA fails to recommit the United States, for example, to the Paris accord. It fails to ratify the Kigali amendment that I mentioned earlier to the Montreal protocol, which could bring the global community together to reduce the use of something called HFCs, hydrofluorocarbons, found in products like air conditioners and freezers, and prevent, by the use of those follow-on products to HFCs, up to a half-degree Celsius increase in global warming by the end of this cen-

tury, just for doing this one thing—one thing.

Like so many of the Trump administration's proposals, the new NAFTA fails to even mention the words "climate change." This trade agreement does add important tools and resources that were primarily negotiated by Democrats to strengthen the deal, hold the administration accountable to enforce NAFTA countries' obligations, and help ensure that those who break the rules are actually held accountable.

As the senior top Democrat on the Environment and Public Works Committee in the Senate, I am especially aware of the extreme and destructive environmental policies put forth by the current administration.

Week after week, I have helped to lead the fight against some reckless rollbacks, too many unbelievably unqualified candidates, and their relentless attempts to chip away at our Nation's bedrock environmental protections. We know what to expect from this administration when it comes to environmental policies.

As a result, I know that the environmental provisions in new NAFTA—thanks to the hard work from Democrats in both the House and the Senate, and some Republicans too—are far stronger than where we started. It is certainly not perfect, and we can, and we must, do more going forward. But it is better than we have ever done before, and that must be recognized.

I want to pause for a moment to thank Ambassador Robert Lighthizer and his staff—the Trade Ambassador, Trade Rep's office—for their hard work and their willingness to engage with my colleagues and with me. It has been an extraordinary outreach, great responsiveness. I just want to say thank you to the Ambassador and to his team. It reminds me of what we had with Michael Froman when he was the Trade Rep in the last administration.

Let me end it with this, if I could: While it is good news that we were able to reach an agreement on the new NAFTA, I want to caution my colleagues that the uncertainty caused by President Trump's haphazard approach to trade is far from over. President Trump's multifront trade war with our allies and our trading partners is approaching 2 years now. That is 2 years of American farmers, American manufacturers, retailers, and small businesses experiencing increased costs from President Trump's tariffs while simultaneously being locked out of overseas markets due to retaliatory tariffs.

That is 2 years of uncertainty and disruption for American business that have had to put investments and hiring decisions on hold and 2 years of uncertainty for the American workers who are not sure if their jobs will continue to exist as trade wars drag on.

Where has that gotten us? A limited trade agreement with Japan, which may be better than nothing, but it is

largely an attempt to cover up some of the negative effects that withdrawal from the transpacific trade partnership, TPP, has had on our economy and our global competitors.

For those who don't remember, TPP, Trans-Pacific Partnership, as you will recall, negotiated in the last administration, was a 12-nation trading bloc, negotiated primarily by the U.S. Trade Representative, Michael Froman, and his staff. That included 40 percent of the world's economy in one trading bloc, 12 nations. Guess who led it: We did. Guess who was excluded: China, for the bad behavior they sometimes follow. On the outside, they were looking in. And somehow we walked away from that. What we have come up with in its place is something that is, in my view, not nearly as bold and, unfortunately, not the path we have taken.

I am still reviewing the text of the "phase one"—I will put that in quotes—China trade deal that was signed, I think, today. But from what I have seen, the agreement falls far short of the structural reforms to China's planned economy that President Trump has "trumpeted" for some time. As best as I can tell, the structural reforms in China's economy did not make the final cut.

As we enter this new year and a new decade, I sincerely hope our President will rethink what many believe are senseless approaches to trade and return to a multilateral approach—much as we had on the Trans-Pacific Partnership—where the United States works with our allies and trading partners to constructively write the global rules of trade.

With that, I see one of my colleagues, also from Ohio, rising to address a welcoming audience.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. PORTMAN. Madam President, I appreciate my colleague from Delaware and his comments on trade.

I ask unanimous consent that my colleague from Ohio, SHERROD BROWN, be permitted to address the Chamber for a brief tribute following my remarks.

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

Mr. PORTMAN. I am on the floor today to talk about international trade. What a week it has been. In the same few days, we are seeing the culmination of nearly 3 years of effort by this administration to deliver wins for American workers, for businesses, for farmers, and for consumers with regard to our three biggest trading partners, China, Canada, and Mexico.

This is a big week. While the media is focused on impeachment—and I can say that because as I walked in that is all the reporters wanted to talk about—here we are on the floor talking about something that directly affects the constituents we represent. I think it is very positive in all three areas—China, Canada, and Mexico. In a way, it is like

the World Series and the Super Bowl of trade all in the same week because these are big agreements that make a big difference.

The U.S.-Mexico agreement is being finalized, and it will be voted on tomorrow.

Second today is the signing of phase one of the China agreement, something many of us have been focused on over the past few years and wondered whether we would get here, and here we are.

As a former trade lawyer and as a former U.S. Trade Representative under George W. Bush and as someone on the Trade Committee, which is the Finance Committee here, I follow these issues closely. Most significantly, I come from Ohio, which is a State that depends on trade and depends on that trade being fair to our workers, our farmers, our service providers, and our small businesses. We have a lot of manufacturing and a lot of agriculture. In fact, 25 percent of our State's factory workers have export jobs. One out of every three acres planted in Ohio is planted for export. Think about that. When you drive through our beautiful State and you see the corn and the soybeans out there in the field, one out of every three acres is being planted to be exported somewhere else. That is great for our farmers. It gives them markets, and it raises prices for their product at a time when they really need it. By the way, these trade jobs are good jobs too. Jobs dependent on trade pay, on average, about 16 percent more than other jobs, and they have better benefits. We like to be able to send more to the rest of the world.

We have about 5 percent of the world's population in this country. We have to be sure that with 25 percent of the world's economy here and 5 percent of the people, that we are selling stuff overseas to the other 95 percent. It is always in our interest to open up overseas markets for our workers, our farmers, our services, and our service providers. While promoting those exports, we need to ensure that we are protecting American jobs from unfair trade and from imports that would unfairly undercut our workers and our farmers.

Simply put, we want a level playing field. With that level playing field, where you get fair and reciprocal treatment from other countries, we will do just fine.

American workers and businesses can compete, and they can win if it is fair. That is all we are asking for. To me, the sweet spot is balanced trade, where we are able to send our exports overseas without high tariffs and other barriers, and we are able to see imports coming in fairly traded into the United States. If we do that, we will be fine.

The good thing about this week is that both of these agreements—the new USMCA, which replaces NAFTA, and this phase one of the China agreement—are exactly focused on how to have balanced trade. At times, re-

cently, other countries have been wondering whether the United States was going to make progress on trade, to be frank, so this week is also important because the world is watching. What the world is seeing is that we can fulfill our stated interest in renegotiating and improving trade agreements and trade relationships.

Concluding these two agreements proves that the United States can get to “yes” on these very big issues. We are able to work through our partisan differences here at home. We just saw this on the floor this afternoon where Democrats and Republicans alike are talking about their support for USMCA. In tough negotiations with our trading partners—we had some tough negotiations with Canada, Mexico, and China—we can reach outcomes that benefit our country and help to create that more effective balance for American workers.

There is, perhaps, no better example of this balance than USMCA. Without it, by the way, we go back to the status quo, which would be NAFTA. That is a 25-year-old agreement that had to be updated. It just doesn't reflect the realities of a modern economy. Thanks to important measures designed to strengthen our economy, create jobs, and increase market access for American exports, this new USMCA will help level that playing field we talked about.

First of all, USMCA means American jobs and economic growth. The independent International Trade Commission has studied it. They have said this new agreement will create at least 176,000 new jobs and will grow our economy. It also says that with regard to the auto industry, it will create tens of thousands of jobs. That is, again, very important to Ohio. We are a big State for auto production. These jobs are going to mean a lot to workers in my State.

Part of the way it is going to create jobs is by leveling the playing field with enforceable labor standards. We just heard about this from the Senator from Oregon and the Senator from Ohio, about how this agreement has new enforceable standards with regard to labor.

It also, though, has higher content requirements for U.S.-made steel and auto parts. This is important. I will give you an example. USMCA requires that 70 percent of the steel and 75 percent of overall content in USMCA-compliant vehicles come from USMCA countries. In other words, other countries can't come in and take advantage of the lower tariffs that we are providing under USMCA by adding too much to the content of those vehicles. The 75-percent overall content requirement is up from 62.5 percent in NAFTA. That makes that 75 percent the highest percentage of any trade agreement we have. It means more jobs in the United States, in particular, and fewer imports from countries like China, countries like Germany, countries like

Japan that otherwise would come in and take advantage of this.

Some have criticized these content provisions as being somehow protectionist. I disagree. We are saying to these countries that if you want freer trade with us, enter into a trade agreement, lower your barriers, and give us access to your markets as we are giving Mexico and Canada access to our markets. That is what a trade agreement is all about. If you don't want to do that, you shouldn't be able to free ride on our USMCA. I think this makes sense. Why should Japan or China or Germany be a free rider on our agreement with Canada and Mexico?

This will incentivize good jobs in America, but it also incentivizes these other countries to enter into trade agreements with us. They can see that if you do an agreement with the United States, it is balanced and fair. You will have some benefit as well. The International Trade Commission expects that USMC will grow our economy by double the gross domestic product of that projected to be increased under what is called the Trans-Pacific Partnership. I tell you that because TPP, Trans-Pacific Partnership, is one that Members on the other side of the aisle have talked about as being such a great agreement. This grows the economy by more than double based on the ITPF estimate. Again, this is a big deal.

USMCA also means important new rules of the road for online sales. So much of our commerce today takes place over the internet, but there is nothing to protect it or promote it in NAFTA. Because it was done 25 years ago when there was hardly any internet business, it doesn't have any protection.

This USMCA was written to fix that. It does. It prohibits data localization requirements by banning tariffs on data online and by raising the de minimis level on customs duties for sales to Mexico and Canada. This means they can't require the servers to be in Canada or Mexico, as an example, for our digital economy here in the United States, which is one of our great advantages. For a lot of small companies in Ohio and around the country and for startups that do business online and rely on smaller shipments, this is very important. The relief from the customs burdens and also the data localization requirements and the inability for other countries to put tariffs on data is really important. This is great for us as a country.

The third thing I want to mention is that American farmers are going to see unprecedented levels of access to new markets in Canada and Mexico under USMCA. Between bad weather, low prices even going into the bad weather, and the tariffs that were in place to get to this agreement with China, in particular, farmers have been hit pretty hard. So this is the light at the end of the tunnel. This gives them a chance, under USMCA, to get some new markets. That is why nearly 1,000 farm

groups around the country have announced publicly that they strongly support this agreement.

A lot of politicians and pundits have their views on who won the negotiations over USMCA that we will vote on here tomorrow on the floor. You can go back and forth on that, but in my view, thanks to the hard work of U.S. Trade Representative Robert Lighthizer and thanks to President Trump pushing on this, the winner here is the American people. That is who I think benefits the most. They are going to benefit from a new, more modernized trade agreement that will replace an agreement that has shown its age with unenforceable labor and environmental standards, nonexistent digital economy provisions, and outdated rules of origin provisions that allow more automobiles and more auto parts to be manufactured overseas rather than being manufactured here in the United States.

I think the American people benefit. We all benefit. I am glad we are going to finally have a chance to vote on this landmark trade agreement. I urge that tomorrow we pass it on a bipartisan basis, and I think we will. Getting this to the finish line is a significant achievement but to also do it signing onto the phase one agreement with China today is really incredible.

Again, it has been a strong week. I want to congratulate Bob Lighthizer, the Trade Rep, President Trump, and others who worked to bring this win to the finish line.

When I was U.S. Trade Rep for George W. Bush, we conducted the first-ever economic relationship review with China. We issued a report, and it concluded that our trade relationship with China lacked equity, durability, and balance. Well, 13 years later, China still doesn't play by the rules. So much of that continues. One reason the trade deficit with China is going to be the largest in the world is because of that. In 2018, we sent China about \$180 billion in exports, and they sent us about \$560 billion in exports. That means we had a resulting trade deficit of about \$380 billion—the biggest trade deficit in the history of the world. That is a problem, but it is more than just the trade deficit. That isn't the only way to measure trade.

Beijing routinely uses subsidies, state-owned enterprises, and a lack of transparency by government control on their own economy in order to surpass the United States as the world's economic and innovation leader. China's current policies undercut critical commitments China made, both to the WTO, the World Trade Organization, and to us and other countries—agreements that they would open up their market, protect intellectual property rights, adhere to international recognized labor rights, and meet its WTO commitments on unfair trade practices such as subsidies, which they provide.

I encourage you to read the U.S. Trade Representative's section 301 report on China. That is its basis for this

phase one agreement and the basis for the administration putting those higher tariffs in place on Chinese products over the past couple of years. The report notes that in 2016, the multilateral Organization for Economic Co-operation and Development, OECD, ranked China the fourth most restrictive investment climate in the world, despite them being the second largest economy in the world. Based on this OECD report, China's investment climate is nearly four times more restrictive than that of the United States. That is why we needed to take some action and have a negotiation with China to come up with something that was mutually beneficial.

I have supported these 301 actions by President Trump to create this more level playing field for American workers, farmers, and business owners. The only significant leverage we had to be able to do that, by the way, was by controlling access to our own market by raising tariffs. Higher tariffs had collateral consequences, and we have seen that for our consumers and other countries. They have been a necessary evil to hold China's feet to the fire and force them to the negotiating table and to get the result we have seen today.

These tough measures are now paying off. Think about it in terms of what I said before—equity, durability, and balance. In the interests of a more balanced relationship, phase one directly addresses that \$380 billion trade deficit we talked about. China has agreed to increase its purchases of American products by at least \$200 billion over the next 2 years, with additional increases likely in the future. That is going to help reduce our trade deficit and provide some relief, particularly in the agricultural, manufacturing, and energy sectors.

The agreement includes provisions to make our relationship more equitable. That includes new commitments on intellectual property protection, new obligations on tech transfer, and a discipline on currency manipulation, similar to that which is in the U.S.-Mexico-Canada Agreement. Specifically, Beijing committed to eliminate pressure on U.S. companies to transfer their intellectual property to Chinese firms as a condition of doing business in China. This is a big deal, and it is a critical step in addressing the IP theft China has used to fuel its economic rise. Chinese companies aren't forced to hand over their patents as a condition of doing business here in America and American companies shouldn't be forced to do the same in China.

We will also be able to keep a closer eye on China's currency manipulation. When the Treasury Department found evidence of manipulation to boost Chinese exports, they labeled Chinese a currency manipulator for the first time since 1994. That designation was just lifted because of phase 1. This new agreement contains new transparency and accountability commitments to ensure that American trade enforcers

can better monitor future manipulation.

The phase 1 agreement is a first good step toward creating a more balanced and equitable relationship between our two countries, but our trade relationship will remain durable only if we enforce these agreements. That is why it is also very significant that this agreement includes the option to reimpose tariffs should China fail to live up to the commitments it has made.

Enforcement is critical. Just as the rest of the world is watching our success at getting to "yes" on these trade agreements, it is also watching how aggressively we are going to enforce these commitments. That is why it is imperative that the United States utilize this enforcement process assertively and swiftly should we find evidence that China has violated its commitments. Congress is watching.

With such a big day for trade, especially only a couple of weeks into the new year, it would be easy to ask if anything else is left for the rest of the year. My answer is, yes, there is a lot. We should celebrate our accomplishments tonight, but tomorrow continues to bring a host of challenges and opportunities to advance a bold trade agenda.

Most importantly, the next step is to negotiate the phase 2 agreement with China that will address the additional structural issues I mentioned earlier—the subsidies, the state-owned enterprises, and the lack of transparency—that make doing business in China an uphill battle. Resolving these issues will be critical to ensuring that our two economies are playing by the same set of rules, not different sets of rules.

Between the USMCA and this phase 1 agreement, 2020 has already been a significant year for trade, but there is even more progress we are set to make. I look forward to phase 2 negotiations with Japan this spring, especially regarding new market access for "Made in America" automobiles. I look forward to potential FTA talks with Switzerland and with the United Kingdom post-Brexit—new trade agreements to open up more market access. We also want to ensure that the extension of the WTO moratorium of tariffs on data continues, and I hope we will see renewed efforts at WTO reform. We need to address America's longstanding fundamental concerns about the appellate body, special and differential status, and the decline of the WTO's negotiating function. We have lots to do.

I hope Congress will consider new legislation to toughen our anti-dumping and countervailing duty laws this year to crack down on trade cheats, and I hope we will pass the Trade Security Act to return section 232 to its original purpose of protecting genuine national security threats.

Clearly, there is a lot of work we can do in 2020, and I look forward to it. Yet we should pause today and congratulate the Trump administration on these two successes we have talked

about. I have long advocated for balanced trade that prioritizes market opening and tough enforcement, and I believe that both the USMCA and the China agreement embody this philosophy of balanced trade. Most importantly, I believe our country is better off because of it.

I yield the floor.

The PRESIDENT pro tempore. The Senator from Ohio.

#### REMEMBERING CHRIS ALLEN

Mr. BROWN. Mr. President, I rise to honor a dedicated public servant whom we tragically lost last week, Chris Allen.

Chris served in the Senate for nearly a decade, most recently on Senator GRASSLEY's staff. I appreciate that Senator GRASSLEY happens to be presiding right now as the President pro tem of the Senate. Chris was a leader in our efforts to solve the pension crisis that threatens the retirement security of more than a million Americans, including a number of people in the Galleries today.

My staff and I got to know him well while working together to find a bipartisan solution. He was part of what we consider to be a sort of pensions family in the Senate. We didn't always agree, but Chris always understood the stakes. He took this crisis seriously. He knew it affected people's lives in the most central way. He understood what collective bargaining was about—meaning, you give money up today in wages to protect your future. He was committed to finding a solution. Most importantly, as Senator GRASSLEY knows, he always treated the retirees with dignity, and he respected their work. He understood what this retirement crisis meant to those families and the pressures they were under.

In 2018, when we worked together with him and Senator GRASSLEY's staff and Chairman Hatch and Senator PORTMAN on our bipartisan pensions committee, we held a field hearing in Columbus in order to hear directly from current workers, retirees, and small businesses. Chris came to Ohio for the entire field hearing. He didn't have to, and a lot of staff members didn't. Yet he understood how important it was to talk to the people whose livelihoods were at stake in this crisis.

Workers and retirees came from all over Ohio. Companies that had often been in business for 100 years came from all over the region for that hearing. We had a 25,000-person rally outside the Ohio State Capitol. I would add again that a number of people in the Galleries today were at that rally. Our staff was a little nervous about how Chris might react when he saw that, for his boss had had some disagreements with these folks in the best way to find a solution. Yet Chris just looked at that sea of people and said: "That's cool."

That empathy was a part of who he was. He was responsive. He was kind and thoughtful. He embodied the decorum of what the Senate should be. He

wasn't interested in partisan warfare. At a time when too many people retreat to their partisan corners, that was not Chris Allen. That spirit of cooperation and of mutual respect will be missed more than ever. He was dedicated to his work. He was dedicated to the people whom our work affects.

He would meet for hours and do whatever it took to work toward a solution. The only thing he stopped for was his family. Chris was a devoted father to his two daughters, Lucie and Sophie. Connie's and my hearts go out to them and to Lynda, Chris' wife. I know nothing we can say could erase the pain of the sudden death of a father and a husband so young. I hope they take some comfort in knowing how many lives, starting with Senator GRASSLEY's, Chris touched. We miss him. We will continue to fight for a bipartisan solution that honors Chris' memory and protects the pensions that American workers have earned over a lifetime of work.

The PRESIDENT pro tempore. The Senator from Washington State.

Ms. CANTWELL. Mr. President, I thank my colleague for mentioning and honoring Chris Allen, and our sympathies to the Grassley family. Thank you so much for talking about the hard work that so many of our staff do around the Capitol that people don't realize. While we have lost some on our side, too, it is important to remember those who give so much of their time and energy to make our country better.

#### H.R. 5430

Mr. President, I rise to support the US-Mexico-Canada Agreement we are going to be voting on tomorrow, and I want to thank all the people who worked on it, including Senator GRASSLEY, Senator WYDEN, Senator BROWN, Speaker PELOSI, and many other people to get us a final product that I think we all believe should move forward.

It is very important to me, coming from one of the most trade-dependent States, that we continue to open up trade markets, but I hope my colleagues will also realize that the world economy has reached a tipping point. Over half of the world is now either middle class or wealthier. So that means that we have more people to sell more U.S. products to. That means bigger market opportunities for U.S. manufactured goods, for agriculture products, and a way for us to continue to compete in some of our most important industries. That is why I have always supported making sure that we continue to open up trade markets in a fair way. And for us in Washington State, the North American Free Trade Agreement was a positive move. In the context, prior to the NAFTA agreement for Washington, in Mexico, there was \$300 million of Washington exports. Now there is more than \$2 billion, and they are our largest export market for Washington apples.

Today, Canada, you can see a similar story. Prior to the North American

Free Trade Agreement, our products into that country were roughly about \$2 billion; today, they are more than \$9 billion. So continuing to modernize the North American Free Trade Agreement is an important step for Washington and for our economy. The important aspects of this deal help us open and get a fair playing field for wheat, for making sure that digital trade continues in a fair way, and that dairy products are accessed into Canada in a fair way and that our wine industry—believe it or not, Canadians drink a lot of wine, particularly in British Columbia, and they have not always given us fair access to that market. So it is very important that it will increase access to Washington wines into Canada, which is the largest market for Washington wines, buying about \$10 million in exports a year. But as I mentioned, USMCA will maintain a duty-free access for our dairy products to Mexico; it will certainly make sure that our wheat products are on a level playing field and continue the access to digital trade.

I want to thank my colleagues Senator BROWN and Senator WYDEN and Speaker PELOSI and all those in the labor movement who worked hard with getting an enforcement and capacity-building provision in this legislation. But what we are doing here that I know of for the first time is business and labor coming together and saying "we need to build the capacity within a country so that they can enforce trade agreements." This is a positive step, not just for Mexico, but a positive step for what we need to do around the globe. I wish we could just say to every country, "Yes, put up the regime to enforce these laws, and make it happen tomorrow, and we can help you and your economy." But it just doesn't work like that. And when you retreat from trade—and, trust me, I believe this administration has retreated from trade when it starts with a tariff-first approach. You cannot start the discussion with throwing out tariffs and then penalizing our farmers and then thinking that we are going to get the door open. So I am all ears to hear how we are going to get a real agreement with China.

But I thank my colleagues who did the hard work on this USMCA agreement to make enforcement and capacity building real for the first time. Why? Because as we look at that world economy outside the United States, it is one of the biggest economic opportunities we will see. That is, we know how to grow things. We know how to make things. We should make sure we are opening up markets in a fair trade regime to those products. So I will continue to work with our colleagues here to make sure that that is achieved. I hope the President will stop the tariff-first approach, stop the continuation of the tariffs and the impacts that we are seeing now, and get down to continuing to negotiations with our being a leader for opening up markets.

The United States can't lose shelf space to very, very competitive markets and then come back years later and try to regain it. Let's be a world leader in establishing the rules for fair trade and pushing for provisions like we see in the USMCA agreement so we can move forward, making sure Washington products, U.S. Products, American-made products, get delivered to a growing, wealthier world.

I yield the floor.

The PRESIDENT pro tempore. The Senator from North Dakota.

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

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

The legislative clerk proceeded to call the roll.

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

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

#### CHINA TRADE AGREEMENT

Mr. SANDERS. Mr. President, I rise in opposition to the NAFTA 2.0 trade agreement negotiated by President Trump.

This agreement is opposed by labor unions like the International Association of Machinists and Aerospace Workers, as well as by the United Food and Commercial Workers International Union. It is opposed by numerous environmental organizations, including the Sunrise Movement, the Sierra Club, Friends of the Earth, the League of Conservation Voters, and virtually every major environmental organization in the country. Further, it is opposed by the National Family Farm Coalition, which believes it will lock in rules that have devastated family-based agriculture and expand corporate control over agriculture in North America.

I am proud to stand with these labor unions, with the environmental groups, and family farmers against President Trump's NAFTA 2.0.

I not only voted against NAFTA in 1993, but I marched against it. In 2000 I voted against permanent normal trade relations with China. I opposed the U.S.-Korea Free Trade Agreement and other trade agreements.

The bottom line is that we need trade agreements in this country that work for workers, that work for farmers, and not just the CEOs of large multinational corporations.

There is no doubt in my mind that we need to fundamentally rewrite our disastrous trade agreements and create and protect good-paying American jobs, and that we need trade agreements that will improve the environment and combat climate change, and we need trade agreements that end the destructive race to the bottom, where workers are forced to work for lower, lower wages.

Unfortunately, this revised trade agreement with Mexico and Canada does none of these things. It must be rewritten.

While NAFTA has led to the loss of nearly 1 million American jobs, this agreement does virtually nothing to stop the outsourcing of jobs to Mexico. Under this agreement, large multinational corporations will still be able to shut down factories in America, where workers are paid some \$28 an hour, and move to Mexico, where workers there are paid less than \$2 an hour.

When Donald Trump was a candidate for President, he promised that he would stop the outsourcing of American jobs to Mexico, China, and other low-wage countries. That has not happened.

The truth is, since Trump took office, over 170,000 American jobs have been shipped overseas. In 2018, we had a recordbreaking \$891 billion trade deficit in goods, a \$419 billion trade deficit with China, and an \$81 billion trade deficit with Mexico.

In 2018, for the first time in our history, manufacturing workers began getting paid less than workers overall. It used to be that manufacturing workers made really good wages compared to the rest of the workforce. It is not the case anymore.

Today, manufacturing workers get \$28.15 an hour, while the average worker makes 15 cents an hour more. Last month we lost 12,000 factory jobs, and despite Trump's rhetoric, we are in a manufacturing recession.

There is a reason why virtually every major environmental group is opposed to Trump's NAFTA 2.0. This agreement does nothing to stop fossil fuel companies like ExxonMobil and Chevron from dumping their waste and pollution into Mexico and destroying the environment. In fact, it makes it easier for fossil fuel companies to bring tar sands oil into the United States through dangerous pipelines like the Keystone XL.

This proposal does not even mention the word "climate change." Imagine in the year 2020 that we have a major trade agreement that does not even mention the words "climate change," the existential threat facing not only our country but the entire planet.

This deal preserves the disastrous investor-state dispute settlement system for oil and gas companies, allowing them to continue to put corporate profits ahead of our air, water, climate, and health.

At this pivotal moment in American history, it is not good enough to tinker around the edges. The scientific community has been very clear. If we do not act boldly and aggressively to transform our energy system away from fossil fuel and into energy efficiency and sustainable energy, the future of this planet is in doubt, and there is no question but that the Nation and planet we leave to our children and to our grandchildren will be increasingly unhealthy and uninhabitable.

We have a major climate crisis and no trade deal should be passed that does not address that issue.

In my view, we need to rewrite this trade agreement to stop the outsourcing

of American jobs, to combat climate change, to protect the environment, and to stop the destructive race to the bottom.

We have to stop large, profitable corporations that are outsourcing American jobs overseas from receiving lucrative Federal contracts. It makes no sense to me that you have large corporations shut down in America, go to cheap labor countries abroad, and then they get online and receive very large Federal contracts. We have to stop that.

Further, we have to repeal Trump's tax giveaways to the wealthy, which have provided huge tax breaks to companies that shut down manufacturing plants in the United States and move abroad.

Trade is a good thing done well, but this trade agreement does not accomplish that end.

#### MESSAGE FROM THE HOUSE—APPOINTING AND AUTHORIZING MANAGERS FOR THE IMPEACHMENT TRIAL OF DONALD JOHN TRUMP, PRESIDENT OF THE UNITED STATES

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

A message from the House of Representatives by Ms. JOHNSON, Clerk of the U.S. House of Representatives, announced that the House of Representatives had passed a resolution (H. Res. 798) appointing and authorizing managers for the impeachment trial of Donald John Trump, President of the United States.

The PRESIDENT pro tempore. The message will be received.

The majority leader.

#### UNANIMOUS CONSENT AGREEMENTS—RELATING TO ARTICLES OF IMPEACHMENT AGAINST DONALD JOHN TRUMP

Mr. MCCONNELL. Mr. President, I ask unanimous consent that pursuant to rule I of the Rules of Procedure and Practice When Sitting on Impeachment Trials, the Secretary of the Senate inform the House of Representatives that the Senate is ready to receive the managers appointed by the House for the purpose of exhibiting Articles of Impeachment against Donald John Trump, President of the United States, agreeably to the notice communicated to the Senate; further, that at the hour of 12 noon on Thursday, January 16, 2020, the Senate will receive the managers on the part of the House of Representatives in order that they may present and exhibit the Articles of Impeachment against Donald John Trump, President of the United States.

The PRESIDENT pro tempore. Is there any objection?

Without objection, it is so ordered.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that pursuant to rules III and IV of the Rules of Procedure and Practice When Sitting on

Impeachment Trials, that at the hour of 2 p.m. on Thursday, January 16, 2020, the Senate proceed to the consideration of the Articles of Impeachment and that the Presiding Officer, through the Secretary of the Senate, notify the Chief Justice of the United States of the time and place fixed for consideration of the articles and request his attendance as Presiding Officer pursuant to article I, section 3, clause 6, of the U.S. Constitution.

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

#### UNANIMOUS CONSENT AGREEMENT—AUTHORIZATION FOR APPOINTMENT OF ESCORT COMMITTEE AND HOUSE NOTIFICATION

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Presiding Officer be authorized to appoint a committee of Senators, two upon the recommendation of the majority leader and two upon the recommendation of the Democratic leader, to escort the Chief Justice into the Senate Chamber. I further ask consent that the Secretary of the Senate be directed to notify the House of Representatives of the time and place fixed for the Senate to proceed upon the impeachment of Donald John Trump in the Senate Chamber.

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

#### UNANIMOUS CONSENT AGREEMENT—SENATE ACCESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that access to the Senate wing, the Senate floor, and the Senate Chamber Galleries during all of the proceedings involving the exhibition of consideration of the Articles of Impeachment against Donald John Trump, President of the United States, and at all times that the Senate is sitting for trial with the Chief Justice of the United States presiding, be in accordance with the allocations and provisions I now send to the desk, and I ask that it be printed in the RECORD.

The PRESIDENT pro tempore. Is there objection?

Without objection, it is so ordered.

The documents follow:

##### SECTION 1. SENATE FLOOR ACCESS.

During impeachment proceedings for the President of the United States, the following procedures relating to access to the Senate floor shall apply:

###### (1) IN GENERAL.—

(A) ENTRANCE THROUGH CLOAKROOMS.—Individuals with privileges under rule XXIII of the Standing Rules of the Senate (as limited by paragraph (2) of this section), or with privileges under paragraph (3) of this section, shall access the floor of the Senate through the cloakrooms only, unless otherwise directed by the Sergeant at Arms and Doorkeeper of the Senate.

(B) GENERAL LIMITS ON ACCESS.—Access to the floor of the Senate shall be limited to the number of vacant seats available on the

floor of the Senate based on protocol considerations enforced by the Secretary for the Majority, the Secretary for the Minority, and the Sergeant at Arms and Doorkeeper of the Senate.

(C) SEATING REQUIREMENTS.—All individuals with access to the floor of the Senate shall remain seated at all times.

(2) LIMITED STAFF ACCESS.—Officers and employees of the Senate, including members of the staffs of committees of the Senate or joint committees of the Congress and employees in the office of a Senator, shall not have privileges under rule XXIII of the Standing Rules of the Senate to access the floor of the Senate, except as needed for official impeachment proceeding duties in accordance with the following:

(A) The Majority Leader and the Minority Leader shall each be limited to not more than 4 assistants.

(B) The Secretary of the Senate and the Assistant Secretary of the Senate shall each have access, and the legislative staff of the Secretary of the Senate shall be permitted as needed under the supervision of the Secretary of the Senate.

(C) The Sergeant at Arms and Doorkeeper of the Senate and the Deputy Sergeant at Arms and Doorkeeper shall each have access, and doorkeepers shall be permitted as needed under the supervision of the Sergeant at Arms and Doorkeeper of the Senate.

(D) The Secretary for the Majority, the Secretary for the Minority, the Assistant Secretary for the Majority, and the Assistant Secretary for the Minority shall each have access, and cloakroom employees shall be permitted as needed under the supervision of the Secretary for the Majority or the Secretary for the Minority, as appropriate.

(E) The Senate Legal Counsel and the Deputy Senate Legal Counsel shall have access on an as-needed basis.

(F) The Parliamentarian of the Senate and assistants to the Parliamentarian of the Senate shall have access on an as-needed basis.

(G) Counsel for the Secretary of the Senate and the Sergeant at Arms and Doorkeeper of the Senate shall have access on an as-needed basis.

(H) The minimum number of Senate pages necessary to carry out their duties, as determined by the Secretary for the Majority and the Secretary for the Minority, shall have access.

(3) OTHER INDIVIDUALS WITH SENATE FLOOR ACCESS.—The following individuals shall have privileges of access to the floor of the Senate:

(A) Not more than 3 assistants to the Chief Justice of the United States.

(B) Assistants to the managers of the impeachment of the House of Representatives.

(C) Counsel and assistants to counsel for the President of the United States.

##### SEC. 2. ACCESS TO THE SENATE WING OF THE CAPITOL.

(a) IN GENERAL.—During impeachment proceedings against the President of the United States, access to the basement and the first, second, and third floors of the Senate Wing of the Capitol shall be limited to—

###### (1) Senators;

(2) officers and employees of the Senate with appropriate Senate-issued identification cards and appropriate credentials;

(3) employees of the Architect of the Capitol (as necessary and in accordance with subsection (b));

(4) individuals with privileges under rule XXIII of the Standing Rules of the Senate (as limited by section 1(2)) or with privileges under section 1(3);

(5) individuals with official business related to the impeachment proceedings;

(6) members of the press with appropriate credentials;

(7) individuals with special gallery tickets; and

(8) individuals with regular gallery passes to the Senate gallery when the bearer is admitted through tour lines.

(b) ARCHITECT OF THE CAPITOL.—The Architect of the Capitol shall advise the Sergeant at Arms and Doorkeeper of the Senate of all officers or employees of the Architect of the Capitol who require access to the Senate Wing of the Capitol during the impeachment proceedings.

##### SEC. 3. ENFORCEMENT BY THE SERGEANT AT ARMS AND DOORKEEPER.

The Sergeant at Arms and Doorkeeper of the Senate shall enforce this resolution and take such other actions as necessary to fulfill the responsibilities of the Sergeant at Arms and Doorkeeper of the Senate under this resolution, including the issuance of appropriate credentials as required under paragraphs (2) and (6) of section 2(a).

#### AUTHORIZING THE TAKING OF A PHOTOGRAPH IN THE CHAMBER OF THE UNITED STATES SENATE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 471, submitted earlier today.

The PRESIDENT pro tempore. The clerk will report the resolution by title.

The legislative clerk read as follows:

A resolution (S. Res. 471) authorizing the taking of a photograph in the Chamber of the United States Senate.

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

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to and the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 471) was agreed to.

(The resolution is printed in today's RECORD under "Submitted Resolutions.")

#### PROGRAM

Mr. McCONNELL. Mr. President, for the information of all Senators, a few minutes ago, the Senate was notified that the House of Representatives is finally ready to proceed with their Articles of Impeachment. So, by unanimous consent, we have just laid some of the groundwork that will structure the next several days.

We have officially invited the House managers to come to the Senate tomorrow at noon to exhibit their Articles of Impeachment. Then later tomorrow afternoon, at 2 p.m., the Chief Justice of the United States will arrive here in the Senate. He will be sworn in by the President pro tempore, Senator GRASSLEY. Then the Chief Justice will swear in all of us Senators. We will pledge to rise above the petty factionalism and do justice for our institutions, for our States, and for the Nation. Then we will formally notify the



White House of our pending trial and summon the President to answer the articles and send his counsel.

So the trial will commence in earnest on Tuesday.

First, Mr. President, some important good news for the country. We anticipate the Senate will finish the USMCA tomorrow and send this landmark trade deal to President Trump for his signature. This is a major victory for the administration, but more importantly, for American families.

Let me close with this: This is a difficult time for our country, but this is precisely the kind of time for which the Framers created the Senate. I am confident this body can rise above short-termism and factional fever and serve the long-term best interests of our Nation. We can do this, and we must.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

#### ORDER OF BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that all debate time on H.R. 5430 expire at 11 a.m. tomorrow; further, that prior to the expiration of debate time, it be in order for Senator TOOMEY, or his designee, to raise a budget point of order; and that if a point of order is raised, it be in order for Senator GRASSLEY, or his designee, to make a motion to waive the point of order.

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

Mr. MCCONNELL. Mr. President, for the information of all Senators, this means we will have two rollcall votes tomorrow morning at 11 a.m.

#### MORNING BUSINESS

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate be in a period of morning business, with Senators permitted to speak for up to 10 minutes each.

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

#### BUDGET SCOREKEEPING REPORT

Mr. ENZI. Mr. President, I rise to submit to the Senate the budget scorekeeping report for January 2020. This is my third scorekeeping report since I filed the deemed budget resolution for fiscal year 2020 on September 9, 2019, as required by the Bipartisan Budget Act of 2019, BBA19. The report compares current-law levels of spending and revenues with the amounts agreed to in BBA19. In the Senate, this

information is used to determine whether budgetary points of order lie against pending legislation. The Republican staff of the Budget Committee and the Congressional Budget Office, CBO, prepared this report pursuant to section 308(b) of the Congressional Budget Act CBA. The information included in this report is current through January 7, 2020.

Since I filed the last scorekeeping report on December 4, 2019, four measures with significant enforceable budgetary effects have been enacted.

The first measure enacted this reporting period, H.R. 5363, the Fostering Undergraduate Talent by Unlocking Resources for Education Act, FUTURE Act, cleared the Senate by voice vote and became P.L. 116-91. The bill included two provisions with significant cost over the 10-year period: a permanent extension of mandatory funding for historically Black colleges and universities and additional mandatory funding for the Pell Grant program. To offset these provisions, the measure allows the Department of Education to access taxpayer data when administering Federal student aid programs. Overall, CBO estimates that the FUTURE Act would reduce outlays by \$997 million in the first year, \$835 million over 5 years, and \$435 million over 10 years. This measure was charged to the Health, Education, Labor and Pensions Committee.

The second measure enacted this reporting period was the conference report to accompany S. 1790, the National Defense Authorization Act for Fiscal Year 2020. This measure, which became P.L. 116-92 and was charged to the Armed Services Committee, authorized appropriations for the Nation's national defense apparatus for the current fiscal year. In addition to the authorization of funds, the conference report included changes in law, notably to the Survivor Benefit Program, that would affect direct spending and revenues. According to CBO's estimate, the measure would increase direct spending by \$5.6 billion over the 2020 to 2029 period.

The third measure, H.R. 1158, the Consolidated Appropriations Act, 2020, became P.L. 116-93. This bill provided funding for fiscal year 2020 programs within the jurisdictions of four Senate appropriations subcommittees, including Defense, Commerce-Justice-Science, Financial Services and General Government, and Homeland Security. CBO estimated that the bill would bring total budget authority provided for programs covered by these four subcommittees to \$860.3 billion in fiscal year 2020. Of the amounts provided, \$767.6 billion was considered regular appropriations and \$92.6 billion qualified for cap adjustments under existing law.

The final measure with significant effects enacted this reporting period was H.R. 1865, the Further Consolidated Appropriations Act, 2020. This bill, which became P.L. 116-94, provided appropriations for fiscal year 2020 for the

remaining eight Senate appropriations subcommittees, extended numerous expiring programs and tax provisions, repealed several healthcare taxes, expanded access to retirement plans, provided additional resources for pensions for miners, and contained several provisions related to various foreign policy initiatives. CBO estimated that divisions A-H of the bill, which provided discretionary appropriations, would bring total appropriated budget authority for covered programs to \$539.9 billion in fiscal year 2020. Of the amount provided, \$520.4 billion was provided as regular appropriations and \$19.5 billion qualified for cap adjustments under existing law. CBO further estimated that divisions I-Q of the bill would increase deficits by \$408.9 billion over the 2020 through 2029 period. Divisions A-H were charged to the Appropriations Committee; divisions I and K were charged to the Banking Committee; division J was charged to the Foreign Relations Committee; division L was charged to the Homeland Security and Governmental Affairs Committee; divisions M, N, O, and Q were charged to the Finance Committee; and division P was charged to the Commerce Committee. The measure passed the Senate by a vote of 71 to 23.

Budget Committee Republican staff prepared tables A-D.

Table A gives the amount by which each Senate authorizing committee exceeds or is below its allocation for budget authority and outlays under the fiscal year 2020 deemed budget resolution. This information is used for enforcing committee allocations pursuant to section 302 of the CBA. Legislation enacted to date has resulted in six authorizing committees breaching their allocations provided by BBA19. In total authorizing committees have breached outlay limitations by more than \$29.1 billion over the 2020 through 2029 period.

Table B provides the amount by which the Senate Committee on Appropriations is below or exceeds the statutory spending limits. This information is used to determine points of order related to the spending caps found in sections 312 and 314 of the CBA. The table shows that the Appropriations Committee is compliant with spending limits for current the fiscal year. Those limits for regular discretionary spending are \$666.5 billion for accounts in the defense category and \$621.5 billion for accounts in the nondefense category of spending.

The 2018 budget resolution contained points of order limiting the use of changes in mandatory programs, CHIMPs, in appropriations bills. Table C, which tracks the CHIMP limit of \$15 billion for 2020, shows the Appropriations Committee has complied with the CHIMP limit for this fiscal year. CHIMPs enacted as part of the 2020 appropriations cycle include \$5.7 billion from changes to the Crime Victims Fund and \$9.3 billion in changes to accounts related to the Children's Health Insurance Program.

Table D provides the amount of budget authority enacted for 2020 that has been designated as either for an emergency or for overseas contingency operations pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended. Funding that receives either of these designations results in cap adjustments to enforceable discretionary spending limits. There is no limit on either emergency or overseas contingency operations spending; however, any Senator may challenge the designation with a point of order to strike the designation on the floor. To date, more than \$88.0 billion has been enacted with either the emergency or overseas contingency operations designations for the 2020 appropriations cycle.

In addition to the tables provided by Budget Committee Republican staff, I am submitting CBO tables, which I will use to enforce budget totals approved by Congress.

CBO provided a spending and revenue report for 2020, table 1, which helps enforce aggregate spending levels in budget resolutions under CBA section 311. Following the enactment of the two minibus appropriations bills in December and the continued spending of authorizing committees, the current level is now in excess of allowable levels by \$15.4 billion for budget authority and \$1.7 billion for outlays in 2020. Details on 2020 levels can be found in CBO's second table.

Current-law revenues are currently below enforceable levels for all enforcement periods. Due to the enactment of the Further Consolidated Appropriations Act, 2020, and to a lesser extent this year's national defense authorization bill, revenues are currently \$34.4 billion, \$150.7 billion, and \$386.2 billion lower than assumed in the deemed budget resolution for 2020, 2020 through 2024, and 2020 through 2029, respectively. Social Security spending levels are consistent with the budget resolution's figures for 2020; however, Social Security revenue levels are \$15 million below assumed levels.

CBO's report also provides information needed to enforce the Senate pay-as-you-go, pay-go, rule table 3. This rule was established under section 4106 of the 2018 budget resolution. The Senate pay-go scorecard currently shows a credit of \$965 million in 2020 but deficit increases of \$1.1 billion and \$5.2 billion over the 2019–2024 and 2019–2029 periods, respectively. Please note that the deficit effects of division I through division Q of the Further Consolidated Appropriations Act, 2020 are excluded from the Senate's pay-go scorecard pursuant to title X of division I of that law.

This submission also includes a table tracking the Senate's budget enforcement activity on the floor since the enforcement filing on September 9, 2019. I raised two points of order during this reporting period. On December 17, 2019, I raised the long-term deficits point of order against the national defense au-

thorization conference report for increasing deficits by more than \$5 billion in years following the current budget window. That point of order was waived by a vote of 82 to 12. On December 19, 2019, I raised the same point of order against the Further Consolidated Appropriations Act, 2020, but that was also waived with a vote of 64 to 30.

All years in the accompanying tables are fiscal years.

I ask unanimous consent that the accompanying tables be printed in the RECORD.

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

TABLE A.—SENATE AUTHORIZING COMMITTEES—ENACTED DIRECT SPENDING ABOVE (+) OR BELOW (–) BUDGET RESOLUTIONS

(In millions of dollars)			
	2020	2020–2024	2020–2029
Agriculture, Nutrition, and Forestry			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Armed Services			
Budget Authority .....	32	1,972	5,637
Outlays .....	35	1,972	5,637
Banking, Housing, and Urban Affairs			
Budget Authority .....	169	2,260	5,402
Outlays .....	169	2,246	5,402
Commerce, Science, and Transportation			
Budget Authority .....	7	7	7
Outlays .....	7	7	7
Energy and Natural Resources			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Environment and Public Works			
Budget Authority .....	8,058	38,589	77,069
Outlays .....	415	683	1,130
Finance			
Budget Authority .....	8,180	14,359	17,310
Outlays .....	6,505	14,037	17,340
Foreign Relations			
Budget Authority .....	2	2	2
Outlays .....	37	37	37
Homeland Security and Governmental Affairs			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Judiciary			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Health, Education, Labor, and Pensions			
Budget Authority .....	–720	–400	0
Outlays .....	–997	–835	–435
Rules and Administration			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Intelligence			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Veterans' Affairs			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Indian Affairs			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Small Business			
Budget Authority .....	0	0	0
Outlays .....	0	0	0
Total			
Budget Authority .....	15,728	56,789	105,427
Outlays .....	6,171	18,147	29,118

Note: This table is current through January 7, 2020. This table tracks the spending effects of legislation enacted compared to allowable levels. Each authorizing committee's initial allocation can be found in the Senate Budget Committee Chairman's Congressional Record filing on September 9, 2019.

TABLE B.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS <sup>1</sup>

(Budget authority, in millions of dollars)			
	2020		
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>	
Statutory Discretionary Limits .....	666,500	621,500	
Amount Provided by Senate Appropriations Subcommittee			
Agriculture, Rural Development, and Related Agencies .....	0	23,493	
Commerce, Justice, Science, and Related Agencies .....	5,695	64,980	
Defense .....	622,522	143	
Energy and Water Development .....	24,250	24,093	
Financial Services and General Government .....	35	23,793	

TABLE B.—SENATE APPROPRIATIONS COMMITTEE—ENACTED REGULAR DISCRETIONARY APPROPRIATIONS <sup>1</sup>—Continued

(Budget authority, in millions of dollars)			
	2020		
	Security <sup>2</sup>	Nonsecurity <sup>2</sup>	
Homeland Security .....	2,383	48,085	
Interior, Environment, and Related Agencies .....	0	35,989	
Labor, Health and Human Services, Education, and Related Agencies .....	0	183,042	
Legislative Branch .....	0	5,049	
Military Construction, Veterans Affairs, and Related Agencies .....	11,315	92,171	
State, Foreign Operations, and Related Programs .....	0	46,685	
Transportation and Housing and Urban Development, and Related Agencies .....	300	73,977	
Current Level Total .....	666,500	621,500	
Total Enacted Above (+) or Below (–) Statutory Limits .....	0	0	

Note: This table is current through January 7, 2020.  
<sup>1</sup> This table excludes spending pursuant to adjustments to the discretionary spending limits. These adjustments are allowed for certain purposes in section 251(b)(2) of BBEDCA.  
<sup>2</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.

TABLE C.—SENATE APPROPRIATIONS COMMITTEE—ENACTED CHANGES IN MANDATORY SPENDING PROGRAMS (CHIMPS)

(Budget authority, millions of dollars)	
2020	
CHIMPS Limit for Fiscal Year 2020 .....	15,000
Senate Appropriations Subcommittees	
Agriculture, Rural Development, and Related Agencies .....	0
Commerce, Justice, Science, and Related Agencies .....	5,737
Defense .....	0
Energy and Water Development .....	0
Financial Services and General Government .....	0
Homeland Security .....	0
Interior, Environment, and Related Agencies .....	0
Labor, Health and Human Services, Education, and Related Agencies .....	9,263
Legislative Branch .....	0
Military Construction, Veterans Affairs, and Related Agencies .....	0
State, Foreign Operations, and Related Programs .....	0
Transportation, Housing and Urban Development, and Related Agencies .....	0
Current Level Total .....	15,000
Total CHIMPS Above (+) or Below (–) Budget Resolution .....	0

Note: This table is current through January 7, 2020.

TABLE D.—SENATE APPROPRIATIONS COMMITTEE—ENACTED EMERGENCY AND OVERSEAS CONTINGENCY OPERATIONS SPENDING

(Budget authority, millions of dollars)				
	Emergency and Overseas Contingency Operations Designated Spending 2020			
	Emergency		Overseas Contingency Operations	
	Security <sup>1</sup>	Nonsecurity <sup>1</sup>	Security <sup>1</sup>	Nonsecurity <sup>1</sup>
Additional Supplemental Appropriations for Disaster Relief Act, 2019 (P.L. 116–20) <sup>2</sup> .....	0	8	0	0
Consolidated Appropriations Act, 2020 (P.L. 116–93) .....	1,771	0	70,855	0
Further Consolidated Appropriations Act, 2020 (P.L. 116–94) .....	6,229	535	645	8,000
Current Level Total .....	8,000	543	71,500	8,000

This table is current through January 7, 2020.  
<sup>1</sup> Security spending is defined as spending in the National Defense budget function (050) and nonsecurity spending is defined as all other spending.  
<sup>2</sup> The Additional Supplemental Appropriations for Disaster Relief Act, 2019 was enacted after the publication of CBO's May 2019 baseline but before the Senate Budget Committee Chairman published the deemed budget resolution for 2020 in the Congressional Record. Pursuant to the Bipartisan Budget Act of 2019, the budgetary effects of this legislation have been incorporated into the current level as previously enacted funds.

U.S. CONGRESS,  
CONGRESSIONAL BUDGET OFFICE,  
Washington, DC, January 15, 2020.  
Hon. MIKE ENZI,  
Chairman, Committee on the Budget,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The enclosed report shows the effects of Congressional action on the fiscal year 2020 budget and is current through January 7, 2020. This report is submitted under section 308(b) and in aid of section 311 of the Congressional Budget Act, as amended.

The estimates of budget authority, outlays, and revenues are consistent with the allocations, aggregates, and other budgetary levels printed in the Congressional Record on September 9, 2019, pursuant to section 204 of

the Bipartisan Budget Act of 2019 (Public Law 116-37).

Since our last letter dated December 4, 2020, the Congress has cleared and the President has signed the following legislation that has significant effects on budget authority and outlays in fiscal year 2020: Fostering Undergraduate Talent by Unlocking Resources for Education Act (Public Law 116-91); National Defense Authorization Act for Fiscal Year 2020 (Public Law 116-92); Consolidated Appropriations Act, 2020 (Public Law 116-93); and Further Consolidated Appropriations Act, 2020 (Public Law 116-94).

Sincerely,

PHILLIP L. SWAGEL,  
Director.

Enclosure.

TABLE 1.—SENATE CURRENT LEVEL REPORT FOR SPENDING AND REVENUES FOR FISCAL YEAR 2020, AS OF JANUARY 7, 2020

[In billions of dollars]			
	Budget Resolution	Current Level	Current Level Over/Under (–) Resolution
On-Budget			
Budget Authority	3,816.1	3,831.5	15.4
Outlays	3,733.1	3,734.8	1.7
Revenues	2,740.5	2,706.1	–34.4
Off-Budget			
Social Security Outlays <sup>a</sup>	961.2	961.2	0.0
Social Security Revenues	940.4	940.4	0.0

Source: Congressional Budget Office.  
<sup>a</sup>Excludes administrative expenses paid from the Federal Old-Age and Survivors Insurance Trust Fund and the Federal Disability Insurance Trust Fund of the Social Security Administration, which are off-budget, but are appropriated annually.

TABLE 2.—SUPPORTING DETAIL FOR THE SENATE CURRENT LEVEL REPORT FOR ON-BUDGET SPENDING AND REVENUES FOR FISCAL YEAR 2020, AS OF JANUARY 7, 2020

[In millions of dollars]			
	Budget Authority	Outlays	Revenues
Previously Enacted <sup>a b</sup>			
Revenues	n.a.	n.a.	2,740,538
Permanents and other spending legislation	2,397,769	2,309,887	n.a.
Authorizing and Appropriation legislation	0	595,528	0
Offsetting receipts	–954,573	–954,573	n.a.
Total, Previously Enacted	1,443,196	1,950,842	2,740,538
Enacted Legislation			
Authorizing Legislation			
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Div. B, P.L. 116-59)	693	667	0
Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (Div. B, P.L. 116-69)	8,058	415	0
Women’s Suffrage Centennial Commemorative Coin Act (P.L. 116-71)	–2	–2	0
Fostering Undergraduate Talent by Unlocking Resources for Education Act (P.L. 116-91)	–720	–997	0
National Defense Authorization Act for Fiscal Year 2020 (P.L. 116-92)	32	35	1
Further Consolidated Appropriations Act, 2020 (Div. I–K, M–Q, P.L. 116-94)	8,360	6,720	–34,449
Subtotal, Authorizing Legislation	16,421	6,838	–34,448
Appropriation Legislation <sup>a b</sup>			
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (Div. A, P.L. 116-59) <sup>c</sup>	0	128	0
Consolidated Appropriations Act, 2020 (P.L. 116-93)	884,979	530,980	0
Further Consolidated Appropriations Act, 2020 (Div. A–H, P.L. 116-94) <sup>d</sup>	1,585,345	1,239,739	0
Subtotal, Appropriation Legislation	2,470,324	1,770,847	0
Total, Enacted Legislation	2,486,745	1,777,685	–34,448
Entitlements and Mandatories	–98,431	6,242	0
Total Current Level <sup>a</sup>	3,831,510	3,734,769	2,706,090
Total Senate Resolution <sup>c</sup>	3,816,122	3,733,075	2,740,538
Current Level Over Senate Resolution	15,388	1,694	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	34,448
Memorandum			
Revenues, 2020–2029			
Senate Current Level	n.a.	n.a.	34,461,163
Senate Resolution <sup>a</sup>	n.a.	n.a.	34,847,317
Current Level Over Senate Resolution	n.a.	n.a.	n.a.
Current Level Under Senate Resolution	n.a.	n.a.	386,154

Source: Congressional Budget Office.  
n.a. = not applicable; P.L. = public law.  
<sup>a</sup>Sections 1001–1004 of the 21st Century Cures Act (P.L. 114-255) require that certain funding provided for 2017 through 2026 to the Department of Health and Human Services—in particular the Food and Drug Administration and the National Institutes of Health—be excluded from estimates for the purposes of the Balanced Budget and Emergency Deficit Control Act of 1985 (Deficit Control Act) and the Congressional Budget and Impoundment Control Act of 1974 (Congressional Budget Act). Therefore, the amounts shown in this report do not include \$567 million in budget authority and \$798 million in estimated outlays.  
<sup>b</sup>For purposes of enforcing section 311 of the Congressional Budget Act in the Senate, the resolution, as approved by the Senate, does not include budget authority, outlays, or revenues for off-budget amounts. As a result, amounts in this current level report do not include those items.  
<sup>c</sup>Section 124 of the Continuing Appropriations Act, 2020 (division A of P.L. 116-59), appropriated funding for the Ukraine Security Assistance Initiative (within the jurisdiction of the Subcommittee on Defense) and designated those amounts as funding for overseas contingency operations. That provision took effect upon enactment on September 27, 2019.  
<sup>d</sup>In consultation with the House and Senate Committees on the Budget and the Office of Management and Budget, rescissions of emergency funding that was not designated as an emergency requirement pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985 shall not count for certain budgetary enforcement purposes. These amounts, which are not included in the current level totals, are as follows:

	Budget Authority	Outlays	Revenues
Further Consolidated Appropriations Act, 2020 (Division H, P.L. 116-94)	–7	0	0
Original Aggregates printed on September 9, 2019	3,703,553	3,680,696	2,740,538
Revisions:			
Adjustment for P.L. 116-59, Continuing Appropriations Act, 2020, and Health Extenders Act of 2019	693	795	0
Adjustment for P.L. 116-69, Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019	4,750	4,050	0
Adjustment for P.L. 116-93, Consolidated Appropriations Act, 2020, and P.L. 116-94, Further Consolidated Appropriations Act, 2020	107,126	47,534	0
Revised Senate Resolution	3,816,122	3,733,075	2,740,538

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF JANUARY 7, 2020

[In millions of dollars]			
	2020	2019–2024	2019–2029
Beginning Balance <sup>a</sup>	0	0	0
Enacted Legislation <sup>b c</sup>			
Continuing Appropriations Act, 2020, and Health Extenders Act of 2019 (H.R. 4378, P.L. 116-59) <sup>d</sup>	n.a.	n.a.	n.a.
Christa McAuliffe Commemorative Coin Act of 2019 (S. 239, P.L. 116-65)	0	0	0
Hidden Figures Congressional Gold Medal Act (H.R. 1396, P.L. 116-68)	*	*	*
Further Continuing Appropriations Act, 2020, and Further Health Extenders Act of 2019 (H.R. 3055, P.L. 116-69) <sup>e</sup>	—	—	—

TABLE 3.—SUMMARY OF THE SENATE PAY-AS-YOU-GO SCORECARD AS OF JANUARY 7, 2020—Continued  
[In millions of dollars]

	2020	2019–2024	2019–2029
Women’s Suffrage Centennial Commemorative Coin Act (H.R. 2423, P.L. 116–71) .....	–2	0	0
Preventing Animal Cruelty and Torture Act (H.R. 724, P.L. 116–72) .....	*	*	*
Hong Kong Human Rights and Democracy Act of 2019 (S. 1838, P.L. 116–76) .....	*	*	*
An act to amend section 442 of title 18, United States Code, to exempt certain interests in mutual funds, unit investment trusts, employee benefit plans, and retirement plans from conflict of interest limitations for the Government Publishing Office. (H.R. 5277, P.L. 116–78) .....	*	*	*
Fostering Undergraduate Talent by Unlocking Resources for Education Act (H.R. 5363, P.L. 116–91) .....	–997	–835	–435
National Defense Authorization Act for Fiscal Year 2020 (S. 1790, P.L. 116–92) .....	34	1,975	5,645
Further Consolidated Appropriations Act, 2020 (H.R. 1865, P.L. 116–94) <sup>†</sup> .....	—	—	—
Virginia Beach Strong Act (H.R. 4566, P.L. 116–98) .....	*	*	*
Spokane Tribe of Indians of the Spokane Reservation Equitable Compensation Act (S. 216, P.L. 116–100) .....	*	*	*
Grant Reporting Efficiency and Agreements Transparency Act of 2019 (H.R. 150, P.L. 116–103) .....	*	*	*
TRACED Act (S. 151, P.L. 116–105) .....	*	*	*
Impact on Deficit .....	–965	1,140	5,210
Total Change in Outlays .....	–965	1,140	5,210
Total Change in Revenues .....	–964	1,137	5,202
	1	–3	–8

Source: Congressional Budget Office.  
n.a. = not applicable; P.L. = public law; — = excluded from PAYGO scorecard; \* = between –\$500,000 and \$500,000.  
<sup>a</sup> On September 9, 2019, the Chairman of the Senate Committee on the Budget reset the Senate’s Pay-As-You-Go Scorecard to zero for all fiscal years.  
<sup>b</sup> The amounts shown represent the estimated effect of the public laws on the deficit.  
<sup>c</sup> Excludes off-budget amounts.  
<sup>d</sup> The budgetary effects of division B of this act are excluded from the Senate’s PAYGO scorecard, pursuant to sec. 1701(b) of the act. The budgetary effects of division A were fully incorporated into the PAYGO ledger pursuant to the authority provided to the Chairman of the Senate Budget Committee in section 3005 of H. Con. Res. 71 (115th Congress), the concurrent resolution on the budget for fiscal year 2018. The Chairman exercised that authority through filing an adjustment in the Congressional Record on September 26, 2019.  
<sup>e</sup> The budgetary effects of division B of this act are excluded from the Senate’s PAYGO scorecard, pursuant to sec. 1801(b) of the act.  
<sup>f</sup> The budgetary effects of this act are excluded from the Senate’s PAYGO scorecard, pursuant to section 1001 of Title X of division I of the act.

ENFORCEMENT REPORT OF POINTS OF ORDER RAISED SINCE THE FY 2020 ENFORCEMENT FILING

Vote	Date	Measure	Violation	Motion to Waive <sup>1</sup>	Result
399 .....	December 17, 2019 .....	Conference Report to Accompany S. 1790, the National Defense Authorization Act for Fiscal Year 2020.	3101-long-term deficits <sup>2</sup> .....	Sen. Inhofe (R–OK) .....	82–12, waived
414 .....	December 19, 2019 .....	H.R. 1865, the Further Consolidated Appropriations Act, 2020 ...	3101-long-term deficits <sup>3</sup> .....	Sen. Shelby (R–AL) .....	64–30, waived

<sup>1</sup> All motions to waive were offered pursuant to section 904 of the Congressional Budget Act of 1974.  
<sup>2</sup> Senator Enzi raised a 3101(b) point of order against the conference report because the legislation would increase on-budget deficits by more than \$5 billion in each of the four consecutive 10-year periods beginning in 2030.  
<sup>3</sup> Senator Enzi raised a 3101(b) point of order against the bill because the legislation would increase on-budget deficits by more than \$5 billion in at least one of the four consecutive 10-year periods beginning in 2030.

BUDGET ENFORCEMENT LEVELS  
FOR FISCAL YEAR 2020

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

The Senate will soon consider H.R. 5430, United States-Mexico-Canada Agreement Implementation Act. This measure provides supplemental appropriations to implement the trade

agreement that qualify for cap adjustments under current statute.

This measure includes \$843 million in budget authority that is designated as being for emergency purposes pursuant to section 251(b)(2)(A)(i) of BBEDCA. The entirety of this budget authority falls within the revised nonsecurity category. The Congressional Budget Office estimates that these appropriations will result in \$334 million in outlays in fiscal year 2020.

As a result of the emergency designations, I am revising the budget authority and outlay allocations to the Committee on Appropriations by increasing revised nonsecurity budget authority by \$843 million and outlays by \$334 million in fiscal year 2020. Further, I am increasing the budgetary aggregate for fiscal year 2020 by equivalent amounts.

I ask unanimous consent that the accompanying tables, which provide details about the adjustment, be printed in the RECORD.

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

REVISION TO BUDGETARY AGGREGATES (Pursuant to Sections 311 and 314(a) of the Congressional Budget Act of 1974)	
\$s in millions	2020
Current Spending Aggregates:	
Budget Authority .....	3,816,122
Outlays .....	3,733,075
Adjustments:	
Budget Authority .....	843
Outlays .....	334
Revised Spending Aggregates:	
Budget Authority .....	3,816,965
Outlays .....	3,733,409

REVISION TO SPENDING ALLOCATION TO THE COMMITTEE ON APPROPRIATIONS FOR FISCAL YEAR 2020  
(Pursuant to Sections 302 and 314(a) of the Congressional Budget Act of 1974)

\$s in millions							2020
Current Allocation:							
Revised Security Discretionary Budget Authority .....							746,000
Revised Nonsecurity Category Discretionary Budget Authority .....							654,138
General Purpose Outlays .....							1,416,176
Adjustments:							
Revised Security Discretionary Budget Authority .....							0
Revised Nonsecurity Category Discretionary Budget Authority .....							843
General Purpose Outlays .....							334
Revised Allocation:							
Revised Security Discretionary Budget Authority .....							746,000
Revised Nonsecurity Category Discretionary Budget Authority .....							654,981
General Purpose Outlays .....							1,416,510
Memorandum: Detail of Adjustments Made Above							
	OCO	Program Integrity	Disaster Relief	Emergency	Wildfire Suppression	U.S. Census	Total
Revised Security Discretionary Budget Authority .....	0	0	0	0	0	0	0
Revised Nonsecurity Category Discretionary Budget Authority .....	0	0	0	843	0	0	843
General Purpose Outlays .....	0	0	0	334	0	0	334

UNITED STATES-MEXICO-CANADA  
TRADE AGREEMENT

Mr. TILLIS. Mr. President, in addition to my strong and unequivocal sup-

port for the USMCA, I note that my committee is about to undertake a yearlong review of the Digital Millennium Copyright Act, with the goal of modernizing it.

Back in 1998, the internet was still a fledgling industry, so much so that it is difficult to recall a time when email was a novel form of communication and you could go take a coffee break in

hopes that the web page you wanted would have fully loaded on your computer by the time you returned. It was in this era that the DMCA attempted to strike a reasonable balance between content creators and the operators of online billboards. The DMCA offered immunity to new, emerging platforms in exchange for reasonable enforcement efforts, including quickly taking down copyrighted materials they learned about violations. In 1998, there were no iPhones. There was no Facebook and no YouTube. Netflix opened that year as a mail-order DVD store. For a time, the DMCA worked.

President Trump has led the way to establish a new paradigm for trade agreements that protect American interests, and the USMCA provides for long overdue updates to NAFTA, but the mechanisms of the DMCA to deter copyright infringement need to be updated. Technology has changed faster than anyone could have ever imagined, and the existing DMCA simply isn't able to address these new developments. The original DMCA was simply not designed for the kind of global data and advertising platforms that we have seen develop over time. As is so often the case, the technology has outpaced the law.

I intend to hold a series of hearings this year to explore whether the DMCA needs updating in order to promote the creative economy in the 21st century. This work is critical to North Carolina jobs in the creative sector. For example, the motion picture and television industry is directly responsible for more than 19,000 jobs in North Carolina, representing more than \$1 billion in wages in the State. Productions like the series "Reprisal" and the upcoming film Uncle Frank were made in North Carolina in 2019. The good, high-wage jobs in the film and television industry, from directors, musicians, and actors, to drivers, makeup artists, painters, and set decorators, are at risk if the products they make lose money due to internet theft.

Without prejudging what changes may be necessary to the DMCA, it is important that our future trade agreements can keep up with the advances of U.S. copyright law. I look forward to working together with my colleagues in the House and Senate and with the White House to ensure we improve the DMCA and create more export opportunities for U.S. businesses and workers in the process. As always, our trade agreements and our copyright law should do all they can to create good incentives and empower market forces to solve problems.

Mr. President, I applaud the inclusion of national treatment language in this agreement, requiring nondiscriminatory treatment of American creators and their goods.

This protects many American goods, of course, but I want to make special note that the inclusion of this provision in USMCA will help undo one particular instance of discrimination/un-

fair treatment against American creators. It will help ensure that American music creators are fairly compensated when their recordings are played in Canada and Mexico.

Our expectation is that American performers will see an increase in royalty compensation as a result. As it stands today, Canadian artists receive all royalties due under U.S. law for the use of sound recordings here. Those royalties totaled nearly a billion dollars last year for all recordings.

We afford the recordings of all foreign nationals with the same rights due for the recordings of American artists. In Canada, however, royalties collected for radio airplay and other non-digital public performances of sound recordings made by Americans currently are NOT shared with the American performers who create them.

I encourage the administration to ensure inclusion of this protection for American creators in all trade agreements going forward. American music is by far the most listened to in the world, and we should do all we can to ensure our American music creators are treated fairly by our trade partners.

#### VOTE EXPLANATION

Mr. MARKEY. Mr. President, I was necessarily absent but had I been present, I would have voted no on roll-call vote No. 11, the motion to invoke cloture on the nomination of Peter Gaynor, to be Administrator of the Federal Emergency Management Agency.

Mr. President, I was necessarily absent, but had I been present, I would have voted no on roll-call vote No. 12, confirmation of Peter Gaynor, to be Administrator of the Federal Emergency Management Agency.

#### RECOGNIZING THE UNITED STATES COAST GUARD

Ms. MURKOWSKI. Mr. President, I rise today to commend the Coast Guard men and women who serve in Kodiak, AK, a designated Coast Guard City. On February 7, Kodiak's Chamber of Commerce will hold a community-wide celebration called "We Applaud You." I want to take a moment to join in applauding the Coast Guard as a whole and all the Coast Guard personnel serving in Alaska, but especially those based in Kodiak who help make our great State a safe place to live and work.

Kodiak is a robust Coast Guard City: it is homeport for three cutters, fifteen aircraft, a communications detachment, the North Pacific Regional Fisheries Training Center, the Aids to Navigation Team, and of course, Base Kodiak. Each of these components serve and protect Alaskans on a daily basis, and I would like to highlight some particularly important examples of their contributions and service to Alaska.

Personnel from the Marine Safety Detachment in Kodiak helped oversee and coordinate multiple pollution responses on Kodiak Island last year, including responding to a diesel spill in the Buskin River, and a separate spill of Fuel Oil at Kitoi Bay Hatchery. The Marine Safety Detachment's prompt actions and clean-up expertise helped keep the island of Kodiak's rivers and coastline beautiful and safe. My sincere thanks to Marine Safety Detachment Kodiak.

On New Year's Eve, the search and rescue team, including Air Station Kodiak and the Coast Guard Cutter *Melton* responded to a sinking fishing vessel, the F/V *Scandies Rose*. The crews faced 40-knot winds, 15-30 foot seas and significantly reduced visibility at the scene of the sinking. The search and rescue team successfully recovered two survivors from a life raft but the five remaining crew members were lost. My heart goes out to the families and friends of those lost at sea. The crew of the *Scandies Rose* is in my prayers; this accident has hit especially close to home for Kodiak, which is a tight-knit fishing community, as well as a Coast Guard City.

As we mourn the loss of the *Scandies Rose*, we are incredibly grateful for the efforts of the Coast Guard to rescue the survivors in the face of extremely dangerous conditions. We see these type of heroic actions in movies, but the Coast Guard in Alaska operates in dangerous, life-threatening conditions every day in order to keep Alaskans safe. To the entire search and rescue team, we applaud you, and Alaska thanks you.

Now, I also want to sincerely thank Base Kodiak, the home of "Rock Solid Support." Your work behind the scenes provides the foundation for all of the ready and responsive work done by those on the front lines. You truly are the rock solid support that keeps things moving, whether it is the medical and dental clinics keeping over a thousand people healthy; the Morale Welfare and Recreation team keeping the crew happy and energized—and in shape—the personnel support staff who recently completed a 5-year effort to increase salaries and close a long overdue pay gap for wage grade members across Alaska; or the facilities engineering department, who have improved living conditions for Kodiak's most junior Coast Guard members by converting housing units to allow two single members to share them.

It is so important to me that our junior Coast Guard men and women are able to enjoy improved housing arrangements while away from home, maybe for the first time. Maybe they will be so comfortable in Kodiak that they want to come back to Alaska and call it home. I applaud all 450 personnel of Base Kodiak who keep the Coast Guard operations going.

Finally, I want to take a minute to speak to the contributions and sacrifice of our Coast Guard families, partners, and spouses. So much of the demanding work that our Coast Guard

men and women do each day is made possible by the love and support of their families. This is especially true when additional burdens are placed on Coast Guard personnel, like we experienced this time last year, when the Coast Guard was left unpaid during the 35-day government shutdown. Here in Congress, I will continue to work with Senator *Sullivan* to pass the Pay Our Coast Guard Act, which will ensure that a lapse in pay from a government shutdown never happens again. Our Coast Guard families deserve nothing less.

Thank you to the Kodiak Chamber of Commerce for their work to honor our Coast Guard members in Alaska. I applaud you as well for your support for those who serve and for taking the time to say thank you and well done to our Coast Guard Family.

#### 20TH ANNIVERSARY OF NEW HAMPSHIRE'S FIRST MARTIN LUTHER KING JR. DAY CELEBRATION

Mrs. SHAHEEN. Mr. President, I rise today in observance of the 20th anniversary of New Hampshire's first Martin Luther King Jr. Day. After legislation was enacted the previous summer, Martin Luther King Jr. Day in the year 2000 was the culmination of a years-long struggle to add Dr. King's name to the State's official Civil Rights Day holiday. I ask my colleagues and all Americans to join me in celebrating this recognition of such an influential figure and saluting the men and women who prompted this important and permanent change.

This anniversary is personal for me. I fought alongside so many when I served in the New Hampshire State Senate for an appropriate way to honor Dr. King, the preeminent leader of the civil rights movement. Years later, as Governor, I was proud to sign the bill into law that ended New Hampshire's status as the only State not to recognize his birthday as an official holiday. There were setbacks leading up to that triumphant June day, including many failed votes in the State legislature; yet with a sense of resilience typical of the movement that Dr. King inspired, we persevered and kicked off the new millennium in the Granite State by celebrating our first Martin Luther King Jr. Day on January 17, 2000.

It was an exciting time that reflected the positive change that many of us had seen in our lifetimes. As a child growing up in southern Missouri and attending segregated schools, I saw the daily injustices of life under Jim Crow segregation. We have made great strides since then in the march toward full equality, and these advancements are the product of Dr. King's leadership and the peaceful, nonviolent protest movements that he championed.

Whether writing from inside a jail cell or speaking from the steps of the Lincoln Memorial, Dr. King delivered a stirring message with hope that Ameri-

cans could come together and fully realize one of our country's founding principles, that *all* are created equal. He pledged himself and inspired others to work toward a more perfect union and embrace a belief in freedom and opportunity for all. He held a faith that engaged citizens—from the thousands who stood with him on the National Mall in 1963 to the many who worked tirelessly years later to establish a holiday in his name—are the most powerful promoters of positive social and economic change.

One of those engaged citizens was Rev. Dr. Arthur Hilson of New Hope Baptist Church in Portsmouth, NH. A beacon of wisdom and grace, Reverend Hilson was instrumental in garnering the public support to establish Martin Luther King Jr. Day. He understood that the people we choose to revere can send a powerful message to future generations and that the lifework and message of Dr. King must be a part of the heritage we leave to our children. We lost Reverend Hilson last year, but we still hold on to cherished memories of a man who, when asked how he was doing, would always answer, "Too blessed to complain." We are all blessed to have known such a loving neighbor, determined activist and living embodiment of Dr. King's teachings.

On behalf of the people of New Hampshire, I ask my colleagues and all Americans to join in celebrating Dr. Martin Luther King Jr. Day and in recognizing Reverend Hilson who was so dedicated to building Dr. King's "Beloved Community" of justice, equality and love for all.

#### RECOGNIZING INDIANA WOMEN'S SUFFRAGE CENTENNIAL

Mr. YOUNG. Mr. President, I rise to formally recognize an important event that will be occurring in my home State of Indiana this week.

On Thursday, January 16, the Indiana Women's Suffrage Centennial Commission will be hosting a celebration at the Indiana Statehouse to commemorate the 100th anniversary of Indiana ratifying the 19th Amendment. Moreover, the Indiana General Assembly will present a resolution honoring this historic milestone and the Hoosiers who led the way to ensure equal representation for women in their government.

As we celebrate the anniversary, it is important we acknowledge that the record of Hoosiers seeking equal voting rights for women goes back to the 1850s, when Amanda Way, a Winchester native, organized the Indiana Woman's Rights Association and called for its first convention. This act of passionate leadership was just the beginning of a generation-spanning story of determination, sacrifice, and advocacy. Countless women and men followed in Amanda's footsteps and continued to campaign for the betterment of their society and government. Nearly 70

years later, these Hoosiers' tireless efforts led to Indiana becoming the 26th State in the Union to ratify the 19th Amendment to the U.S. Constitution, prohibiting States from denying the right to vote on the basis of sex.

The centennial of women's suffrage is an opportunity to highlight Indiana's leadership in uniting communities, tearing down barriers to better relationships, and promoting representative governance. On behalf of all Hoosiers, I wish Indiana continued success as it commemorates and recognizes a proud history of supporting equality and constitutional freedom.

#### TRIBUTE TO JENNIFER DOUGHERTY

Mr. INHOFE. Mr. President, as chairman of the Senate Committee on Armed Services, it is our privilege to pay tribute to Jennifer Dougherty as she prepares to leave her position as a detailee for the Senate Committee on Armed Services and return to her position as a Senior Analyst for the Government Accountability Office.

For the past 12 months, Ms. Dougherty has assisted the committee and its members with high-priority work on contracting reform in the National Defense Authorization Act for 2020 and overseeing implementation of previously enacted acquisition reforms. Her contributions to our committee's work have been significant and highly valued by our members and staff.

On behalf of the Senate Committee on Armed Services, I thank Ms. Dougherty and wish her future success as she continues to support the U.S. Government.

#### TRIBUTE TO DR. JAMES J. NARAMORE

Mr. BARRASSO. Mr. President, I rise today to honor the outstanding career of Dr. James J. Naramore. For over 40 years, Jim Naramore dedicated his life to caring for the people of Campbell County.

Born and raised in Gillette, he is a graduate of Campbell County High School. He earned an undergraduate degree from John Brown University and earned his medical degree from the University of Utah. He completed his training in family medicine at the University of Nebraska.

Gillette was fortunate when Dr. Naramore came home in 1978 for a temporary position in the emergency department at Campbell County Memorial Hospital. He returned permanently in 1980 and spent the rest of his career practicing at Family Health in Gillette, while also serving on the medical staff of the hospital.

In addition, Dr. Naramore understood the importance of helping others enter the medical profession. Throughout his career, he taught and mentored the next generation of Wyoming physicians. He served as an instructor for the Department of Human Medicine at



the University of Wyoming Family Practice residency, a preceptor for the Creighton University School of Medicine, and a preceptor for the physician assistant training program for both Creighton University and the University of Washington. He has also been active in teaching emergency medical technician classes. Finally, Dr. Naramore also has served as president of the Campbell County Medical Society, as well as serving on the Physician Advisory Council to the Wyoming Board of Medicine.

For Dr. Naramore, practicing family medicine in Gillette was more than a profession. As a Gillette native, he understood the importance of giving back to his community. Throughout his career, he dedicated countless hours to making a real difference in his hometown. Dr. Naramore participated in the Gillette Area Leadership Institute, served on the board of directors of the Campbell County Chamber of Commerce, and was president of the Razor City Toast Masters.

Finally, Dr. Naramore has served as president of Campbell County Medical Society, as well as serving on the Physician Advisory Council to the Wyoming Board of Medicine. In addition, he held numinous positions at Campbell County Memorial Hospital, including chairman of the Bylaws Committee, chief of the Family Practice Department, chief of the Department of Medicine, a member of the Credentials Committee, the Critical Care Committee. Most importantly he served as the hospital's chief of staff.

In 2019, Campbell County Healthcare Foundation recognized Jim's contributions with their Outstanding Healthcare Award. Certainly, Jim's years of service to the health of Gillette and Campbell County made him an outstanding choice for this honor.

With that being said, Jim Naramore is most proud of his outstanding family. His wife Karen has been at his side for over 47 years. Together they raised four children: Lindsay, Marissa, Jessica, and Marcus. Now they are enjoying their six grandchildren.

Mr. President, it is my honor to recognize the outstanding career of Dr. James Naramore. Wyoming is fortunate to have physicians like Jim who go above and beyond to improve the health of their community.

#### MESSAGES FROM THE HOUSE

At 11:15 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that pursuant to 28 U.S.C. 629(b), and the order of the House of January 3, 2019, the Speaker appoints the following individuals to the Board of the Federal Judicial Center Foundation on the part of the House of Representatives for a term of 5 years: Ms. Elizabeth J. Cabraser of Sebastopol, California and Mr. Peter A. Kraus of Dallas, Texas.

At 5:36 p.m., a message from the House of Representatives, delivered by

Ms. Johnson, the Clerk of the House of Representatives, announced that the House of Representatives has impeached for high crimes and misdemeanors Donald John Trump, President of the United States; the House of Representatives adopted articles of impeachment against Donald John Trump, which the managers on the part of the House of Representatives have been directed to carry to the Senate; and Mr. SCHIFF, Mr. NADLER, Ms. LOFGREN, Mr. JEFFRIES, Mrs. DEMINGS, Mr. CROW, and Ms. GARCIA of Texas, have been appointed such managers.

#### HOUSE RESOLUTION 755, IN THE HOUSE OF REPRESENTATIVES, DECEMBER 18, 2019

*Resolved*, That Donald John Trump, President of the United States, is impeached for high crimes and misdemeanors and that the following articles of impeachment be exhibited to the United States Senate:

Articles of impeachment exhibited by the House of Representatives of the United States of America in the name of itself and of the people of the United States of America, against Donald John Trump, President of the United States of America, in maintenance and support of its impeachment against him for high crimes and misdemeanors.

#### ARTICLE I: ABUSE OF POWER

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that the President "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors". In his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has abused the powers of the Presidency, in that:

Using the powers of his high office, President Trump solicited the interference of a foreign government, Ukraine, in the 2020 United States Presidential election. He did so through a scheme or course of conduct that included soliciting the Government of Ukraine to publicly announce investigations that would benefit his reelection, harm the election prospects of a political opponent, and influence the 2020 United States Presidential election to his advantage. President Trump also sought to pressure the Government of Ukraine to take these steps by conditioning official United States Government acts of significant value to Ukraine on its public announcement of the investigations. President Trump engaged in this scheme or course of conduct for corrupt purposes in pursuit of personal political benefit. In so doing, President Trump used the powers of the Presidency in a manner that compromised the national security of the United States and undermined the integrity of the United States democratic process. He thus ignored and injured the interests of the Nation.

President Trump engaged in this scheme or course of conduct through the following means:

(1) President Trump—acting both directly and through his agents within and outside the United States Government—corruptly solicited the Government of Ukraine to publicly announce investigations into—

(A) a political opponent, former Vice President Joseph R. Biden, Jr.; and

(B) a discredited theory promoted by Russia alleging that Ukraine—rather than Rus-

sia—interfered in the 2016 United States Presidential election.

(2) With the same corrupt motives, President Trump—acting both directly and through his agents within and outside the United States Government—conditioned two official acts on the public announcements that he had requested—

(A) the release of \$391 million of United States taxpayer funds that Congress had appropriated on a bipartisan basis for the purpose of providing vital military and security assistance to Ukraine to oppose Russian aggression and which President Trump had ordered suspended; and

(B) a head of state meeting at the White House, which the President of Ukraine sought to demonstrate continued United States support for the Government of Ukraine in the face of Russian aggression.

(3) Faced with the public revelation of his actions, President Trump ultimately released the military and security assistance to the Government of Ukraine, but has persisted in openly and corruptly urging and soliciting Ukraine to undertake investigations for his personal political benefit.

These actions were consistent with President Trump's previous imitations of foreign interference in United States elections.

In all of this, President Trump abused the powers of the Presidency by ignoring and injuring national security and other vital national interests to obtain an improper personal political benefit. He has also betrayed the Nation by abusing his high office to enlist a foreign power in corrupting democratic elections.

Wherefore President Trump, by such conduct, has demonstrated that he will remain a threat to national security and the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

#### ARTICLE II: OBSTRUCTION OF CONGRESS

The Constitution provides that the House of Representatives "shall have the sole Power of Impeachment" and that the President "shall be removed from Office on Impeachment for, and Conviction of, Treason, Bribery, or other high Crimes and Misdemeanors". In his conduct of the office of President of the United States—and in violation of his constitutional oath faithfully to execute the office of President of the United States and, to the best of his ability, preserve, protect, and defend the Constitution of the United States, and in violation of his constitutional duty to take care that the laws be faithfully executed—Donald J. Trump has directed the unprecedented, categorical, and indiscriminate defiance of subpoenas issued by the House of Representatives pursuant to its "sole Power of Impeachment". President Trump has abused the powers of the Presidency in a manner offensive to, and subversive of, the Constitution, in that:

The House of Representatives has engaged in an impeachment inquiry focused on President Trump's corrupt solicitation of the Government of Ukraine to interfere in the 2020 United States Presidential election. As part of this impeachment inquiry, the Committees undertaking the investigation served subpoenas seeking documents and testimony deemed vital to the inquiry from various Executive Branch agencies and offices, and current and former officials.

In response, without lawful cause or excuse, President Trump directed Executive

Branch agencies, offices, and officials not to comply with those subpoenas. President Trump thus interposed the powers of the Presidency against the lawful subpoenas of the House of Representatives, and assumed to himself functions and judgments necessary to the exercise of the “sole Power of Impeachment” vested by the Constitution in the House of Representatives.

President Trump abused the powers of his high office through the following means:

(1) Directing the White House to defy a lawful subpoena by withholding the production of documents sought therein by the Committees.

(2) Directing other Executive Branch agencies and offices to defy lawful subpoenas and withhold the production of documents and records from the Committees—in response to which the Department of State, Office of Management and Budget, Department of Energy, and Department of Defense refused to produce a single document or record.

(3) Directing current and former Executive Branch officials not to cooperate with the Committees—in response to which nine Administration officials defied subpoenas for testimony, namely John Michael “Mick” Mulvaney, Robert B. Blair, John A. Eisenberg, Michael Ellis, Preston Wells Griffith, Russell T. Vought, Michael Duffey, Brian McCormack, and T. Ulrich Brechbuhl.

These actions were consistent with President Trump’s previous efforts to undermine United States Government investigations into foreign interference in United States elections.

Through these actions, President Trump sought to arrogate to himself the right to determine the propriety, scope, and nature of an impeachment inquiry into his own conduct, as well as the unilateral prerogative to deny any and all information to the House of Representatives in the exercise of its “sole Power of Impeachment”. In the history of the Republic, no President has ever ordered the complete defiance of an impeachment inquiry or sought to obstruct and impede so comprehensively the ability of the House of Representatives to investigate “high Crimes and Misdemeanors”. This abuse of office served to cover up the President’s own repeated misconduct and to seize and control the power of impeachment—and thus to nullify a vital constitutional safeguard vested solely in the House of Representatives.

In all of this, President Trump has acted in a manner contrary to his trust as President and subversive of constitutional government, to the great prejudice of the cause of law and justice, and to the manifest injury of the people of the United States.

Wherefore; President Trump, by such conduct, has demonstrated that he will remain a threat to the Constitution if allowed to remain in office, and has acted in a manner grossly incompatible with self-governance and the rule of law. President Trump thus warrants impeachment and trial, removal from office, and disqualification to hold and enjoy any office of honor, trust, or profit under the United States.

HOUSE RESOLUTION 798, IN THE HOUSE OF REPRESENTATIVES, JANUARY 15, 2020

*Resolved*, That Mr. Schiff, Mr. Nadler, Ms. Lofgren, Mr. Jeffries, Mrs. Demings, Mr. Crow, and Ms. Garcia of Texas are appointed managers to conduct the impeachment trial against Donald John Trump, President of the United States, that a message be sent to the Senate to inform the Senate of these appointments, and that the managers so appointed may, in connection with the preparation and the conduct of the trial, exhibit the articles of impeachment to the Senate and take all other actions necessary, which may include the following:

(1) Employing legal, clerical and other necessary assistants and incurring such other expenses as may be necessary, to be paid from amounts available to the Committee on the Judiciary under applicable expense resolutions or from the applicable accounts of the House of Representatives.

(2) Sending for persons and papers, and filing with the Secretary of the Senate, on the part of the House of Representatives, any pleadings, in conjunction with or subsequent to, the exhibition of the articles of impeachment that the managers consider necessary.

#### MEASURES PLACED ON THE CALENDAR

The following bill was read the second time, and placed on the calendar:

S. 3193. A bill to amend the Controlled Substances Act to list fentanyl-related substances as schedule I controlled substances, and for other purposes.

#### EXECUTIVE AND OTHER COMMUNICATIONS

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

EC-3753. A communication from the Acting Secretary of Homeland Security, transmitting, pursuant to law, a letter reporting Antideficiency Act (ADA) Violations; to the Committee on Appropriations.

EC-3754. A communication from the Program Specialist, Office of the Comptroller of the Currency, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Community Reinvestment Act Regulations” (RIN1557-AE72) received in the Office of the President of the Senate on January 13, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-3755. A communication from the Director, Bureau of Consumer Financial Protection, transmitting, pursuant to law, a policy statement entitled “Policy Statement on Compliance Aids” received in the Office of the President of the Senate on January 14, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-3756. A communication from the Senior Counsel, Legal Division, Bureau of Consumer Financial Protection, transmitting, pursuant to law, the report of a rule entitled “Civil Penalty Inflation Adjustments” (12 CFR Part 1083) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Banking, Housing, and Urban Affairs.

EC-3757. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Portable Air Conditioners” ((RIN1904-AD02) (10 CFR Parts 429 and 430)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Energy and Natural Resources.

EC-3758. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Commercial Packaged Boilers” ((RIN1904-AD01) (10 CFR Part 431)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Energy and Natural Resources.

EC-3759. A communication from the Assistant General Counsel for Legislation, Regula-

tion and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Uninterruptible Power Supplies” ((RIN1904-AD69) (10 CFR Part 430)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Energy and Natural Resources.

EC-3760. A communication from the Assistant General Counsel for Legislation, Regulation and Energy Efficiency, Department of Energy, transmitting, pursuant to law, the report of a rule entitled “Energy Conservation Program: Energy Conservation Standards for Air Compressors” ((RIN1904-AC83) (10 CFR Parts 429 and 431)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Energy and Natural Resources.

EC-3761. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Notice regarding the 2020 optimal standard mileage rates” (Notice 2020-5) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Finance.

EC-3762. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Update to Revenue Procedure 2019-4” (Notice 2020-4) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Finance.

EC-3763. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Treasury Decision (TD): Chapter 4 Regulations Relating to Verification and Certification Requirements for Certain Entities and Reporting by Foreign Financial Institutions” (RIN1545-BN73) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Finance.

EC-3764. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled “Investing in Qualified Opportunity Funds” (RIN1545-BP04) received in the Office of the President of the Senate on January 15, 2020; to the Committee on Finance.

EC-3765. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to Norway to support the manufacture, production, test, and inspection of vertical tail control surfaces and conventional edges, composite sub-assemblies, and structural parts for the F-35 JSF aircraft in the amount of \$100,000,000 or more (Transmittal No. DDTC 19-061); to the Committee on Foreign Relations.

EC-3766. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of defense articles, including technical data and defense services, to the UK to support the design, development, assembly, testing, qualification, manufacture, and repair of various parts and components used to manufacture the Joint Strike Fighter LiftSystem in the amount of \$100,000,000 or more (Transmittal No. DDTC 19-025); to the Committee on Foreign Relations.

EC-3767. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to

section 36(c) of the Arms Export Control Act, the certification of a proposed license for the export of firearms, parts, and components abroad controlled under Category I of the U.S. Munitions List of 9mm semi-automatic pistols to Thailand in the amount of \$1,000,000 or more (Transmittal No. DDTC 19-051); to the Committee on Foreign Relations.

EC-3768. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2020-04, Small Entity Compliance Guide" ((48 CFR Chapter 1) (FAC 2020-04)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-3769. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Trade Agreements Thresholds" ((48 CFR Parts 22, 25, and 52) (FAC 2020-04)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Homeland Security and Governmental Affairs.

EC-3770. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "Federal Acquisition Regulation; Federal Acquisition Circular 2020-04, Introduction" ((48 CFR Chapter 1) (FAC 2020-04)) received in the Office of the President of the Senate on January 14, 2020; to the Committee on Homeland Security and Governmental Affairs.

#### PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM-175. A resolution adopted by the General Assembly of the State of New Jersey urging the United States Congress and the President of the United States to enact legislation prohibiting airlines from counting breast milk or breast pumps against the airline's carry-on limit and prohibiting airlines from restricting passengers from carrying breast milk onto the aircraft; to the Committee on Commerce, Science, and Transportation.

#### ASSEMBLY RESOLUTION No. 244

Whereas, More than 80 percent of mothers breastfeed their infants during the first six months of the child's life; and

Whereas, No matter what they are doing or where they are, breastfeeding mothers need to express milk every few hours in order to keep up their milk supply and to prevent infection known as mastitis; and

Whereas, On October 5, 2018, the President of the United States signed into law a five-year reauthorization of the Federal Aviation Administration, which included language that requires airports to provide lactation rooms that are accessible to the public; and

Whereas, In spite of this federal law and laws in all 50 states that specifically allow breastfeeding in any public or private location, breastfeeding mothers have continued to face barriers, even harassment, when breastfeeding or attempting to breastfeed in public places; and

Whereas, The Transportation Security Administration (TSA) permits breast pumps and breast milk for infants or toddlers in reasonable quantities to pass through the security checkpoint in airports; and

Whereas, TSA also permits ice packs, freezer packs, frozen gel packs, and other accessories required to cool breast milk to pass through the security checkpoint in airports; and

Whereas, In spite of these TSA policies, some airlines still prevent passengers from carrying breast milk onto aircraft or prevent breastfeeding mothers from carrying breast pumps onto aircraft by counting breast pumps against the airline's carry-on limits; and

Whereas, There is no federal law that prohibits an airline from counting breast milk or breast pumps against the airline's carry-on limit or restricting passengers from carrying breast milk onto aircraft; and

Whereas, These airline policies create barriers for parents to feed infants and toddlers while traveling and create health risks for breastfeeding mothers who are prevented from expressing milk for extended periods of time while traveling; Now, therefore, be it

*Resolved by the General Assembly of the State of New Jersey:*

1. This House urges the President and the Congress of the United States to enact a law prohibiting an airline from counting breast milk or breast pumps against the airline's carry-on limit or restricting passengers from carrying breast milk onto aircraft.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Clerk of the General Assembly to the President of the United States, the President of the United States Senate, the Speaker of the United States House of Representatives, the Majority and Minority Leaders of the United States Senate and United States House of Representatives, and each member of the United States Congress elected from this State.

POM-176. A resolution adopted by the Board of Supervisors of the City and County of San Francisco, California, urging the United States Congress to enact H.R. 763 The Energy and Carbon Dividend Act of 2019; to the Committee on Finance.

POM-177. A resolution adopted by the Common Council of Hammond, Indiana, supporting the Deferred Action for Childhood Arrivals (DACA) and the Dream Act; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources:

Report to accompany S. 1739, a bill to enable projects that will aid in the development and delivery of related instruction associated with apprenticeship and preapprenticeship programs that are focused on serving the skilled technical workforce at the National Laboratories and certain facilities of the National Nuclear Security Administration, and for other purposes (Rept. No. 116-205).

By Mr. HOEVEN, from the Committee on Indian Affairs, with an amendment in the nature of a substitute:

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 (Rept. No. 116-206).

By Mr. SHELBY, from the Committee on Appropriations:

Special Report entitled "Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2020" (Rept. No. 116-207).

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 2971. A bill to amend and reauthorize the Child Abuse Prevention and Treatment Act, and for other purposes.

By Mr. GRASSLEY, (from the Committee on Finance), and on behalf of Mr. Alexander (from the Committee on Health, Education, Labor, and Pensions), Mr. Barrasso (from the Committee on Environment and Public Works), Mr. Shelby (from the Committee on Appropriations), Mr. Risch (from the Committee on Foreign Relations), Mr. Wicker (from the Committee on Commerce, Science, and Transportation), and Mr. Enzi (from the Committee on the Budget), jointly, without amendment:

H.R. 5430. An act to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

#### EXECUTIVE REPORTS OF COMMITTEE

The following executive reports of nominations were submitted:

By Mr. RISCH for the Committee on Foreign Relations.

John Hennessey-Niland, of Illinois, a Career Member of the Senior Foreign Service, Class of Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Palau.

Nominee: John Hennessey-Niland.

Post: Republic of Palau.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None.

2. Spouse: Julie Hennessey-Niland, None.

3. Children and Spouses: Connor Hennessey-Niland, None; Aidan Hennessey-Niland, None (no spouses).

4. Parents: John Niland—Deceased; Julia Niland—Deceased.

5. Grandparents: John Niland—Deceased; Katherine O'Brien—Deceased.

6. Brothers and Spouses: James Niland: \$1.00, 02/03/2017, ACTBLUE; \$5.00, 02/03/2017, ACTBLUE; \$5.00, 02/03/2017, Dibble for Congress; \$250.00, 01/18/2017, Dibble for Congress; \$80.00, 06/09/2015, American Federation of State, County & Municipal Employees (AFSCME); \$160, 05/13/2015, AFSCME; \$160.00, 04/10/2015, AFSCME; \$160.00, 03/17/2015, AFSCME; \$500.00, 03/02/2015, Minnesota Democratic Farmer Labor Party; \$160.00, 02/13/2015, AFSCME. Elizabeth Nerud (spouse), none. Thomas Niland, none (no spouse).

7. Sisters and Spouses: Deirdre Washburn, none; Tom Washburn (spouse): \$20, 08/01/2016, Donald J. Trump for President, Inc. Collette Niland: \$25, 06/27/2019, ACTBLUE; \$10, 04/13/2019, ACTBLUE; \$27.50, 02/13/2019, ACTBLUE; \$10, 11/04/2018, ACTBLUE; \$5, 06/30/2018, ACTBLUE; \$22, 03/31/2016, ACTBLUE.

Donald Wright, of Virginia, a Career Member of the Senior Executive Service, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the United Republic of Tanzania.

Nominee: Donald John Wright.

Post: Tanzania.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: None in last 5 yrs.
2. Spouse: \$250.00, 2-7-18, Josh Hawley.
- Katherine Wright: \$250.00, 10-7-18, Josh Hawley.
3. Children and Spouses: None.
4. Parents: Deceased.
5. Grandparents: Deceased.
6. Brothers and Spouses: No Brothers.
7. Sisters and Spouses: Anna Langley: \$100.00, Summer 2019, Joe Biden; Walter Langley: None; Debra Veazey: None; Randy Veazey: None.

Dorothy Shea, of North Carolina, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Lebanese Republic.

Nominee: Dorothy Camille Shea.

Post: U.S. Ambassador to the Lebanese Republic.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, donee:

1. Self: None.
2. Spouse: N/A.
3. Children and Spouses: N/A.
4. Parents: Audrey Martin Shea: (Deceased for more than four years); Brandon Bowler Shea, Sr.: (Deceased for more than four years); John Lexcen: (Deceased for more than four years) (stepfather); Ralph Amos Mawyer: None (Deceased) (stepfather).

5. Grandparents: Dennis Clement Shea: (Deceased for more than four years); Marie Shea: (Deceased for more than four years); Camille Martin: (Deceased for more than four years); Patrick Martin: (Deceased for more than four years).

6. Brothers and Spouses: Brandon Bowler Shea, Jr.: None. June Shea (separated): None. Martin Dennis Shea: \$25.00, 09/25/2015, Act Blue; \$10.00, 03/08/2016, Act Blue; \$10.00, 03/08/2016, Patty Judge for Iowa. Lillian Shea (ex wife) \$300.00, 06/27/2019, John Walsh for Colorado. Stephen Fennessy Shea: \$27.00, 08/08/2019, Act Blue (314 Action Fund); \$25.00, 08/08/2019, Act Blue (Amy McGrath); \$25.00, 08/08/2019, Act Blue (Jaime Harrison); \$25.00, 07/31/2019, Act Blue (Dan McCready); \$25.00, 07/05/2019, Act Blue (Cal Cunningham); \$25.00, \$25.00, 06/19/2019, Act Blue (Roy Cooper); \$25.00, 06/19/2019, Act Blue (Cal Cunningham); \$20.20, 06/03/2019, Act Blue (Seth Moulton); \$1.00, 04/13/2019, Act Blue (Julian Castro); \$3.00, 04/05/2019, Act Blue (Jay Inslee); \$25.00, 03/30/2019, Act Blue (Jay Inslee).

Anne Shea (wife): \$35.00, 09/20/2019, Act Blue (Elizabeth Warren); \$25.00, 06/02/2019, Act Blue (Elizabeth Warren); \$3.00, 04/05/2019, Act Blue (Jay Inslee); \$25.00, 03/30/2019, Act Blue (Jay Inslee); \$25.00, 02/22/2019, Act Blue (Dan McCready); \$25.00, 10/05/2018, Act Blue; \$37.00, 12/02/2016, Hillary for America.

7. Sisters and Spouses: Kathleen Ann Shea: None; Margaret Shea Burnham: None; Ashley Burnham (husb): None.

Todd C. Chapman, of Texas, a Career Member of the Senior Foreign Service, Class of Minister-Counselor, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Federative Republic of Brazil.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

Nominee: Todd Crawford Chapman.

Post: U.S. Ambassador to the Federative Republic of Brazil.

(The following is a list of all members of my immediate family and their spouses. I have asked each of these persons, except as noted below, to inform me of the pertinent contributions made by them. To the best of my knowledge, the information contained in this report is complete and accurate.)

Contributions, amount, date, and donee:

1. Self: Todd Chapman, None.
2. Spouse: Janetta Chapman, None.
3. Children and Spouses: Joshua Chapman (son), None; Jason Chapman (son), None; Brooke Danielle Chapman (wife of Jason), None.
4. Parents: Bob Chapman (father, deceased 2007); Marilyn Chapman (mother, deceased 2016).

5. Grandparents: Willie May and William Chapman, Hulda and Walther Thieme (all four grandparents deceased for over 25 years).

6. Brothers and Spouses: No brothers.

7. Sisters and Spouses: My sisters and their spouses do not choose to be in communication with me on such matters. A review of the FEC records shows political contributions only by Ava Chapman within the last five years. Ava Michelle Chapman (sister): \$5.00, 2/22/2018, ACTBLUE-Virginia; \$5.00, 10/14/2018, ACTBLUE-Virginia; \$25.00, 10/14/2018; ACTBLUE-Virginia. Bonnie Neighbour (spouse of Ava), none; Shawn Chapman French (sister), none; Jerry French (spouse of Shawn), none.

#### 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 Ms. ROSEN (for herself and Ms. MURKOWSKI):

S. 3194. A bill to establish a program ensuring access to accredited continuing medical education for primary care physicians and other health care providers at Federally-qualified health centers and rural health clinics, to provide training and clinical support for primary care providers to practice at their full scope and improve access to care for patients in underserved areas; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3195. A bill to require the Secretary of Defense and the Secretary of Veterans Affairs to review the records of former members of the Armed Forces who die by suicide within one year of separation from the Armed Forces and to require the Secretary of Veterans Affairs to submit a report on the REACH VET program; to the Committee on Veterans' Affairs.

By Mr. KENNEDY (for himself and Mr. BOOKER):

S. 3196. A bill to conserve global bear populations by prohibiting the importation, exportation, and interstate trade of bear viscera and items, products, or substances containing, or labeled or advertised as containing, bear viscera, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself, Ms. WARREN, Mr. VAN HOLLEN, and Mr. RUBIO):

S. 3197. A bill to revoke or deny visas to Chinese officials involved in the formulation or execution of a policy that prevents innocent United States citizens from leaving China; to the Committee on the Judiciary.

By Mr. REED (for himself and Mr. KENNEDY):

S. 3198. A bill to authorize a pilot program to expand and intensify surveillance of self-harm in partnership with State and local public health departments, to establish a grant program to provide self-harm and suicide prevention services in hospital emergency departments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

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

S. 3199. A bill to amend section 7 of the Fair Labor Standards Act of 1938 to ensure appropriate compensation for certain hours of overtime work by border patrol agents; to the Committee on Health, Education, Labor, and Pensions.

By Mr. THUNE (for himself, Mr. CARPER, Mr. CRAMER, Ms. SMITH, Ms. MCSALLY, and Ms. SINEMA):

S. 3200. A bill to amend the Internal Revenue Code of 1986 to permit high deductible health plans to provide chronic disease prevention services to plan enrollees prior to satisfying their plan deductible; to the Committee on Finance.

#### SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Ms. STABENOW (for herself, Mr. PETERS, Ms. BALDWIN, Mr. BROWN, Mr. DURBIN, Ms. DUCKWORTH, Mrs. GILLIBRAND, and Ms. KLOBUCHAR):

S. Res. 470. A resolution expressing the sense of the Senate that the President and the Secretary of State should ensure that the Government of Canada does not permanently store nuclear waste in the Great Lake Basin; to the Committee on Foreign Relations.

By Mr. MCCONNELL:

S. Res. 471. A resolution authorizing the taking of a photograph in the Chamber of the United States Senate; considered and agreed to.

By Mr. CASSIDY:

S. Res. 472. A resolution commending the Louisiana State University Tigers football team for winning the 2020 College Football Playoff National Championship; considered and agreed to.

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

S. Res. 473. A resolution congratulating the University of Charleston men's soccer team for winning the National Collegiate Athletic Association Division II Men's Soccer Championship at Highmark Stadium in Pittsburgh, Pennsylvania; considered and agreed to.

By Mr. DAINES (for himself, Mr. LANKFORD, Mr. BLUNT, Mrs. BLACKBURN, Mr. ROUNDS, Mr. RISCH, Mr. HAWLEY, Mr. CASSIDY, Mr. TILLIS, Mr. INHOFE, Mr. COTTON, Mr. BRAUN, Mr. CRAMER, Mr. SCOTT of South Carolina, and Mr. SCOTT of Florida):

S. Con. Res. 34. A concurrent resolution affirming the importance of religious freedom as a fundamental human right that is essential to a free society and protected for all people of the United States under the Constitution of the United States, and recognizing the 234th anniversary of the enactment of the Virginia Statute for Religious Freedom; to the Committee on the Judiciary.

#### ADDITIONAL COSPONSORS

S. 39

At the request of Mr. BRAUN, the name of the Senator from Georgia (Mr.

PERDUE) was added as a cosponsor of S. 39, a bill to provide that Members of Congress may not receive pay after October 1 of any fiscal year in which Congress has not approved a concurrent resolution on the budget and passed the regular appropriations bills.

S. 117

At the request of Mr. SCHUMER, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 117, a bill to prohibit discrimination against individuals with disabilities who need long-term services and supports, and for other purposes.

S. 578

At the request of Mr. WHITEHOUSE, the names of the Senator from Illinois (Mr. DURBIN) and the Senator from Washington (Mrs. MURRAY) were added as cosponsors of S. 578, a bill to amend title II of the Social Security Act to eliminate the five-month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 642

At the request of Mr. ALEXANDER, the names of the Senator from Arkansas (Mr. COTTON) and the Senator from Pennsylvania (Mr. CASEY) were added as cosponsors of S. 642, a bill to award a Congressional Gold Medal to Master Sergeant Rodrick "Roddie" Edmonds in recognition of his heroic actions during World War II.

S. 762

At the request of Mr. MORAN, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 762, a bill to provide for funding from the Airport and Airway Trust Fund for all Federal Aviation Administration activities in the event of a Government shutdown, and for other purposes.

S. 778

At the request of Ms. MURKOWSKI, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 778, a bill to direct the Secretary of Commerce, acting through the Administrator of the National Oceanic and Atmospheric Administration, to conduct coastal community vulnerability assessments related to ocean acidification, and for other purposes.

S. 849

At the request of Mr. CRAMER, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 849, a bill to provide for the inclusion on the Vietnam Veterans Memorial Wall of the names of the lost crew members of the U.S.S. Frank E. Evans killed on June 3, 1969.

S. 892

At the request of Mr. CASEY, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 892, a bill to award a Congressional Gold Medal, collectively, to the women in the United States who joined the workforce during World War II, providing the aircraft, vehicles, weaponry, ammunition, and other ma-

terials to win the war, that were referred to as "Rosie the Riveter", in recognition of their contributions to the United States and the inspiration they have provided to ensuing generations.

S. 933

At the request of Mr. WHITEHOUSE, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 933, a bill to improve data collection and monitoring of the Great Lakes, oceans, bays, estuaries, and coasts, and for other purposes.

S. 1088

At the request of Mr. MARKEY, the name of the Senator from Colorado (Mr. BENNET) was added as a cosponsor of S. 1088, a bill to amend the Immigration and Nationality Act to require the President to set a minimum annual goal for the number of refugees to be admitted, and for other purposes.

S. 1257

At the request of Mr. CRAMER, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 1257, a bill to amend the Internal Revenue Code of 1986 to expand tax-free distributions from individual retirement accounts to include rollovers for charitable life-income plans for charitable purposes.

S. 1258

At the request of Mr. SCHATZ, the names of the Senator from Hawaii (Ms. HIRONO), the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from New York (Mrs. GILLIBRAND), the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maryland (Mr. CARDIN), the Senator from Vermont (Mr. LEAHY), the Senator from Delaware (Mr. CARPER) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 1258, a bill to prohibit the sale of tobacco products to individuals under the age of 21.

S. 1757

At the request of Ms. ERNST, the name of the Senator from Alabama (Mr. JONES) was added as a cosponsor of S. 1757, a bill to award a Congressional Gold Medal, collectively, to the United States Army Rangers Veterans of World War II in recognition of their extraordinary service during World War II.

S. 1762

At the request of Mrs. FEINSTEIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1762, a bill to amend the Foreign Agents Registration Act of 1938 to provide the Attorney General with greater authority to promote enforcement and disclosure requirements for agents of foreign principals, and for other purposes.

S. 1908

At the request of Mrs. GILLIBRAND, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1908, a bill to amend the

Richard B. Russell National School Lunch Act to improve the efficiency of summer meals.

S. 2112

At the request of Ms. HARRIS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 2112, a bill to enhance the rights of domestic workers, and for other purposes.

S. 2216

At the request of Mr. PETERS, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2216, a bill to require the Secretary of Veterans Affairs to formally recognize caregivers of veterans, notify veterans and caregivers of clinical determinations relating to eligibility for caregiver programs, and temporarily extend benefits for veterans who are determined ineligible for the family caregiver program, and for other purposes.

S. 2233

At the request of Mr. SCHATZ, the names of the Senator from Nevada (Ms. ROSEN), the Senator from Delaware (Mr. CARPER) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 2233, a bill to nullify the effect of the recent executive order that requires Federal agencies to share citizenship data.

S. 2246

At the request of Mr. MORAN, the name of the Senator from Ohio (Mr. BROWN) was added as a cosponsor of S. 2246, a bill to amend titles XVIII and XIX of the Social Security Act to provide equal coverage of in vitro specific IgE tests and percutaneous tests for allergies under the Medicare and Medicaid programs, and for other purposes.

S. 2321

At the request of Mr. BLUNT, the names of the Senator from Georgia (Mrs. LOEFFLER), the Senator from Florida (Mr. SCOTT), the Senator from South Carolina (Mr. SCOTT), the Senator from South Dakota (Mr. THUNE), the Senator from Mississippi (Mr. WICKER), the Senator from Oklahoma (Mr. INHOFE), the Senator from Alabama (Mr. SHELBY), the Senator from Texas (Mr. CORNYN), the Senator from Indiana (Mr. BRAUN), the Senator from Maine (Ms. COLLINS) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. 2321, a bill to require the Secretary of the Treasury to mint a coin in commemoration of the 100th anniversary of the establishment of Negro Leagues baseball.

S. 2417

At the request of Mr. KENNEDY, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 2417, a bill to provide for payment of proceeds from savings bonds to a State with title to such bonds pursuant to the judgment of a court.

S. 2496

At the request of Mr. CASEY, the name of the Senator from Washington



(Mrs. MURRAY) was added as a cosponsor of S. 2496, a bill to amend title II of the Social Security Act to eliminate the Medicare and disability insurance benefits waiting periods for disabled individuals.

S. 2774

At the request of Ms. MCSALLY, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 2774, a bill to direct the Attorney General to establish and carry out a Veteran Treatment Court Program.

S. 2918

At the request of Mr. MERKLEY, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 2918, a bill to amend title 23, United States Code, to require the Secretary of Transportation to establish a program to provide grants to carry out activities to benefit pollinators on roadsides and highway rights-of-way, including the planting and seeding of native, locally-appropriate grasses and wildflowers, including milkweed, and for other purposes.

S. 2949

At the request of Mrs. FISCHER, the name of the Senator from Nevada (Ms. ROSEN) 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. 2970

At the request of Ms. ERNST, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 2970, a bill to improve the fielding of newest generations of personal protective equipment to the Armed Forces, and for other purposes.

S. 3020

At the request of Ms. BALDWIN, the name of the Senator from Oregon (Mr. WYDEN) 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. 3152

At the request of Ms. ROSEN, the names of the Senator from Maine (Ms. COLLINS), the Senator from Minnesota (Ms. SMITH) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 3152, a bill to require the Federal Communications Commission to incorporate data on maternal health outcomes into its broadband health maps.

S.J. RES. 6

At the request of Mr. CARDIN, the names of the Senator from Alabama (Mr. JONES), the Senator from Hawaii (Mr. SCHATZ) and the Senator from Ohio (Mr. BROWN) were added as cosponsors of S.J. Res. 6, a joint resolution removing the deadline for the rati-

fication of the equal rights amendment.

S.J. RES. 68

At the request of Mr. KAINE, the names of the Senator from Maryland (Mr. CARDIN), the Senator from Pennsylvania (Mr. CASEY), the Senator from Delaware (Mr. COONS), the Senator from Connecticut (Mr. MURPHY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors 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. RES. 306

At the request of Ms. ROSEN, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. Res. 306, a resolution reaffirming the commitment to media diversity and pledging to work with media entities and diverse stakeholders to develop common ground solutions to eliminate barriers to media diversity.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTION

By Mr. REED (for himself and Mr. KENNEDY):

S. 3198. A bill to authorize a pilot program to expand and intensify surveillance of self-harm in partnership with State and local public health departments, to establish a grant program to provide self-harm and suicide prevention services in hospital emergency departments, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

Mr. REED. Mr. President, as we all know too well rates of suicide have risen to epidemic levels in the United States, with suicide now the 10th leading cause of death in the country. On average, there are 129 suicides every day, roughly one every 11 minutes—a staggering statistic. That is why I am pleased to be introducing bipartisan, bicameral legislation to provide new resources to help turn the tide on this increasingly dire situation. I am joined in introducing the Suicide Prevention Act by Senator KENNEDY, with Representatives CHRIS STEWART and DORIS MATSUI introducing companion legislation in the House of Representatives.

This legislation would authorize new funding for the Centers for Disease Control and Prevention, CDC, to partner with the State and local health departments to improve surveillance of suicide attempts and other incidences of self-harm. Current data collection efforts regarding suicide are often years after the fact, which limits the ability of State and local health departments, as well as community organizations, to recognize trends early and intervene. This new effort would enhance data collection and sharing, as appropriate, in real time to help save lives.

Recognizing that emergency healthcare providers are at the frontlines of responding to suicide attempts, this bill would authorize funding for a grant program within the Substance Abuse and Mental Health Services Administration, SAMHSA, to fund suicide prevention programs in emergency departments, ED, to better train staff in suicide prevention strategies, screen at-risk patients, and refer patients to appropriate followup care. The legislation would also require SAMHSA to develop best practices for such programs, so that healthcare providers are able to provide their patients with the best possible care and advice. Approximately 37 percent of individuals without a previous history of mental health or substance abuse who die by suicide make an ED visit within the year before their death. According to the Suicide Prevention Resource Center, the risk of suicide is greatest within a month of discharge from the hospital.

In 2017, 47,173 Americans lost their lives to suicide. That same year, there were 1.4 million suicide attempts. We must renew our efforts on suicide prevention. In 2004, working with my colleague Senator GORDON SMITH of Oregon, we authored the Garrett Lee Smith Memorial Act. This law authorized new youth suicide prevention programs in honor of Senator SMITH's son, who tragically died by suicide just a couple of weeks short of his 22nd birthday. For over a decade, these programs have funded college campus, State, and Tribal efforts to prevent suicide among our youth and young adult populations, who are particularly at risk of suicide. During this time, youth suicide rates have decreased significantly in my home State of Rhode Island, however, nationwide, suicide rates have skyrocketed over the last decade. That is why we must renew our attention and focus on suicide prevention, including by increasing funding for and access to the National Suicide Prevention Lifeline. This effort is critical to ensuring that when people in crisis call looking for help, someone will be there on the other end of the line to offer hope and counseling. I have also worked with my colleagues Senators GARDNER, BALDWIN, and MORAN on legislation to designate the Lifeline as an easy to remember, 3-digit number, 9-8-8. This common sense legislation would make it easier for people across the country to access the Lifeline when they really need it. I am glad the Federal Communications Commission, FCC, taking steps to make the 9-8-8 number a reality, which makes increasing funding for the Lifeline all the more vital.

I am pleased to have the opportunity to partner with Senator KENNEDY once again by introducing the Suicide Prevention Act today. I look forward to working together with our other sponsors and colleagues, as well as stakeholders supporting these efforts, to pass this critical legislation.



By Mr. THUNE (for himself, Mr. CARPER, Mr. CRAMER, Ms. SMITH, Ms. MCSALLY, and Ms. SINEMA):

S. 3200. A bill to amend the Internal Revenue Code of 1986 to permit high deductible health plans to provide chronic disease prevention services to plan enrollees prior to satisfying their plan deductible; to the Committee on Finance.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 3200

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “Chronic Disease Management Act of 2020”.

#### SEC. 2. CHRONIC DISEASE PREVENTION.

(a) IN GENERAL.—Section 223(c)(2) of the Internal Revenue Code of 1986 is amended by redesignating subparagraph (D) as subparagraph (E) and by inserting after subparagraph (C) the following new subparagraph:

“(D) PREVENTIVE CARE SERVICES AND ITEMS FOR CHRONIC CONDITIONS.—For purposes of subparagraph (C), preventive care shall include any service or item used to treat an individual with a chronic condition if—

“(i) such service or item is low-cost,

“(ii) in regards to such service or item, there is medical evidence supporting high cost efficiency of preventing exacerbation of the chronic condition or the development of a secondary condition, and

“(iii) there is a strong likelihood, documented by clinical evidence, that with respect to the class of individuals utilizing such service or item, the specific service or use of the item will prevent the exacerbation of the chronic condition or the development of a secondary condition that requires significantly higher cost treatments.”.

(b) EFFECTIVE DATE.—The amendments made by this section shall apply to coverage for months beginning after the date of the enactment of this Act.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 470—EXPRESSING THE SENSE OF THE SENATE THAT THE PRESIDENT AND THE SECRETARY OF STATE SHOULD ENSURE THAT THE GOVERNMENT OF CANADA DOES NOT PERMANENTLY STORE NUCLEAR WASTE IN THE GREAT LAKE BASIN

Ms. STABENOW (for herself, Mr. PETERS, Ms. BALDWIN, Mr. BROWN, Mr. DURBIN, Ms. DUCKWORTH, Mrs. GILLIBRAND, and Ms. KLOBUCHAR) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 470

Whereas the water resources of the Great Lakes Basin are precious public natural resources shared by the Great Lakes States and the Provinces of Canada;

Whereas, since 1909, the United States and Canada have worked to maintain and im-

prove the water quality of the Great Lakes through water quality agreements;

Whereas more than 40,000,000 individuals in both Canada and the United States depend on the fresh water from the Great Lakes for drinking water;

Whereas Ontario Power Generation is proposing to build a permanent deep geological repository for nuclear waste less than 1 mile from Lake Huron in Kincardine, Ontario, Canada;

Whereas the Government of Canada is proposing to build a permanent deep geological repository for high-level nuclear waste in the Great Lakes Basin;

Whereas nuclear waste is highly toxic and can take tens of thousands of years to decompose to safe levels;

Whereas a spill of nuclear waste into the Great Lakes, including during transit to a permanent deep geological repository for nuclear waste, could have lasting and severely adverse environmental, health, and economic impacts on the Great Lakes and the individuals who depend on the Great Lakes for their livelihoods;

Whereas more than 187 local, county, State, and Tribal governments have passed resolutions in opposition to the proposed nuclear waste repository of Ontario Power Generation;

Whereas Tribes and First Nations' citizens have a strong spiritual and cultural connection to the Great Lakes;

Whereas the protection of the Great Lakes is fundamental to treaty rights; and

Whereas, during the 1980s, when the Department of Energy was studying potential sites for a permanent nuclear waste repository in the United States in accordance with the Nuclear Waste Policy Act of 1982 (42 U.S.C. 10101 et seq.), the Government of Canada expressed concern with locating a permanent nuclear waste repository within shared water basins of the 2 countries: Now, therefore, be it

*Resolved*, That it is the sense of the Senate that—

(1) the Government of Canada should not allow a permanent nuclear waste repository to be built within the Great Lakes Basin;

(2) the President and the Secretary of State should take appropriate action to work with the Government of Canada to prevent a permanent nuclear waste repository from being built within the Great Lakes Basin; and

(3) the President and the Secretary of State should work together with their counterparts in the Government of Canada on a solution for the long-term storage of nuclear waste that—

(A) is safe and responsible; and

(B) does not pose a threat to the Great Lakes.

SENATE RESOLUTION 471—AUTHORIZING THE TAKING OF A PHOTOGRAPH IN THE CHAMBER OF THE UNITED STATES SENATE

Mr. MCCONNELL submitted the following resolution; which was considered and agreed to:

S. RES. 471

*Resolved*,

#### SECTION 1. AUTHORIZATION FOR PHOTOGRAPH.

(a) IN GENERAL.—Paragraph 1 of Rule IV of the Rules for the Regulation of the Senate Wing of the United States Capitol (prohibiting the taking of pictures in the Senate Chamber) shall be temporarily suspended for the sole and specific purpose of permitting an official photograph to be taken on January 16, 2020, of the swearing in of Members of the United States Senate for the impeach-

ment trial of the President of the United States.

(b) ADMINISTRATION.—The Sergeant at Arms and Doorkeeper of the Senate is authorized and directed to make the necessary arrangements to carry out subsection (a), which arrangements shall provide for a minimum of disruption to Senate proceedings.

SENATE RESOLUTION 472—COMMENDING THE LOUISIANA STATE UNIVERSITY TIGERS FOOTBALL TEAM FOR WINNING THE 2020 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. CASSIDY submitted the following resolution; which was considered and agreed to:

S. RES. 472

Whereas, on Monday, January 13, 2020, the Louisiana State University Tigers football team (referred to in this preamble as the “Louisiana State University Fighting Tigers”) won the 2020 College Football Playoff National Championship (referred to in this preamble as the “National Championship”) with a 42 to 25 victory over the third-ranked Clemson University Tigers at the Mercedes-Benz Superdome in New Orleans, Louisiana;

Whereas that victory is the first college football national championship that the Louisiana State University Fighting Tigers have won since the 2007 season;

Whereas the Louisiana State University Fighting Tigers completed an undefeated season for the first time since 1958, finishing the 2019 season with 15 wins and 0 losses;

Whereas the Louisiana State University Fighting Tigers finished the National Championship game with 628 yards of total offense;

Whereas, with the National Championship victory, quarterback and 2019 Heisman Trophy Winner Joe Burrow capped off one of the greatest seasons for a player in college football history;

Whereas Patrick Queen was named the defensive Most Valuable Player of the National Championship game;

Whereas Joe Burrow was named the offensive Most Valuable Player of the National Championship game;

Whereas wide receiver Justin Jefferson from Destrehan, Louisiana, rated as a “three star” player while being recruited out of high school, has shown that he is one of the best wide receivers in college football;

Whereas safety Grant Delpit won the Thorpe Award, which recognizes the best defensive back in college football;

Whereas, with 1,780 receiving yards, Ja'Marr Chase set a new Louisiana State University record for receiving yards;

Whereas running back Clyde Edwards-Helaire from Baton Rouge, Louisiana, made big plays throughout the entire 2019 season, including in the National Championship game;

Whereas the Louisiana State University Fighting Tigers offensive line won the Joe Moore Award as the best offensive line unit in college football;

Whereas head coach of the Louisiana State University Fighting Tigers and Larose, Louisiana, native Ed Orgeron has shown incredible leadership throughout his time at Louisiana State University;

Whereas the Louisiana State University Fighting Tigers showed incredible sportsmanship and teamwork throughout the entire 2019 season; and

Whereas the Louisiana State University Fighting Tigers have made the people of Louisiana proud: Now, therefore, be it

*Resolved*, That the Senate—

(1) commends the Louisiana State University Tigers football team (referred to in this resolution as the “Louisiana State University Fighting Tigers”) for winning the 2020 College Football Playoff National Championship;

(2) recognizes the many achievements of the coaches, players, and staff of the Louisiana State University Fighting Tigers;

(3) recognizes the fans of the Louisiana State University Fighting Tigers and the people of Louisiana for their dedication and support; and

(4) respectfully requests that the Secretary of the Senate transmit an enrolled copy of this resolution to—

(A) the head coach of the Louisiana State University Fighting Tigers, Ed Orgeron;

(B) the interim President of Louisiana State University, Tom Galligan; and

(C) the Athletic Director of Louisiana State University, Scott Woodward.

**SENATE RESOLUTION 473—CONGRATULATING THE UNIVERSITY OF CHARLESTON MEN’S SOCCER TEAM FOR WINNING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II MEN’S SOCCER CHAMPIONSHIP AT HIGHMARK STADIUM IN PITTSBURGH, PENNSYLVANIA**

Mr. MANCHIN (for himself and Mrs. CAPITO) submitted the following resolution; which was considered and agreed to:

S. RES. 473

Whereas, on December 14, 2019, the University of Charleston men’s soccer team won the National Collegiate Athletic Association (referred to in this preamble as the “NCAA”) Division II Men’s Soccer Championship at Highmark Stadium in Pittsburgh, Pennsylvania, which was the second national championship in 3 years for the University of Charleston;

Whereas the University of Charleston men’s soccer team finished its historic season with a record of 22 wins, 2 losses, and 1 tie by securing a victory over California State University, Los Angeles in the national championship;

Whereas the University of Charleston men’s soccer team has become a symbol of pride and success to the University of Charleston and the surrounding communities in West Virginia;

Whereas the University of Charleston men’s soccer team held its opponents scoreless in 17 of 25 matches in 2019, with goalkeeper Alvaro Unanua Dean registering 11 shutouts;

Whereas Alvaro Unanua Dean was recognized as the 2019–2020 NCAA Division II statistical champion for Goals Against Average and Save Percentage;

Whereas the University of Charleston men’s soccer team earned the 2019–2020 Division II men’s soccer statistical championship title for Goals Against Average and Shutout Percentage;

Whereas the University of Charleston men’s soccer team won the championship in the first and third seasons with Dan Stratford as head coach;

Whereas the University of Charleston men’s soccer team outscored its opponents 87–8 over the course of the 2019 season, led by Freddy Tracey with 14 goals, including 6 game-winning goals, one of which was in the national championship;

Whereas Ettore Ballestracci was ranked fourth nationally in NCAA Division II players with the most assists, with 12 assists throughout the 2019 season;

Whereas All-Atlantic Region First Team players Williams D’Nah and Jordi Ramon, who shut out their NCAA Division II Tournament opponents in 5 out of 6 matches, anchored the defense of the top-ranked University of Charleston men’s soccer team;

Whereas the University of Charleston men’s soccer team finished the 2019 season with 12 consecutive wins, cruising to its sixth straight Mountain East Conference regular season title, second consecutive MEC tournament championship, and fifth NCAA Division II Men’s Soccer Atlantic Region title in 6 seasons;

Whereas Christopher Allan was named Most Outstanding Defensive Player, and Freddy Tracey was named Most Outstanding Offensive Player;

Whereas Christopher Allan, Freddy Tracey, Williams N’Dah, and Alvaro Unanua Dean were named to the All-NCAA National Championship Tournament Team; and

Whereas the University of Charleston men’s soccer team should be praised for the historic season of both athletic and academic accomplishments: Now, therefore, be it

*Resolved*, That the Senate—

(1) congratulates the University of Charleston men’s soccer team for winning the National Collegiate Athletic Association Division II Men’s Soccer Championship;

(2) recognizes the athletic program at the University of Charleston for its achievement in both sports and academics; and

(3) respectfully requests that the Secretary of the Senate prepare an official copy of this resolution for presentation to—

(A) the University of Charleston for appropriate display;

(B) the President of the University of Charleston; and

(C) the head coach of the University of Charleston men’s soccer team.

**SENATE CONCURRENT RESOLUTION 34—AFFIRMING THE IMPORTANCE OF RELIGIOUS FREEDOM AS A FUNDAMENTAL HUMAN RIGHT THAT IS ESSENTIAL TO A FREE SOCIETY AND PROTECTED FOR ALL PEOPLE OF THE UNITED STATES UNDER THE CONSTITUTION OF THE UNITED STATES, AND RECOGNIZING THE 234TH ANNIVERSARY OF THE ENACTMENT OF THE VIRGINIA STATUTE FOR RELIGIOUS FREEDOM**

Mr. DAINES (for himself, Mr. LANKFORD, Mr. BLUNT, Mrs. BLACKBURN, Mr. ROUNDS, Mr. RISCH, Mr. HAWLEY, Mr. CASSIDY, Mr. TILLIS, Mr. INHOFE, Mr. COTTON, Mr. BRAUN, Mr. CRAMER, Mr. SCOTT of South Carolina, and Mr. SCOTT of Florida) submitted the following concurrent resolution; which was referred to the Committee on the Judiciary:

S. CON. RES. 34

Whereas the democracy of the United States is rooted in the fundamental truth that all people are created equal, endowed by the Creator with certain inalienable rights, including life, liberty, and the pursuit of happiness;

Whereas the freedom of conscience was highly valued by—

(1) individuals seeking religious freedom who settled in the colonies in the United States;

(2) the founders of the United States; and

(3) Thomas Jefferson, who wrote in a letter to the Society of the Methodist Episcopal

Church at New London, Connecticut, dated February 4, 1809, that “[n]o provision in our Constitution ought to be dearer to man than that which protects the rights of conscience against the enterprizes of the civil authority”;

Whereas the Virginia Statute for Religious Freedom was—

(1) drafted by Thomas Jefferson, who considered the Virginia Statute for Religious Freedom to be one of his greatest achievements;

(2) enacted on January 16, 1786; and

(3) the forerunner to the Free Exercise Clause of the First Amendment to the Constitution of the United States;

Whereas section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a)) states that—

(1) “[t]he right to freedom of religion undergirds the very origin and existence of the United States”; and

(2) religious freedom was established by the founders of the United States “in law, as a fundamental right and as a pillar of our Nation”;

Whereas the role of religion in society and public life in the United States has a long and robust tradition;

Whereas individuals who have studied the democracy of the United States from an international perspective, such as Alexis de Tocqueville, have noted that religion plays a central role in preserving the Government of the United States because religion provides the moral base required for democracy to succeed;

Whereas, in *Town of Greece v. Galloway*, 134 S. Ct. 1811 (2014), the Supreme Court of the United States affirmed that “people of many faiths may be united in a community of tolerance and devotion”;

Whereas the principle of religious freedom “has guided our Nation forward”, as expressed by the 44th President of the United States in a Presidential proclamation on Religious Freedom Day in 2011, and freedom of religion “is a universal human right to be protected here at home and across the globe”, as expressed by that President of the United States on Religious Freedom Day in 2013;

Whereas “[f]reedom of religion is a fundamental human right that must be upheld by every nation and guaranteed by every government”, as expressed by the 42nd President of the United States in a Presidential proclamation on Religious Freedom Day in 1999;

Whereas the First Amendment to the Constitution of the United States protects—

(1) the right of individuals to freely express and act on the religious beliefs of those individuals; and

(2) individuals from coercion to profess or act on a religious belief to which those individuals do not adhere;

Whereas “our laws and institutions should not impede or hinder but rather should protect and preserve fundamental religious liberties”, as expressed by the 42nd President of the United States in remarks accompanying the signing of the Religious Freedom Restoration Act of 1993 (42 U.S.C. 2000bb et seq.);

Whereas, for countless people of the United States, faith is an integral part of every aspect of daily life and is not limited to the homes, houses of worship, or doctrinal creeds of those individuals;

Whereas “religious faith has inspired many of our fellow citizens to help build a better Nation” in which “people of faith continue to wage a determined campaign to meet needs and fight suffering”, as expressed by the 43rd President of the United States in a Presidential proclamation on Religious Freedom Day in 2003;

Whereas, “[f]rom its birth to this day, the United States has prized this legacy of religious freedom and honored this heritage by standing for religious freedom and offering refuge to those suffering religious persecution”, as noted in section 2(a) of the International Religious Freedom Act of 1998 (22 U.S.C. 6401(a));

Whereas Thomas Jefferson wrote—

(1) in 1798 that each right encompassed in the First Amendment to the Constitution of the United States is dependent on the other rights described in that Amendment, “thereby guarding in the same sentence, and under the same words, the freedom of religion, of speech, and of the press: inasmuch, that whatever violated either, throws down the sanctuary which covers the others”; and

(2) in 1822 that the constitutional freedom of religion is “the most inalienable and sacred of all human rights”;

Whereas religious freedom “has been integral to the preservation and development of the United States”, and “the free exercise of religion goes hand in hand with the preservation of our other rights”, as expressed by the 41st President of the United States in a Presidential proclamation on Religious Freedom Day in 1993; and

Whereas we “continue to proclaim the fundamental right of all peoples to believe and worship according to their own conscience, to affirm their beliefs openly and freely, and to practice their faith without fear or intimidation”, as expressed by the 42nd President of the United States in a Presidential proclamation on Religious Freedom Day in 1998: Now, therefore, be it

*Resolved by the Senate (the House of Representatives concurring), That Congress—*

(1) on Religious Freedom Day on January 16, 2020, honors the 234th anniversary of the enactment of the Virginia Statute for Religious Freedom; and

(2) affirms that—

(A) for individuals of any faith and individuals of no faith, religious freedom includes the right of an individual to live, work, associate, and worship in accordance with the beliefs of the individual;

(B) all people of the United States can be unified in supporting religious freedom, regardless of differing individual beliefs, because religious freedom is a fundamental human right; and

(C) “the American people will remain forever unshackled in matters of faith”, as expressed by the 44th President of the United States in a Presidential proclamation on Religious Freedom Day in 2012.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 5 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to Rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Wednesday, January 15, 2020, at 10 a.m., to conduct a hearing in executive session.

#### COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

The Committee on Commerce, Science, and Transportation is author-

ized to meet during the session of the Senate on Wednesday, January 15, 2020, at 10 a.m., to conduct a hearing in executive session.

#### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Wednesday, January 15, 2020, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON FOREIGN RELATIONS

The Committee on Foreign Relations is authorized to meet during the session of the Senate on Wednesday, January 15, 2020, at 10 a.m., to conduct a hearing.

#### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Wednesday, January 15, 2020, at 10 a.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. MERKLEY. Mr. President, I ask unanimous consent that my fellow Nitza Sola-Rotger have privileges of the floor for the balance of the day.

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

#### NOTICE: REGISTRATION OF MASS MAILINGS

The filing date for the 2019 fourth quarter Mass Mailing report is Monday, January 27, 2020. An electronic option is available on Webster that will allow forms to be submitted via a fillable PDF document. If your office did no mass mailings during this period, please submit a form that states “none.”

Mass mailing registrations or negative reports can be submitted electronically at [http://webster.senate.gov/secretary/mass\\_mailing\\_form.htm](http://webster.senate.gov/secretary/mass_mailing_form.htm) or delivered to the Senate Office of Public Records, 232 Hart Building, Washington, D.C. 20510-7116.

The Senate Office of Public Records is open from 9:00 a.m. to 6:00 p.m. (9:00 a.m. to 5:00 p.m. when the Senate is not in session). For further information, please contact the Senate Office of Public Records at (202) 224-0322.

#### UNITED STATES-MEXICO ECONOMIC PARTNERSHIP ACT

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the immediate consideration of Calendar No. 336, H.R. 133.

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

The senior assistant legislative clerk read as follows:

A bill (H.R. 133) to promote economic partnership and cooperation between the United States and Mexico.

There being no objection, the Senate proceeded to consider the bill, which had been reported from the Committee

on Foreign Relations, with an amendment to strike all after the enacting clause and insert in lieu thereof the following:

#### SECTION 1. SHORT TITLE.

This Act may be cited as the “United States-Mexico Economic Partnership Act”.

#### SEC. 2. FINDINGS.

Congress finds the following:

(1) The United States and Mexico have benefited from a bilateral, mutually beneficial partnership focused on advancing the economic interests of both countries.

(2) In 2013, Mexico adopted major energy reforms that opened its energy sector to private investment, increasing energy cooperation between Mexico and the United States and opening new opportunities for United States energy engagement.

(3) On January 18, 2018, the Principal Deputy Assistant Secretary for Educational and Cultural Affairs at the Department of State stated, “Our exchange programs build enduring relationships and networks to advance U.S. national interests and foreign policy goals . . . The role of our exchanges . . . in advancing U.S. national security and economic interests enjoys broad bipartisan support from Congress and other stakeholders, and provides a strong return on investment.”.

(4) According to the Institute of International Education, in the 2015–2016 academic year, more than 56,000 United States students studied in other countries in the Western Hemisphere region while more than 84,000 non-United States students from the region studied in the United States, but only 5,000 of those United States students studied in Mexico and only 16,000 of those non-United States students were from Mexico.

#### SEC. 3. STATEMENT OF POLICY.

It is the policy of the United States—

(1) to continue deepening economic cooperation between the United States and Mexico;

(2) to seek to prioritize and expand educational and professional exchange programs with Mexico, including through frameworks such as the 100,000 Strong in the Americas Initiative, the Young Leaders of the Americas Initiative, Jóvenes en Acción (Youth in Action), the Fulbright Foreign Student Program, and the Fulbright Visiting Scholar Program; and

(3) to promote positive cross-border relations as a priority for advancing United States foreign policy and programs.

#### SEC. 4. STRATEGY TO PRIORITIZE AND EXPAND EDUCATIONAL AND PROFESSIONAL EXCHANGE PROGRAMS WITH MEXICO.

(a) IN GENERAL.—The Secretary of State shall develop a strategy to carry out the policy described in section 3, to include prioritizing and expanding educational and professional exchange programs with Mexico through frameworks such as those referred to in section 3(2).

(b) ELEMENTS.—The strategy required under subsection (a) shall—

(1) encourage more academic exchanges between the United States and Mexico at the secondary, post-secondary, and post-graduate levels;

(2) encourage United States and Mexican academic institutions and businesses to collaborate to assist prospective and developing entrepreneurs in strengthening their business skills and promoting cooperation and joint business initiatives across the United States and Mexico;

(3) promote energy infrastructure coordination and cooperation through support of vocational-level education, internships, and exchanges between the United States and Mexico; and

(4) assess the feasibility of fostering partnerships between universities in the United States and medical school and nursing programs in Mexico to ensure that medical school and nursing programs in Mexico have comparable accreditation standards as medical school and

nursing programs in the United States by the Accreditation and Standards in Foreign Medical Education, in addition to the Accreditation Commission For Education in Nursing, so that medical students can pass medical licensing board exams, and nursing students can pass nursing licensing exams, in the United States.

(c) **BRIEFING.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State shall brief the appropriate congressional committees regarding the strategy required under subsection (a).

#### SEC. 5. DEFINITIONS.

In this Act, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations of the Senate; and

(2) the Committee on Foreign Affairs of the House of Representatives.

#### SEC. 6. SUNSET PROVISION.

This Act shall remain in effect until December 31, 2023.

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

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

The committee-reported amendment, in the nature of a substitute, was agreed to.

The amendment was ordered to be engrossed and the bill to be read a third time.

The bill was read the third time.

The bill (H.R. 133), as amended, was passed.

### REAFFIRMING THE SUPPORT OF THE UNITED STATES FOR THE PEOPLE OF THE REPUBLIC OF SOUTH SUDAN AND CALLING ON ALL PARTIES TO UPHOLD THEIR COMMITMENTS TO PEACE AND DIALOGUE AS OUTLINED IN THE 2018 REVITALIZED PEACE AGREEMENT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 338, S. Res. 371.

The PRESIDING OFFICER. The clerk will read the resolution by title.

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 371) reaffirming the support of the United States for the people of the Republic of South Sudan and calling on all parties to uphold their commitments to peace and dialogue as outlined in the 2018 revitalized peace agreement.

There being no objection, the Senate proceeded to consider the resolution, which had been reported from the Committee on Foreign Relations, with an amendment to strike all after the resolving clause and insert the part printed in italic and an amendment to the preamble to strike the preamble and insert the part printed in italic:

*Whereas the people and Government of the United States have a deep and abiding interest in South Sudan's democratic development and post-conflict stabilization;*

*Whereas the United States was a critical partner in the drafting and implementation of the*

*2005 Comprehensive Peace Agreement that laid the groundwork for the 2011 referendum on self-determination, through which the people of South Sudan overwhelmingly voted for independence;*

*Whereas the United States recognized South Sudan as a sovereign, independent state on July 9, 2011;*

*Whereas, since the onset of the civil war in South Sudan in December 2013, nearly 400,000 South Sudanese citizens are estimated to have been killed, 1,900,000 have been internally displaced, and 2,300,000 have fled the country and registered as refugees;*

*Whereas violence erupted in Juba in July 2016 and spread throughout the country in violation of the August 17, 2015, Agreement on the Resolution of the Conflict in the Republic of South Sudan (ARCSS);*

*Whereas the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS), signed on September 12, 2018, affirmed the Parties' commitment to the permanent ceasefire, humanitarian access, and respect for human rights, and established two phases of implementation, an 8-month Pre-Transitional Period followed by a 36 month Transitional Period that includes the establishment of a Revitalized Transitional Government of National Unity (RTGoNU), and calls for elections 60 days prior to the end of the Transitional Period to establish a democratic government;*

*Whereas the R-ARCSS stipulates that the signatories will create an enabling political, administrative, operational, and legal environment for the delivery of humanitarian assistance and civilian protection;*

*Whereas two extensions to the deadline to form the RTGoNU have been granted to allow additional time to complete critical Pre-Transitional tasks, including agreement on the number and boundaries of states and important security arrangements;*

*Whereas the United States Department of State 2018 Country Report on Human Rights Practices in South Sudan states that both the government and opposition forces engaged in serious human rights abuses by perpetrating extrajudicial killings, including ethnically based targeted killings of civilians, and by engaging in arbitrary detentions, torture, rape, beatings, and looting of property;*

*Whereas, on March 15, 2019, the United Nations Security Council extended the mandate of the United Nations Mission in South Sudan (UNMISS) for one year and authorized UNMISS to use all necessary means to deter violence against civilians, to prevent and respond to sexual and gender-based violence, and to foster a secure environment for the return or relocation of internally displaced persons (IDPs) and refugees;*

*Whereas the people of South Sudan continue to suffer from a humanitarian crisis, despite over \$4,500,000,000 in United States humanitarian aid provided since the conflict began, with more than half the population experiencing acute food insecurity at the peak of the lean season in 2019, and humanitarian organizations are providing more than 5,300,000 people with lifesaving assistance and other vital support services, such as medical care to survivors of sexual violence and facilitating access to education to over 690,000 children;*

*Whereas South Sudan has been at the lowest tier of the Department of State's Trafficking in Persons rankings since 2015, indicating that its government does not fully meet the minimum standards for the elimination of trafficking and is not making significant efforts to do so;*

*Whereas impunity for past atrocities, corruption, and capture of key sectors of the national economy, such as the oil and mining sectors, continues to drive violence in South Sudan, and signatories to the R-ARCSS committed to the establishment of transitional justice and economic and resource management measures;*

*Whereas the United Nations Security Council adopted resolution 2471 on May 30, 2019, to extend its sanctions regime in South Sudan and renew the prohibition of the supply, sale, or transfer to South Sudan of arms and related material or the provision of training, technical, and financial assistance related to military activities or materials until May 31, 2020; and*

*Whereas peace and security in South Sudan is critical to peace and security in East Africa: Now, therefore, be it*

*Resolved,*

*That the Senate—*

*(1) supports a sustainable peace and democracy in South Sudan;*

*(2) calls on the incumbent government and all other signatories of the R-ARCSS to—*

*(A) take concrete and meaningful steps to create an enabling environment, to include security arrangements for Juba and the unification of forces, for all relevant stakeholders to participate actively in the formation of the RTGoNU and South Sudan's democratic development and post-conflict stabilization;*

*(B) take immediate action to resolve peacefully the remaining political issues for negotiation during the Pre-Transitional Period, including agreement on the number and boundaries of states;*

*(C) adhere to the cessation of hostilities and ensure humanitarian access;*

*(D) immediately release all political prisoners and fulfill their responsibility to protect civilians;*

*(E) ensure respect for the right to freedom of expression, association, and peaceful assembly; and*

*(F) cease recruitment and immediately release all child soldiers under the command or influence of the South Sudan People's Defense Forces (SSPDF) and its associated militias;*

*(3) calls on heads of state of member countries of the Intergovernmental Authority on Development in East Africa to engage South Sudanese leaders and parties to uphold their commitments to the peace agreement, including maintaining the cease-fire, to make good-faith progress toward peacefully forming the RTGoNU, and to resolve other key issues;*

*(4) calls on the Secretary of State and the Administrator of the United States Agency for International Development (USAID) to—*

*(A) intensify bilateral and multilateral diplomatic efforts to demonstrate the commitment of the United States to helping achieve a permanent and sustainable peace in South Sudan on par with its commitment to ameliorate the suffering of the South Sudanese people;*

*(B) elevate and consult additional voices in South Sudan to broaden the constituency and shared responsibility for maintaining peace and fulfilling the commitments of the Pre-Transitional and Transitional periods; and*

*(C) continue to support civilians, particularly women and children, who have been adversely affected by the civil war, and provide assistance to meet humanitarian needs and support peacebuilding, conflict prevention, transitional justice, and reconciliation efforts led by local civil society;*

*(5) urges the Secretary of State and the United States Permanent Representative to the United Nations to monitor implementation of the UNMISS mandate authorized by United Nations Security Council Resolution 2459 (2019) and ensure that any return or relocation of IDPs from United Nations Protection of Civilian sites are safe, informed, voluntary, dignified, and conducted in coordination with humanitarian actors;*

*(6) urges the Secretary of State, in conjunction with the Secretary of the Treasury to continue to monitor human rights abuses and corruption in South Sudan and take decisive action using authorities granted under the Global Magnitsky Human Rights Accountability Act (subtitle F of title XII of Public Law 114–328; 22 U.S.C. 2656 note);*

(7) urges the Secretary of the Treasury to exercise all options to prevent, detect, investigate, and mitigate money laundering activities; and

(8) supports implementation and subsequent renewal of the United Nations Security Council arms embargo in South Sudan to prevent continued illicit acquisition of arms and military equipment by all parties and the proliferation of weapons throughout the country.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported substitute amendment to the resolution be agreed to.

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

The committee-reported amendment, in the nature of a substitute, was agreed to.

Mr. MCCONNELL. I know of no further debate on the resolution, as amended.

The PRESIDING OFFICER. If there is no further debate, the question is on the adoption of the resolution, as amended.

The resolution, as amended, was agreed to.

Mr. MCCONNELL. I ask unanimous consent that the committee-reported amendment to the preamble be agreed to; that the preamble, as amended, be agreed to; and that the motions to reconsider be considered made and laid upon the table.

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

The committee-reported amendment to the preamble was agreed to.

The preamble, as amended, was agreed to.

The resolution (S. Res. 371), as amended, was agreed to, and the preamble, as amended, was agreed to.

#### COMMENDING THE LOUISIANA STATE UNIVERSITY TIGERS FOOTBALL TEAM FOR WINNING THE 2020 COLLEGE FOOTBALL PLAYOFF NATIONAL CHAMPIONSHIP

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 472, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 472) commending the Louisiana State University Tigers football team for winning the 2020 College Football Playoff National Championship.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 472) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### CONGRATULATING THE UNIVERSITY OF CHARLESTON MEN'S SOCCER TEAM FOR WINNING THE NATIONAL COLLEGIATE ATHLETIC ASSOCIATION DIVISION II MEN'S SOCCER CHAMPIONSHIP AT HIGHMARK STADIUM IN PITTSBURGH, PENNSYLVANIA

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 473, submitted earlier today.

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

The senior assistant legislative clerk read as follows:

A resolution (S. Res. 473) congratulating the University of Charleston men's soccer team for winning the National Collegiate Athletic Association Division II Men's Soccer Championship at Highmark Stadium in Pittsburgh, Pennsylvania.

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

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The resolution (S. Res. 473) was agreed to.

The preamble was agreed to.  
(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

#### ORDERS FOR THURSDAY, JANUARY 16, 2020

Mr. MCCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today it adjourn until 9:45 a.m., January 16; 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 resume consideration of H.R. 5430 under the previous order.

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

#### ORDER FOR ADJOURNMENT

Mr. MCCONNELL. Mr. President, if there is no further business to come before the Senate, I ask that it stand adjourned under the previous order, following the remarks of Senators HOEVEN and CRAMER.

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

The PRESIDING OFFICER. The senior Senator from North Dakota.

#### RECOGNIZING THE NORTH DAKOTA STATE UNIVERSITY BISON FOOTBALL TEAM

Mr. HOEVEN. Mr. President, I rise today to talk about the North Dakota

State University Bison football team, and I am really excited to be able to do that. Last weekend, the Bison capped another impressive football season by winning their eighth FCS national title in 9 years. The Bison broke their own record for the most FCS titles of all time, eight in the last 9 years—an unbelievable accomplishment.

They have now won 16 NCAA football championships. NDSU just had a truly impressive team this year, and they just have a tremendous program, as they have demonstrated year after year.

I had the chance to be in Frisco last weekend with Bison Nation. They have an incredible following. We call them "Bison Nation" because they go wherever the football team goes, and they make a lot of noise. I had the opportunity to be there with them and cheer on the team as they faced off against James Madison University, the Dukes. It was a hard-fought win for the Bison, and the Dukes should also be congratulated. They have a great program—a first-class program—and great fans. I talked to a lot of them. They could not have been not only more supportive of their team, but they could not have been more complimentary of the Bison and their great program. Again I just want to say: James Madison, a real great program and a real class act—their team, their program, and their fans. Kudos to them as well.

It was just a great effort by our team all around. Just a few stats: The win by the Bison on Saturday capped off an unbeaten season of 16-0. That is the first time a Division I team has gone 16-0, unbeaten, since Yale did it in 1894—pretty remarkable, a pretty amazing accomplishment.

You also have to realize that that brings their current winning streak to 37 consecutive games, so they finished the year unbeaten, and they are now up to a 37-game winning streak.

Next year, the second game of the season, we go to Oregon and play Oregon at Oregon. That should be a really exciting game. It just shows the caliber of football this team plays and just how great these student athletes are. They are great young men as well. I am very pleased that I was joined by my colleague Senator CRAMER in sponsoring this resolution, so I certainly want to express my appreciation to him as well.

We recognize and we congratulate the players, including freshman quarterback Trey Lance, who became the first player in the history of the North Dakota State Bison football team and the first freshman player in history—the first freshman player—to win the Walter Payton Award. It is the first time a freshman has ever done so, which just shows you what a great player he is and is just indicative of the kind of athletes we have on that team.

We want to congratulate and honor the whole team. It was truly a team effort, a great team, led by Coach Matt

Entz and his staff. This is Matt Entz's first year as head coach—what a way to start off for Matt and what a great guy and what a great coach. Also, the athletic director, Matt Larsen, again, just runs a class program of not only football but all of the athletics at North Dakota State University, as well as, of course, the fine leadership of NDSU president Dean Bresciani at the university there, a good friend and somebody who has done a great job leading the university.

Again, I also want to honor Bison Nation. The game was nationally televised on Saturday at noon eastern time here on ABC. It wasn't just our great team; it was Bison Nation, all the fans being there and showing up in such a great way, too, with not only wearing the green and yellow and Bison regalia but cheering and just doing a great job like Bison Nation always does.

We are so proud of the program, so proud of the student athletes, the coaches, and Bison Nation as a whole. We want to congratulate everybody on another incredible year and an unbelievable achievement: eight championships in 9 years.

With that, there is only one other thing to say: Go Bison.

I yield the floor.

The PRESIDING OFFICER (Mr. HOEVEN). The Senator from North Dakota.

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#### RECOGNIZING THE NORTH DAKOTA STATE UNIVERSITY BISON FOOTBALL TEAM

Mr. CRAMER. Mr. President, I thank the President for yielding the floor and thank you for your previous speech. It is a great honor for me to follow the senior Senator from North Dakota, Senator HOEVEN, in congratulating this remarkable, singular accomplishment by this remarkable, singular football team: the North Dakota State University Bison.

Senator HOEVEN did a great job of highlighting the highlights of this singularly great team as, last weekend, they did win their eighth out of nine FCS national championships; that is, NCAA Division I Football Championship Subdivision.

He went through the statistics that are very impressive: the stretch of 37 victories in a row; the 16–0 season; the singular accomplishment of Trey Lance, this redshirt freshman from Marshall, MN, who threw, by the way, in the course of the season, 29 touchdown passes and a grand total of 0 interceptions—remarkable to say the least. He was just named, in fact, the 2019 FCS National Performer of the Year.

Senator HOEVEN paid tribute appropriately to Coach Entz. Senator HOEVEN is exactly right—an incredible individual; an incredible, undefeated head coach. Not only was he named the Missouri Valley coach of the year, he was just named the AFCA FCS coach of the year—a tremendous person.

We can talk about all the great things that the Bison football team does, and it is appropriate that we do that and that we celebrate them in North Dakota and Fargo and the region and all of Bison Nation, as Senator HOEVEN said. There is something they don't do that I appreciate so much. I watched the game on ABC, as we have watched lots of football games lately on the national networks, and the one thing they don't do that I love is they never point to the name on the back of their jersey because they don't put their names on the backs of the jerseys because this is always a team effort. This is a legacy of a team. It is a culture of a team. It is the equality of a team. As great as every performer is, they are a team. That is the way they win; and, if they ever lose, that is the way they lose, but they don't do that much.

They really have defined—redefined—excellence, but their excellence doesn't end on the field. I don't think it should surprise anybody to learn of a few other statistics of North Dakota State University. For example, just last year, for just the second time in our Division I history, all NDSU athletic teams reached a cumulative grade point average of 3.0. Let me say that again: All NDSU athletic teams reached a cumulative grade point average of 3.0 or greater, while also achieving our highest overall student athlete GPA of 3.43. Over 280 student athletes at NDSU scored a 3.0 or better, with 72—72—of their student athletes receiving a 4.0—earning, I should say, a 4.0.

As you can tell, Senator HOEVEN and I are proud Senators. We are proud of our team. We are proud of our university. We are proud of the entire university system in our State for lots of reasons. I think what the excellence of the North Dakota State University football team has illustrated is an excellence that can be achieved and can be applied not only to the gridiron, not only to the fields of athletic competition, but to life. As the Presiding Officer knows, their motto is that the strength of the herd is in the bison and the strength of the bison is in the herd. It is a good lesson in athletics and a good lesson in life.

I join Senator HOEVEN in congratulating the Bison.

Go Bison.

I yield the floor.

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#### ADJOURNMENT UNTIL 9:45 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:45 a.m. tomorrow.

Thereupon, the Senate, at 6:46 p.m., adjourned until Thursday, January 16, 2020, at 9:45 a.m.



# EXTENSIONS OF REMARKS

## HONORING LUKE BROWN

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Luke Brown. Luke is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Luke has been very active with his troop, participating in many scout activities. Over the many years Luke has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Luke has contributed to his community through his Eagle Scout project.

Madam Speaker, I proudly ask you to join me in commending Luke Brown for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

## REMEMBERING DR. ROOSEVELT J. STALLINGS

### HON. RICK W. ALLEN

OF GEORGIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 2020

Mr. ALLEN. Madam Speaker, I rise today to remember the life of Dr. Roosevelt J. Stallings. Ron was a remarkable man who served his country for 15 years as a Lt. Colonel in the U.S. Army. He continued to serve his fellow Americans as a successful physician for three decades.

Ron was a trailblazer in the medical field, reaching many great milestones and being the recipient of many distinguished awards. He was the first African American to graduate from the University of South Carolina School of Pharmacy as well as being one of the first African American surgical oncologists in the world.

While he will be deeply missed, especially by his beloved family, his legacy will live on through the lives he touched as a mentor to the youth in the community and as a leader in his church.

Ron's passion for service has made our community a better place and should serve as an inspiration to us all.

## HONORING THE LOUISIANA STATE UNIVERSITY FOOTBALL TEAM

### HON. STEVE SCALISE

OF LOUISIANA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 2020

Mr. SCALISE. Madam Speaker, I rise today to congratulate the Louisiana State University

football team for winning the 2020 College Football Playoff National Championship. On January 13, 2020, the undefeated LSU Tigers took to the field as the No. 1 ranked team in all of college football and defeated the defending National Champions and No. 3 ranked Clemson Tigers by 42–25 in the Louisiana Superdome. The LSU Tigers displayed determination and explosiveness throughout this entire historic season, never taking their foot off of the gas and beating an unprecedented seven Top-10 teams during their ascent to a perfect 15–0 record.

The Fighting Tigers, led by Louisiana-native, Coach Ed Orgeron, amassed impressive individual, team, school, and conference records on their march to the championship. LSU is the first team in Southeastern Conference history to go 15–0. The Tigers are also the first team to ever beat each of the top four teams in the AP preseason poll. Their high-flying, No. 1 offense was led by Quarterback Joe Burrow, the 2019 Heisman Trophy Winner, who also set the record for the most total touchdowns by a player in a single season. Wide Receiver Ja'Marr Chase, winner of the 2019 Biletnikoff award and graduate of my alma mater Rummel High School, set the record for the most receiving yards in a BCS/CFP national championship game with 221 yards and two touchdowns. Coach Orgeron, winner of the Eddie Robinson Coach of the Year award and famously known as "Coach Oeaux," fearlessly led his men throughout this magical season with the motto "One team, one heartbeat."

This national championship is LSU's fourth in school history, and it is perfectly fitting that the championship game was held only an hour away from campus in the great City of New Orleans. The 2019 LSU Tigers have staked their claim as one of the all-time best teams in the history of college football. And Heisman-winner Joe Burrow just finished one of the greatest seasons played by a college quarterback.

As Coach O said, this is a team for the ages and they have made the entire State of Louisiana very proud. Geaux Tigers.

## PERSONAL EXPLANATION

### HON. BRIAN K. FITZPATRICK

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 2020

Mr. FITZPATRICK. Madam Speaker, on Thursday January 9, 2020 I missed votes in the House of Representatives to attend funeral services for my brother Former Congressman Michael G. Fitzpatrick. Had I been present, I would have voted NAY on Roll Call No. 05; NAY on Roll Call No. 06; NAY on Roll Call No. 07; and YEA on Roll Call No. 08.

## PERSONAL EXPLANATION

### HON. JENNIFFER GONZÁLEZ-COLÓN

OF PUERTO RICO

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 2020

Miss GONZÁLEZ-COLÓN of Puerto Rico. Madam Speaker, due to a visit with Senator RICK SCOTT after the earthquakes in Puerto Rico, I was unable to vote.

Had I been present, I would have voted YEA on Roll Call No. 09; YEA on Roll Call No. 10; and NAY on Roll Call No. 11.

## PERSONAL EXPLANATION

### HON. DONALD M. PAYNE, JR.

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 2020

Mr. PAYNE. Madam Speaker, due to a medical procedure, I was unable to vote on the following 5 roll call Amendments/Bills on January 10, 2020. Had I been present, I would have voted: NAY on Roll Call No. 9 (Burgess Amendment); NAY on Roll Call No. 10 (Balderson Amendment); YEA on Roll Call No. 11 (Pappas Amendment); NAY on Roll Call No. 12 (Republican Motion to Recommit on H.R. 535); and YEA on Roll Call No. 13 (Final Passage of H.R. 535—PFAS Action Act (Rep. DINGELL—Energy and Commerce)).

## HONORING BRAEDEN BUTTRON

### HON. SAM GRAVES

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

Wednesday, January 15, 2020

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Braeden Buttron. Braeden is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Braeden has been very active with his troop, participating in many scout activities. Over the many years Braeden has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Braeden has contributed to his community through his Eagle Scout project.

Madam Speaker, I proudly ask you to join me in commending Braeden Buttron for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

RECOGNIZING THE SERVICE OF  
DEPUTY WARDEN ROBERT F. BO-  
LOGNA

**HON. LEE M. ZELDIN**

OF NEW YORK

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. ZELDIN. Madam Speaker, I rise today to recognize the service of Deputy Warden of the Suffolk County Sheriff's Office's Corrections Division, Robert F. Bologna, as he culminates 28 years serving our community with the Suffolk County Sheriff's Office.

Beginning his civil service career with the Sheriff's Office in January of 1992 as a Correction Officer, Officer Bologna went above and beyond the call of duty, quickly rising through the ranks thanks to his unparalleled skill set and leadership.

Promoted to Deputy Warden in 2016, he commanded correctional facilities in Yaphank and Riverhead, responsible for several hundred law enforcement officers, the safety of thousands of individuals in the custody of the Sheriff and the safety and security of communities across Long Island.

From his time as a United States Navy Operations Specialist in the Persian Gulf to his time serving in the Suffolk County Sheriff's Office, Deputy Warden has never hesitated to put the safety of his fellow Long Islanders above his own.

On behalf of our entire community and nation, I thank Deputy Warden Bologna for his service and wish him the best in his well-earned retirement.

**HONORING STEPHEN THOMAS  
COVINGTON**

**HON. RAUL RUIZ**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. RUIZ. Madam Speaker, I rise to honor my constituent, Stephen Thomas Covington, who passed away on December 21, 2019. Steve was an incredible activist who sought to better our community from the ground up. With his creativity, innovation, and entrepreneurship, Steve worked to fulfill his vision to positively impact the community of Hemet.

As the owner of the Downtown Deli & Coffee Company, Steve sought to rebuild Hemet's historic Downtown District. Since the Downtown Deli opened its doors in 2014, it quickly became a local favorite and neighborhood landmark, as well as one of my favorite lunch spots. With Steve's passion for his community and his excellence in his craft, he fostered a warm and welcoming atmosphere that celebrated Hemet's history and culture.

Steve's presence in the community transcended the Downtown Deli. As a board member of the City of Hemet's Traffic Commission, Steve served as a local leader committed to uplifting Hemet. He constantly gave of himself to better the lives of his neighbors as he worked with numerous local community initiatives, such as the Ramona Bowl and Tinsel Triathlon and the restoration of Hemet's Historic Theater.

A devoted family man, Steve was known for his passion, honesty, and loyalty to friends

and loved ones. As the Hemet community grieves his loss, my heart is with wife Karen, his mother Diana, and grandparents Tom and Sally. Steve's legacy will be felt for years to come, and his memory will live on in the hearts of the lives he touched.

**PERSONAL EXPLANATION**

**HON. JIM COSTA**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. COSTA. Madam Speaker, regrettably, I was unable to attend the votes series for January 13, 2020. Had I been present, I would have voted YEA on H.R. 4335—8-K Trading Gap Act of 2019, and YEA on H.R. 2398—Veteran HOUSE Act of 2020.

IN RECOGNITION OF TALLADEGA  
COUNTY DEPUTY CHRIS ROGERS  
AND THREE BRAVE CITIZENS:  
MICHAEL OAKES, RONNIE  
RAGLAND AND PAUL WRIGHT

**HON. MIKE ROGERS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. ROGERS of Alabama. Madam Speaker, I rise to recognize Talladega County Deputy Chris Rogers and three other brave individuals, Michael Oakes, Ronnie Ragland and Paul Wright, who helped save Sylacauga Police Officer Blake McGhee's life.

On November 14, 2019, McGhee had an automobile accident with a log truck and was pinned in his duty SUV which had caught on fire. Chris Rogers and three passersby—all strangers to McGhee—worked bravely to remove McGhee despite ammunition discharging in the back of the vehicle due to the flames. McGhee suffered internal injuries and broken bones.

Because of the work of these four individuals, McGhee's life was saved.

Madam Speaker, please join me in recognizing Chris Rogers, Michael Oakes, Ronnie Ragland and Paul Wright for their selfless and brave acts to save the life of Blake McGhee.

**HONORING AIDEN CARRIZZO**

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Aiden Carrizzo. Aiden is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Aiden has been very active with his troop, participating in many scout activities. Over the many years Aiden has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Aiden has contributed to his community through his Eagle Scout project.

Madam Speaker, I proudly ask you to join me in commending Aiden Carrizzo for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

**PERSONAL EXPLANATION**

**HON. JOE CUNNINGHAM**

OF SOUTH CAROLINA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. CUNNINGHAM. Madam Speaker, on January 13, 2020, I was absent from the House chamber. Accordingly, I was unable to vote on two legislative measures on the floor.

Had I been present and voting, I would have voted as follows: Aye on Roll Call No. 14: H.R. 4335, On Motion to Suspend the Rules and Pass, as Amended, 8-K Trading Gap Act of 2019, and Aye on Roll Call No. 15: H.R. 2398, On Motion to Suspend the Rules and Pass, as Amended, Veteran HOUSE Act of 2020.

CONGRATULATING CONGRES-  
SIONAL AWARD RECIPIENT  
ANNELIESE MABIE

**HON. ABIGAIL DAVIS SPANBERGER**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Ms. SPANBERGER. Madam Speaker, Central Virginia is home to some of the most community-centered and service-minded students in the country, and today I am fortunate to recognize one of these students as a recipient of the Congressional Award.

Anneliese Mabie, a constituent of mine from Locust Grove, earned this national recognition for her work in community service, personal development, physical fitness, and exploration of the world around her.

Anneliese's community service centered on volunteering for Four County Players, a community theater in my district. She ensured the productions ran smoothly by serving as a spotlight operator, sound board operator, assistant stage manager, and stage manager. Anneliese has demonstrated an ability to set goals, make a strategy, and see it through to the end.

Madam Speaker, I congratulate Anneliese on her accomplishments. I look forward to seeing how she will continue contributing to our Seventh District communities in the future.

**PERSONAL EXPLANATION**

**HON. BRIAN K. FITZPATRICK**

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. FITZPATRICK. Madam Speaker, on Friday January 10, 2020 I missed votes in the House of Representatives to attend funeral services for my brother Former Congressman Michael G. Fitzpatrick. Had I been present, I would have voted NAY on Roll Call No. 09; NAY on Roll Call No. 10; YEA on Roll Call No. 11; YEA on Roll Call No. 12; and YEA on Roll Call No. 13.

INTRODUCTION OF THE PROMOTING NATIONAL SERVICE AND REDUCING UNEMPLOYMENT ACT

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Ms. NORTON. Madam Speaker, I rise today to introduce the Promoting National Service and Reducing Unemployment Act to address one of the greatest workforce tragedies resulting from today's economy—our unemployed young people—and to spur economic growth and to alleviate strain on state and local governments. This tragedy is not only harming our young people, but it is also costing our government billions of dollars each year in lost productivity, lost tax revenue and other costs. Although total unemployment has reached a relative low (3.5 percent), the unemployment rate for young people is eight percent. These young people have not had a fair chance to use the high school or college education we strongly urged them to obtain.

What is particularly disappointing, particularly in today's low unemployment economy, is the high unemployment rate for young people who heeded our advice to graduate from high school and college. The total unemployment rate is currently eight percent for people 16 to 24 years old, 4.5 points higher than the overall employment rate, and hundreds of thousands of them now compete for unpaid internships wherever they can find them. By significantly expanding AmeriCorps, my bill would need no new administrative structure or bureaucracy but would allow unemployed young people to earn a stipend, obtain work experience and develop a good work history to help secure future employment. The net cost of the expansion would be low because these young people would be providing urgently needed local services that are being eliminated or curtailed because of state and local budget cuts, such as after-school programs, tutoring and assistance for the elderly.

The bill would significantly expand job opportunities for young people who have done what they could to enter into the job market, but, despite their best efforts, remain unemployed in this economy. AmeriCorps participants receive a living allowance and are also eligible for an education award equal to the value of a Pell grant, school-loan forbearance, health care benefits and child care assistance. By expanding AmeriCorps, we would reduce the number of unemployed young people, provide them with work skills and experience and help cash-strapped state and local governments provide services that they would otherwise have to cut or eliminate altogether.

For some time, it has been clear that policies to address the most stubborn forms of unemployment need to be targeted in order to be effective. Without significant targeting, many young graduates will continue to face their first years as adults without jobs and with no way to acquire necessary work experience. They deserve a better start in life as adults. I ask my colleagues to support this urgently needed, targeted assistance for young, unemployed Americans.

IN HONOR OF THE LIFE OF LILIJA GRUMULAITIS

**HON. KEVIN BRADY**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. BRADY. Madam Speaker, today I rise to honor the remarkable life of Lilija Grumulaitis and recognize her unwavering dedication to her community and causes closest to her heart.

Although a devoted American, Lilija was not born in the United States. Born on February 15, 1938 in Marijampole, Lithuania, Lilija migrated to Germany and Australia before calling America home. Her journey began during World War II when Russian forces attacked Lithuanian cities—making it impossible to live peacefully under communist rule. In 1944, her family sought refuge in Berlin, Germany for four weeks. At the young age of six, Lilija vividly recalls uttering her first words in English to an America soldier at a refugee camp in Wiesbaden, Germany, “Thank you for my freedom.” Lilija's family dreamed of moving to America—where she could practice faith and support candidates freely—but at the time, her family had the option to safely relocate to Australia through the United Nations Relief and Rehabilitation Administration (UNRAA).

Many years later, Lilija was able to fulfill her dream to come to America when she married Leonas Grumulaitis. In 1958, the couple arrived at Ellis Island in New York. The pair would go on to live in New Jersey, Illinois and Florida before making their permanent home in Conroe, Texas in 1979. It was in Texas where Lilija would establish a lifelong legacy of service. Seeing a need for representation, Lilija helped establish several civic organizations and was an honorary member of Rotary Club Lake Conroe. With a strong sense of civic duty, she went on to be a strong supporter of both President Reagan and President George H.W. Bush. She was entrusted to gather diverse crowds and encourage others to use their freedom to vote.

One of Lilija's proudest moments was on July 26, 1972—the day she became a U.S. citizen. For decades after obtaining her citizenship, the joy of liberty never left her, once stating how inexpressible it was to see the Statue of Liberty years later. Anyone who knows her, knows she never failed to take advantage of the opportunity to thank veterans for her freedom as she had done as a six-year-old in Germany. For years, she expressed her gratitude through Christmas cards to over 200 veterans each year and was a guardian on two of the Lone Star Honors Flights. Lilija is a remarkable patriot and example of how we can best serve our community.

While we mourn with Lilija's family, we also celebrate the life, service, and legacy that will live throughout our community. I am proud to join her family, friends, and the Eighth District of Texas in honoring her life and steadfast devotion to the United States of America.

HONORING AVERY DOGGETT

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Avery Doggett. Avery is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Avery has been very active with his troop, participating in many scout activities. Over the many years Avery has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Avery has contributed to his community through his Eagle Scout project.

Madam Speaker, I proudly ask you to join me in commending Avery Doggett for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

COMMEMORATING THE 2020 NATIONAL CATHOLIC SCHOOLS WEEK

**HON. DARIN LAHOOD**

OF ILLINOIS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. LAHOOD. Madam Speaker, today, I recognize Catholic schools and parishes in our nation as we celebrate National Catholic Schools Week. As we approach this celebration, I am excited to announce that this year's theme is “Catholic School: Learn, Serve, Lead, Succeed” which resonates with my District which is home to thirty-five Catholic schools. Parochial education strives to instill faith, community involvement, and commitment in the classroom to shape each generation of students into well-educated, compassionate members of our communities. For forty-six years, Catholic schools have taken part in this tradition, which provides a time to reflect on and commemorate their contributions to education.

Due to the National Catholic Educational Association's (NCEA) leadership, 99.2 percent of all students at Catholic schools graduate high school and 86.2 percent go on to four-year college. The NCEA's legacy of success is a testament to the quality education and guidance through faith that each student receives through their time in Catholic schools.

As a proud graduate of St. Anne Grade School in East Moline, Illinois and Spalding Catholic High School in Peoria, Illinois, I am honored to co-sponsor legislation supporting National Catholic Schools Week. The religious values and foundation of faith instilled through Catholic schools guides my daily life and continues to strengthen my relationship with God. My wife and I are thankful that our three sons have the opportunity to attend Catholic schools, allowing them to be immersed in the Catholic faith, endure a quality education, and participate in community service.

During National Catholic Schools Week, I extend my sincere blessings to Catholic

schools across the nation and I am honored to promote their successes. This week is a time to reflect and celebrate on all the contributions that the National Catholic Education Association and the impact their schools provide to our communities. I look forward to continuing to support Catholic schools and carrying out God's mission of faith, service, and knowledge.

TRIBUTE TO TOM WILSON PAGE,  
JR.

**HON. DENVER RIGGLEMAN**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. RIGGLEMAN. Madam Speaker, today I wish to observe and mourn the passing of Tom Wilson Page, Jr. who was called home unexpectedly this past week. A devoted husband, father, grandfather, and friend, Tom was a pillar of our Nelson County community and his loss will be felt throughout our district.

A small business owner, Tom was always ready to lend a helping hand to anyone who needed it. His passion and love of community were evident in where he spent his time; at his church and on the baseball field. Tom was an instrumental part of the Nelson County Youth Baseball Association, where he mentored young players and taught them the fundamentals of the pastime he loved.

He leaves behind his beloved wife of 43 years, Esther W. Page; his sons, Prennis "Lamonte" Page and Brandon S. Page; and two grandchildren. I join all of Nelson County in mourning his loss, and extend my thoughts, prayers, and deepest sympathies to the Page family.

CONGRATULATING CHIEF DANIEL  
STEERE ON HIS RETIREMENT

**HON. BILL HUIZENGA**

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. HUIZENGA. Madam Speaker, I rise today to recognize the exemplary career of Daniel Steere, Chief of Police at the Grandville City Police Department. I would like to express my appreciation to Chief Steere for over 37 years of dedicated services to West Michigan and our nation.

Chief Steere's career in law enforcement began in 1982 when he entered the Tampa Police Department Recruit Academy. After graduation, he quickly rose to become a Field Training Officer. Wanting to be closer to family, he moved back to Michigan in 1985, and soon after, found his professional home in the Grandville Police Department. In 1989, Chief Steere became the department's first vice detective and later would serve as the department's first officer assigned to a collaborative drug team.

In 1993, Dan was promoted to Sergeant and was tasked with overseeing the training program for new officers. Beginning in 1996, he became the department's Detective Sergeant and served in that position until his elevation to Deputy Chief in 2008. He served with distinction as Deputy Chief until being promoted to Chief in 2012.

Under Chief Steere's leadership, the department expanded to 26 sworn officers and added a second School Resource Officer position. Additionally, Chief Steere oversaw a department-wide rebrand, including new uniforms and patches for all officers. Exemplifying his successes, Chief Steere spent countless hours each year with the City Parks and Recreation Board to ensure the well-known July 4th celebrations occurred safely and successfully year after year.

Throughout his distinguished career, Chief Steere served with impeccable integrity even when it proved difficult. Aside from dedicating his life to public service, Chief Steere has proudly served as an active participant in our West Michigan community. He gives back by volunteering his time with Rotary International, the YMCA, the Grand Rapids Community College Police Academy Advisory Board, and the Kent Country Corrections Board. None of the above would be possible without the support of his wife Julie, and now adult children Elizabeth, Adam and Emily.

It is because of the leadership and dedication of community members such as Chief Daniel Steere that I am especially proud to serve Michigan's 2nd Congressional District. Madam Speaker, I would like to again formally congratulate Chief Steere on his well-deserved retirement and thank him for his service to West Michigan and our nation.

HONORING SUSAN RITTER FOR 37  
YEARS OF SERVICE TO THE  
HOME BUILDING INDUSTRY

**HON. SCOTT DesJARLAIS**

OF TENNESSEE

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. DESJARLAIS. Madam Speaker, I rise today to honor the accomplishments of Mrs. Susan Ritter, who is retiring from her position as Executive Vice President of the Home Builders Association of Tennessee (HBAT) after 37 years of service to the home building industry.

Susan has been a tireless advocate for the home building industry—one of the key primary drivers of the American economy. Home ownership has long been one of the linchpins of the American dream, and the home building industry in Tennessee has long been in tune with the housing needs of local communities. I can personally speak of Susan's effectiveness in working on behalf of these goals.

Susan has served as the executive vice president of the Home Builders Association of Tennessee since August 2000, serving as the point person for navigating the complex policy and regulatory world that members of the industry deal with as part of their day to day operations. It is not coincidental that a good number of these business leaders happen to be cornerstones of the communities they serve. All of these individuals that I have had the privilege of meeting and ask difficult questions say the same thing: "Susan Ritter is the person to who you need to talk."

There have been many accolades for Susan's service over the years, and her service was appropriately honored by the National Association of Home Builders when they named her the State Executive Officer of the Year. She was also a recipient of HBAT Past Presi-

dents' Special Award for her "dedication and loyalty to the home building industry" in 2005. As the chief officer in charge of Tennessee's association, she ran the daily operations of an association that includes 2,500 members while also monitoring the political and regulatory environments for the industry both in Nashville and Washington.

In addition to being an effective voice for the industry—whether through communicating with Members of Congress or state legislators or with members of the media, Susan also guided their charitable endeavors. She also served as chairman of the Executive Officers Council in 2009, co-chair of the NAHB National Membership Committee in 2000, and was a member of the NAHB Executive Committee in 2000 and in 2009, also serving as a founding member of the EO 20 Club.

Susan has been a successful and professional leader for many years, and while I know the industry will continue to be successful for many years to come, I also know that the home builders of Tennessee will miss her guidance. I would ask all of the Members of Congress to join me in congratulating Susan Ritter for her excellent work and sending best wishes to her and her family in their future endeavors.

HONORING BRONSON FRIELING

**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Bronson Frieling. Bronson is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 60, and earning the most prestigious award of Eagle Scout.

Bronson has been very active with his troop, participating in many scout activities. Over the many years Bronson has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Bronson has contributed to his community through his Eagle Scout project. Bronson fundraised, designed, and organized community volunteers to install an 8 foot by 10 foot road sign for the Andrew County Museum in Savannah, Missouri.

Madam Speaker, I proudly ask you to join me in commending Bronson Frieling for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

HONORING HEXAGON

**HON. ELEANOR HOLMES NORTON**

OF THE DISTRICT OF COLUMBIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Ms. NORTON. Madam Speaker, I rise today to ask the House of Representatives to join me in honoring Hexagon, a District of Columbia based original, political, satirical and musical comedy revue, on the occasion of its 65th anniversary. The show often makes fun of Congress here in the belly of the beast.

Over the past six and a half decades, Hexagon has brought laughter and music to the District. This non-profit, volunteer-based company was founded in 1965 by several members of the Princeton all-male Triangle Club, who changed the group's name to Hexagon, representing the group's growth and inclusion of women.

Each year, Hexagon puts on a show and donates proceeds, sometimes as large as \$30,000, to charities, many located in D.C. Last year, the company donated to Dancing Classrooms of Washington, D.C., a local arts education program focused on teaching social-emotional skills to fifth graders through dance. The proceeds of this year's 65th anniversary show, entitled "One State Two State Red State Blue State," will go to SMYL, a non-profit organization serving LGBTQ youth in D.C.

Although all the performers are volunteers, Hexagon is a show of professional quality that sells out to packed-houses of residents from D.C. and the region. I have had the honor of performing with the company, along with several other Members of Congress, over the years, including Senator CHRIS VAN HOLLEN and Congresswoman DONNA SHALALA.

Madam Speaker, I rise today to ask the House of Representatives to join me in honoring Hexagon for working to improve the lives of D.C. and regional residents through laughter and charity. As we honor the company's 65 years in District of Columbia, we can only wish for many more.

**RECOGNIZING MR. RAY WALKER  
FOR AN OUTSTANDING COACH-  
ING CAREER**

**HON. MO BROOKS**

OF ALABAMA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. BROOKS of Alabama. Madam Speaker, I rise today to congratulate Mr. Ray Walker for his induction into the Alabama Baseball Coaching Association Hall of Fame.

Ray was born in 1946 in Anniston, Alabama. At two years old, his family moved to Huntsville. Ray was a part of the first graduating class at Lee High School, in 1964. At Lee, Ray played baseball, basketball, and football. Upon graduation, Ray attended William Carey College before transferring to Florence State (UNA), where he earned a Bachelor of Science degree in 1968. In 1970, Ray received a master's degree in Physical Education (PE) and Administration from Athens State College.

In 1968, Ray began teaching Biology and PE at Chapman Junior High School, where he coached baseball, basketball, and football. In 1975, Ray transferred to Grissom High School to become a driving instructor. At Grissom, Ray took on two head coaching positions: baseball and freshman football. Ray remained in these two positions until his retirement in 2000.

As the head Freshman Football Coach, Ray's teams won 102 games and eight city championships. Ray served as Grissom's Head Baseball Coach for 25 years, where he led his team to 389 wins. Sixty-eight of the players from his program went on to play in college and three went into the minor leagues. In total, Ray's teams won nine city champion-

ship titles and advanced to the final four during the state baseball playoffs in 1982 and 1991. Ray's Grissom High Baseball team won the 6A State Baseball Championship in 1989. Ray was chosen several times as Huntsville City Coach of the Year in baseball. In 1989, Ray was chosen as Coach of the Year for the State of Alabama. During the last 20 years of his baseball coaching career at Grissom High School, his team made the state playoffs 18 times. In 2004, Ray was inducted into the Huntsville Madison County Sports Hall of Fame for his many achievements.

Ray served in the Army Reserve from 1970 to 1998 and retired as a Master Sergeant. He recalls that as a young man many people had significant influences in his life but none greater than his uncle, Oba Belcher. Ray followed his uncle's career at Athens College with intense interest as he coached many outstanding basketball teams. Ray observed that his uncle always set his standards high, out-worked other teams, and projected a positive attitude through his coaching. Oba was a wonderful role model and mentor, especially when Ray began his coaching career.

After teaching and coaching for 46 years in the Huntsville City Schools, Ray retired, or so one thought. Ray's retirement from the school system led to what was the beginning of his new career as the owner and operator of Coach Walker's Driving School. Ray jokes that because the word "retirement" is not in the Bible, you need to keep on working. Truth be told, he loves what he has felt he was lead to do, and is continuing to fulfill his life's work by teaching and coaching today's young people.

**HONORING MR. JUAN LINO  
RAMIREZ**

**HON. VICENTE GONZALEZ**

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. GONZALEZ of Texas. Madam Speaker, I rise today to wish Mr. Juan Lino Ramirez, a beloved public servant and successful businessman from South Texas, a very special 85th birthday.

Mr. Ramirez was born on January 20, 1935, and dedicated his life to serving others while successfully creating multiple businesses. Juan Lino's contributions to Jim Hogg County and South Texas have been significant, and I am honored to be able to stand here today and share those achievements with my colleagues and the citizens of the United States of America.

Juan Lino started his career like many other Americans, with a small business. When Juan Lino was in his mid-twenties, he opened up his first business, a small car repair shop called T&R Auto Repair Shop. He ran and worked at the shop until he was able to move onto more lucrative business opportunities. In 1967, Juan Lino decided to obtain a Used Car Business Dealer License, which he later used to become one of the best salesmen in South Texas, winning the "Dealer of the Month" award from the San Antonio Auto Auction. Juan Lino acknowledged his business acumen but humbly decided to take a different career path and serve the people of South Texas.

In his twenties, Juan Lino took an interest in Jim Hogg County's public education system

and served on the Independent School District Board. There, he expanded educational opportunities for all students in the district, facilitated a vision for the future of the Jim Hogg Independent School District, and served as a role model to all that knew him in the community.

After serving on the Jim Hogg County Independent School District Board, Juan Lino decided to serve his community in a new capacity by taking on the highest law enforcement post in Jim Hogg County: Sheriff. Juan Lino served as the Jim Hogg County Sheriff twice, first from 1970 to 1973 and then again from 1976 to 1980. During his time as Sheriff, he hired the first female Sheriff Deputy in Jim Hogg County's history, Vila Martinez, acquired the first computer for the Sheriff's Department, and introduced standardized Sheriff Deputy uniforms. These accomplishments helped transform the Jim Hogg County Sheriff's Department into the modern and professional unit it is today. Juan Lino also successfully created one-way streets in school zones to ensure the safety of students on their commutes to and from school as the Sheriff of Jim Hogg.

Juan Lino continued to give back to Jim Hogg County in the 21st Century, serving as the County Commissioner for Precinct 4 for two terms. The first term was from 2002 to 2006, and the second term was from 2011 to 2015. During his time as County Commissioner for Precinct 4, Juan Lino worked to better the lives of people on a daily basis through infrastructure, economic development, and housing projects. I cannot imagine Jim Hogg County without Mr. Ramirez. He helped shepherd the Sheriff's Department into a new era, expanded women's opportunities, enhanced student safety, successfully grew his businesses, and accomplished many more milestones.

Madam Speaker, on January 20, 2020, Mr. Juan Lino Ramirez turns 85. I stand here today to acknowledge the decades of service Mr. Ramirez has given to Jim Hogg County. Mr. Juan Lino Ramirez serves as a leader in our community, and I wish him a very happy birthday.

**CONGRATULATING CONGRES-  
SIONAL AWARD RECIPIENT NICO-  
LAS MABIE**

**HON. ABIGAIL DAVIS SPANBERGER**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Ms. SPANBERGER. Madam Speaker, Central Virginia is home to some of the most community-centered and service-minded students in the country, and today I am fortunate to recognize one of these students as a recipient of the Congressional Award.

Nicolas Mabie, a constituent of mine from Moseley, earned this national recognition for his work in community service, personal development, physical fitness, and exploration of the world around him.

Nicolas's community service centered on volunteering for his community swim team. Through this activity, he helped kids learn a life-long and life-saving skill. He has demonstrated an ability to set goals, make a strategy, and see it through to the end.

Madam Speaker, I congratulate Nicolas on his accomplishments. I look forward to seeing

how he will continue contributing to our Seventh District communities in the future.

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HONORING OWEN MUSTAIN

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**HON. SAM GRAVES**

OF MISSOURI

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, January 15, 2020*

Mr. GRAVES of Missouri. Madam Speaker, I proudly pause to recognize Owen Mustain. Owen is a very special young man who has exemplified the finest qualities of citizenship and leadership by taking an active part in the Boy Scouts of America, Troop 314, and earning the most prestigious award of Eagle Scout.

Owen has been very active with his troop, participating in many scout activities. Over the many years Owen has been involved with scouting, he has not only earned numerous merit badges, but also the respect of his family, peers, and community. Most notably, Owen has contributed to his community through his Eagle Scout project.

Madam Speaker, I proudly ask you to join me in commending Owen Mustain for his accomplishments with the Boy Scouts of America and for his efforts put forth in achieving the highest distinction of Eagle Scout.

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SENATE COMMITTEE MEETINGS

Title IV of Senate Resolution 4, agreed to by the Senate of February 4, 1977, calls for establishment of a system for a computerized schedule of all meetings and hearings of Senate committees, subcommittees, joint committees, and committees of conference. This title requires all such committees to notify the Office of the Senate Daily Digest—designated by the Rules Committee—of the time, place and purpose of the meetings, when scheduled and any cancellations or changes in the meetings as they occur.

As an additional procedure along with the computerization of this information, the Office of the Senate Daily Digest will prepare this information for

printing in the Extensions of Remarks section of the CONGRESSIONAL RECORD on Monday and Wednesday of each week.

Meetings scheduled for Thursday, January 16, 2020 may be found in the Daily Digest of today's RECORD.

MEETINGS SCHEDULED

JANUARY 22

10 a.m.

Committee on Commerce, Science, and Transportation

To hold hearings to examine the 5G workforce and obstacles to broadband deployment.

SH-216

Committee on Environment and Public Works

To hold an oversight hearing to examine the Economic Development Administration.

SD-406

Select Committee on Intelligence

To receive a closed briefing on certain intelligence matters.

SH-219



# Daily Digest

## Senate

### Chamber Action

#### *Routine Proceedings, pages S201–S253*

**Measures Introduced:** Seven bills and five resolutions were introduced, as follows: S. 3194–3200, S. Res. 470–473, and S. Con. Res. 34. **Page S245**

#### **Measures Reported:**

Special Report entitled “Further Revised Allocation to Subcommittees of Budget Totals for Fiscal Year 2020”. (S. Rept. No. 116–207)

Report to accompany S. 1739, to enable projects that will aid in the development and delivery of related instruction associated with apprenticeship and preapprenticeship programs that are focused on serving the skilled technical workforce at the National Laboratories and certain facilities of the National Nuclear Security Administration. (S. Rept. No. 116–205)

S. 227, to direct the Attorney General to review, revise, and develop law enforcement and justice protocols appropriate to address missing and murdered Indians, with an amendment in the nature of a substitute. (S. Rept. No. 116–206)

H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

S. 2971, to amend and reauthorize the Child Abuse Prevention and Treatment Act, with an amendment in the nature of a substitute. **Page S244**

#### **Measures Passed:**

***Authorizing the Taking of a Photograph in the Senate Chamber:*** Senate agreed to S. Res. 471, authorizing the taking of a photograph in the Chamber of the United States Senate. **Page S235**

***United States-Mexico Economic Partnership Act:*** Senate passed H.R. 133, to promote economic partnership and cooperation between the United States and Mexico, after agreeing to the committee amendment in the nature of a substitute. **Pages S250–51**

***South Sudan:*** Senate agreed to S. Res. 371, reaffirming the support of the United States for the people of the Republic of South Sudan and calling

on all parties to uphold their commitments to peace and dialogue as outlined in the 2018 revitalized peace agreement, after agreeing to the committee amendment in the nature of a substitute.

**Pages S251–52**

***Commending the Louisiana State University Tigers Football Team:*** Senate agreed to S. Res. 472, commending the Louisiana State University Tigers football team for winning the 2020 College Football Playoff National Championship. **Page S252**

***Congratulating the University of Charleston Men’s Soccer Team:*** Senate agreed to S. Res. 473, congratulating the University of Charleston men’s soccer team for winning the National Collegiate Athletic Association Division II Men’s Soccer Championship at Highmark Stadium in Pittsburgh, Pennsylvania. **Page S252**

#### **Measures Considered:**

***United States-Mexico-Canada Agreement Implementation Act—Agreement:*** Senate began consideration of H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement, after agreeing to the motion to proceed to consideration of the bill. **Page S220**

A unanimous-consent agreement was reached providing that all debate time on the bill expire at 11 a.m., on Thursday, January 16, 2020; that prior to the expiration of debate time, it be in order for Senator Toomey, or his designee, to raise a budget point of order, and if a point of order is raised, it be in order for Senator Grassley, or his designee, to make a motion to waive the point of order. **Page S236**

A unanimous-consent agreement was reached providing for further consideration of the bill, at approximately 9:45 a.m., on Thursday, January 16, 2020. **Page S252**

***House Presents Articles of Impeachment—Agreement:*** A unanimous-consent agreement was reached providing that, pursuant to Rule I of the Rules of Procedure and Practice When Sitting on Impeachment Trials, that the Secretary of the Senate inform the House of Representatives that the Senate

is ready to receive the managers appointed by the House for the purpose of exhibiting articles of impeachment against Donald John Trump, President of the United States, agreeably to the notice communicated to the Senate; provided further that at the hour of 12 noon, on Thursday, January 16, 2020, Senate will receive the managers on the part of the House of Representatives in order that they may present and exhibit the articles of impeachment against Donald John Trump, President of the United States.

**Page S234**

**Swearing-In—Agreement:** A unanimous-consent agreement was reached providing that, pursuant to Rules III and IV of the Rules of Procedure and Practice When Sitting on Impeachment Trials, that at the hour of 2 p.m., on Thursday, January 16, 2020, Senate proceed to the consideration of the articles of impeachment and that the Presiding Officer, through the Secretary of the Senate, notify the Chief Justice of the United States of the time and place fixed for consideration of the articles and request his attendance as presiding officer pursuant to Article I, section 3, clause 6, of the United States Constitution.

**Pages S234–35**

**Escort Committee and House Notification—Agreement:** A unanimous-consent agreement was reached providing that the Presiding Officer be authorized to appoint a committee of Senators, two upon the recommendation of the Majority Leader, and two upon the recommendation of the Democratic Leader, to escort the Chief Justice of the United States into the Senate Chamber; and that the Secretary of the Senate be directed to notify the House of Representatives of the time and place fixed for Senate to proceed upon the impeachment of Donald John Trump in the Senate Chamber.

**Page S235**

**Access to Senate Wing, Floor, and Galleries—Agreement:** A unanimous-consent agreement was reached providing that access to the Senate wing, the Senate floor, and the Senate Chamber galleries during all the proceedings involving the exhibition of consideration of the articles of impeachment against Donald John Trump, President of the United States, and all times that the Senate is sitting for trial with the Chief Justice of the United States presiding, be in accordance with the allocations and provisions sent to the desk and that it be printed in the Record.

**Page S235**

**Messages from the House:**

**Pages S242–43**

**Measures Placed on the Calendar:**

**Page S243**

**Executive Communications:**

**Pages S243–44**

**Petitions and Memorials:**

**Page S244**

**Executive Reports of Committees:**

**Pages S244–45**

**Additional Cosponsors:** **Pages S245–47**

**Statements on Introduced Bills/Resolutions:** **Pages S247–50**

**Authorities for Committees to Meet:** **Page S250**

**Privileges of the Floor:** **Page S250**

**Adjournment:** Senate convened at 10 a.m. and adjourned at 6:46 p.m., until 9:45 a.m. on Thursday, January 16, 2020. (For Senate's program, see the remarks of the Majority Leader in today's Record on pages S235–36.)

## Committee Meetings

*(Committees not listed did not meet)*

### BUSINESS MEETING

**Committee on Agriculture, Nutrition, and Forestry:** Committee announced the following subcommittee assignments for the 116th Congress:

**Subcommittee on Commodities, Risk Management, and Trade:** Senators Boozman (Chair), McConnell, Hoeven, Hyde-Smith, Grassley, Loeffler, Brown, Bennet, Gillibrand, Smith, and Durbin.

**Subcommittee on Rural Development and Energy:** Senators Ernst (Chair), McConnell, Hoeven, Braun, Thune, Fischer, Smith, Brown, Klobuchar, Bennet, and Durbin.

**Subcommittee on Conservation, Forestry, and Natural Resources:** Senators Braun (Chair), Boozman, Hyde-Smith, Grassley, Thune, Loeffler, Bennet, Leahy, Klobuchar, Casey, and Durbin.

**Subcommittee on Nutrition, Agricultural Research, and Specialty Crops:** Senators Fischer (Chair), McConnell, Boozman, Hoeven, Ernst, Thune, Casey, Leahy, Brown, Klobuchar, and Gillibrand.

**Subcommittee on Livestock, Marketing, and Agriculture Security:** Senators Hyde-Smith (Chair), Ernst, Braun, Grassley, Fischer, Loeffler, Gillibrand, Leahy, Klobuchar, Casey, and Smith.

*Senators Roberts and Stabenow are ex-officio members of each subcommittee.*

### BUSINESS MEETING

**Committee on Appropriations:** Committee ordered favorably reported H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

### BUSINESS MEETING

**Committee on Commerce, Science, and Transportation:** Committee ordered favorably reported H.R. 5430, to

implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

## INDUSTRIES OF THE FUTURE

*Committee on Commerce, Science, and Transportation:* Committee concluded a hearing to examine industries of the future, after receiving testimony from Walter Copan, Under Secretary of Commerce for Standards and Technology, and Director, National Institute of Standards and Technology; France Cordova, Director, National Science Foundation; Michael Kratsios, Chief Technology Officer of the United States, White House Office of Science and Technology Policy; and Michael O'Rielly, and Jessica Rosenworcel, both a Commissioner, Federal Communications Commission.

## NUCLEAR ENERGY INNOVATION AND MODERNIZATION ACT

*Committee on Environment and Public Works:* Committee concluded a hearing to examine an update on implementation of the Nuclear Energy Innovation and Modernization Act, after receiving testimony from Margaret Doane, Executive Director for Oper-

ations, and Ben Ficks, Deputy Chief Financial Officer, both of the Nuclear Regulatory Commission.

## BUSINESS MEETING

*Committee on Foreign Relations:* Committee ordered favorably reported the following business items:

H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement; and

The nominations of Todd C. Chapman, of Texas, to be Ambassador to the Federative Republic of Brazil, John Hennessey-Niland, of Illinois, to be Ambassador to the Republic of Palau, Dorothy Shea, of North Carolina, to be Ambassador to the Lebanese Republic, and Donald Wright, of Virginia, to be Ambassador to the United Republic of Tanzania, all of the Department of State.

## BUSINESS MEETING

*Committee on Health, Education, Labor, and Pensions:* Committee ordered favorably reported H.R. 5430, to implement the Agreement between the United States of America, the United Mexican States, and Canada attached as an Annex to the Protocol Replacing the North American Free Trade Agreement.

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# House of Representatives

## Chamber Action

**Public Bills and Resolutions Introduced:** 16 public bills, H.R. 5606–5621; 3 private bills, H.R. 5622–5624; and 3 resolutions, H. Res. 798–800, were introduced.

Page H299

**Additional Cosponsors:** Pages H300–01

**Reports Filed:** There were no reports filed today.

**Speaker:** Read a letter from the Speaker wherein she appointed Representative Cuellar to act as Speaker pro tempore for today.

Page H241

**Recess:** The House recessed at 11:09 a.m. and reconvened at 12 noon.

Page H249

**Journal:** The House agreed to the Speaker's approval of the Journal by voice vote.

Pages H249, H258

**Appointing and authorizing managers for the impeachment trial of Donald John Trump, President of the United States:** The House agreed to H. Res. 798, appointing and authorizing managers for the impeachment trial of Donald John

Trump, President of the United States, by a ye-and-nay vote of 228 yeas to 193 nays, Roll No. 18.

Pages H252–58

**Committee Resignation:** Read a letter from Representative King (NY) wherein he resigned from the Committee on Financial Services.

Page H258

**Committee Resignation:** Read a letter from Representative Taylor wherein he resigned from the Committee on Homeland Security.

Page H258

**Committee Resignation:** Read a letter from Representative Taylor wherein he resigned from the Committee on Education and Labor.

Page H258

**Recess:** The House recessed at 3:11 p.m. and reconvened at 4:02 p.m.

Page H270

**Protecting Older Workers Against Discrimination Act:** The House passed H.R. 1230, to amend the Age Discrimination in Employment Act of 1967 and other laws to clarify appropriate standards for Federal employment discrimination and retaliation claims, by a recorded vote of 261 ayes to 155 noes, Roll No. 21.

Pages H258–70, H270–74

Rejected the Smucker motion to recommit the bill to the Committee on Education and Labor with instructions to report the same back to the House forthwith with an amendment, by a recorded vote of 196 ayes to 220 noes, Roll No. 20. **Pages H271–73**

Pursuant to the Rule, an amendment in the nature of a substitute consisting of the text of Rules Committee Print 116–46 shall be considered as adopted in the House and in the Committee of the Whole, in lieu of the amendment in the nature of a substitute recommended by the Committee on Education and Labor now printed in the bill.

**Page H264**

Agreed to:

DeSaulnier amendment (No. 1 printed in H. Rept. 116–377) that requires a GAO report on the Equal Employment Opportunity Commission's (EEOC) ability to meet the demands of its workload; its plans for investigating mixed motive age discrimination claims; and options for improving EEOC's ability to respond to allegations of age discrimination; **Pages H265–66**

Rodney Davis (IL) amendment (No. 2 printed in H. Rept. 116–377) that requires the Secretary of the Department of Labor and the Chair of the Equal Opportunity Employment Commission to conduct a study to determine the number of older adult women who may have been adversely impacted by age discrimination as a motivating factor in workplace discrimination or employment; requires the report to be submitted to Congress and made publicly available within one year and would require a recommendation on best practices to combat gender and age discrimination in the workplace; **Pages H266–67**

Brown (MD) amendment (No. 4 printed in H. Rept. 116–377) that requires the Equal Employment Opportunity Commission to submit yearly reports for 5-years to Congress on the number of age discrimination claims brought under this Act; and **Pages H268–69**

Tlaib amendment (No. 5 printed in H. Rept. 116–377) that requires within 5 years the US Commission on Civil Rights to submit a report containing an analysis of the status of Federal mixed motive age discrimination in employment claims made against Federal agencies. **Pages H269–70**

Rejected:

Allen amendment (No. 3 printed in H. Rept. 116–377) that sought to require GAO study on age discrimination and Title VII of the Civil Rights Act of 1964 retaliation charges and cases, and conditions the bill taking effect on the results of the study (by a recorded vote of 163 ayes to 257 noes, Roll No. 19). **Pages H267–68, H270–71**

H. Res. 790, the rule providing for consideration of the bill (H.R. 1230) and the joint resolution (H.J. Res. 76) was agreed to yesterday, January 14th.

**Resignation as Vice Chair of Joint Economic Committee:** Read a letter from Representative Carolyn B. Maloney (NY) wherein she resigned as Vice Chair of the Joint Economic Committee. **Page H274**

**Meeting Hour:** Agreed by unanimous consent that when the House adjourns today, it adjourn to meet at 9 a.m. tomorrow, January 16th. **Page H274**

**Senate Referral:** S. 2547 was referred to the Committee on Foreign Affairs. **Page H298**

**Senate Messages:** Message received from the Senate today and message received from the Senate by the Clerk and subsequently presented to the House today appears on pages H258 and H290–91.

**Quorum Calls—Votes:** One yea-and-nay vote and three recorded votes developed during the proceedings of today and appear on pages H257, H270–71, H272–73, and H273–74. There were no quorum calls.

**Adjournment:** The House met at 10 a.m. and adjourned at 8:09 p.m.

## *Committee Meetings*

### **DOD'S ROLE IN COMPETING WITH CHINA**

*Committee on Armed Services:* Full Committee held a hearing entitled "DOD's Role in Competing with China". Testimony was heard from public witnesses.

### **WHY FEDERAL INVESTMENTS MATTER: STABILITY FROM CONGRESS TO STATE CAPITALS**

*Committee on the Budget:* Full Committee held a hearing entitled "Why Federal Investments Matter: Stability from Congress to State Capitals". Testimony was heard from Jeanne Lambrew, Commissioner, Maine Department of Health and Human Services; Mark Poloncarz, County Executive, Erie County, New York; Larry Walther, Chief Fiscal Officer and Secretary, Arkansas Department of Finance and Administration; Kim Murnieks, Director, Ohio Office of Budget and Management; and a public witness.

### **CANNABIS POLICIES FOR THE NEW DECADE**

*Committee on Energy and Commerce:* Subcommittee on Health held a hearing entitled "Cannabis Policies for the New Decade". Testimony was heard from Matthew J. Strait, Senior Policy Advisor, Diversion Control Division, Drug Enforcement Administration, Department of Justice; Douglas Throckmorton, M.D., Deputy Director for Regulatory Programs, Center for Drug Evaluation and Research, Food and

Drug Administration, Department of Health and Human Services; and Nora D. Volkow, M.D., Director, National Institute on Drug Abuse, National Institutes of Health, Department of Health and Human Services.

#### **LIFTING VOICES: LEGISLATION TO PROMOTE MEDIA MARKETPLACE DIVERSITY**

*Committee on Energy and Commerce:* Subcommittee on Communications and Technology held a hearing entitled “Lifting Voices: Legislation to Promote Media Marketplace Diversity”. Testimony was heard from public witnesses.

#### **A PERSISTENT AND EVOLVING THREAT: AN EXAMINATION OF THE FINANCING OF DOMESTIC TERRORISM AND EXTREMISM**

*Committee on Financial Services:* Subcommittee on National Security, International Development, and Monetary Policy held a hearing entitled “A Persistent and Evolving Threat: An Examination of the Financing of Domestic Terrorism and Extremism”. Testimony was heard from Jared Maples, Director, New Jersey Office of Homeland Security and Preparedness; Rena Miller, Specialist in Financial Economics, Congressional Research Service, Library of Congress; and public witnesses.

#### **OVERSEEING THE STANDARD SETTERS: AN EXAMINATION OF THE FINANCIAL ACCOUNTING STANDARDS BOARD AND THE PUBLIC COMPANY ACCOUNTING OVERSIGHT BOARD**

*Committee on Financial Services:* Subcommittee on Investor Protection, Entrepreneurship, and Capital Markets held a hearing entitled “Overseeing the Standard Setters: An Examination of the Financial Accounting Standards Board and the Public Company Accounting Oversight Board”. Testimony was heard from public witnesses.

#### **U.S. LESSONS LEARNED IN AFGHANISTAN**

*Committee on Foreign Affairs:* Full Committee held a hearing entitled “U.S. Lessons Learned in Afghanistan”. Testimony was heard from John F. Sopko, Special Inspector General for Afghanistan Reconstruction.

#### **STRENGTHENING SECURITY AND THE RULE OF LAW IN MEXICO**

*Committee on Foreign Affairs:* Subcommittee on the Western Hemisphere, Civilian Security, and Trade held a hearing entitled “Strengthening Security and the Rule of Law in Mexico”. Testimony was heard from public witnesses.

#### **U.S.-IRAN TENSIONS: IMPLICATIONS FOR HOMELAND SECURITY**

*Committee on Homeland Security:* Full Committee held a hearing entitled “U.S.-Iran Tensions: Implications for Homeland Security”. Testimony was heard from public witnesses.

#### **CONFRONTING THE RISE IN ANTI-SEMITIC DOMESTIC TERRORISM**

*Committee on Homeland Security:* Subcommittee on Intelligence and Counterterrorism held a hearing entitled “Confronting the Rise in Anti-Semitic Domestic Terrorism”. Testimony was heard from John Miller, Deputy Commissioner of Intelligence and Counterterrorism, New York City Police Department; and public witnesses.

#### **MISCELLANEOUS MEASURES**

*Committee on Natural Resources:* Full Committee held a markup on H.R. 306, the “Kettle Creek Battlefield Study Act”; H.R. 496, the “Sinkhole Mapping Act of 2019”; H.R. 895, the “Tribal School Federal Insurance Parity Act”; H.R. 1702, the “Free Veterans from Fees Act”; H.R. 2640, the “Buffalo Tract Protection Act”; H.R. 3068, the “Offshore Wind Jobs and Opportunity Act”; H.R. 3160, the “Blackwater Trading Post Land Transfer Act”; H.R. 3465, the “Fallen Journalists Memorial Act of 2019”; H.R. 4248, the “Surface Mining Control and Reclamation Act Amendments of 2019”; and H.R. 5552, the “Migratory Bird Protection Act of 2020”. H.R. 306, H.R. 1702, H.R. 2640, H.R. 3068, H.R. 3465, and H.R. 5552 were ordered reported, as amended. H.R. 496, H.R. 895, H.R. 3160, and H.R. 4248 were ordered reported, without amendment.

#### **FACIAL RECOGNITION TECHNOLOGY (PART III): ENSURING COMMERCIAL TRANSPARENCY AND ACCURACY**

*Committee on Oversight and Reform:* Full Committee held a hearing entitled “Facial Recognition Technology (Part III): Ensuring Commercial Transparency and Accuracy”. Testimony was heard from Charles Romine, Director, Information Technology Laboratory, National Institute of Standards and Technology; and public witnesses.

#### **AN UPDATE ON THE CLIMATE CRISIS: FROM SCIENCE TO SOLUTIONS**

*Committee on Science, Space, and Technology:* Full Committee held a hearing entitled “An Update on the Climate Crisis: From Science to Solutions”. Testimony was heard from public witnesses.

**THE DEPARTMENT OF ENERGY'S OFFICE OF SCIENCE: EXPLORING THE NEXT FRONTIERS IN ENERGY RESEARCH AND SCIENTIFIC DISCOVERY**

*Committee on Science, Space, and Technology:* Subcommittee on Energy held a hearing entitled "The Department of Energy's Office of Science: Exploring the Next Frontiers in Energy Research and Scientific Discovery". Testimony was heard from Chris Fall, Director, Office of Science, Department of Energy.

**ENHANCING PATENT DIVERSITY FOR AMERICA'S INNOVATORS**

*Committee on Small Business:* Full Committee held a hearing entitled "Enhancing Patent Diversity for America's Innovators". Testimony was heard from public witnesses.

**OVERSIGHT OF WORKING CONDITIONS FOR AIRLINE GROUND WORKERS**

*Committee on Transportation and Infrastructure:* Subcommittee on Aviation held a hearing entitled "Oversight of Working Conditions for Airline Ground Workers". Testimony was heard from Eileen Higgins, Commissioner, Miami-Dade County, Florida; and public witnesses.

***Joint Meetings***

No joint committee meetings were held.

**COMMITTEE MEETINGS FOR THURSDAY, JANUARY 16, 2020**

*(Committee meetings are open unless otherwise indicated)*

**Senate**

*Committee on Armed Services:* to hold hearings to examine the nominations of James E. McPherson, of Virginia, to be Under Secretary of the Army, and Charles Williams, of Missouri, to be an Assistant Secretary of the Navy, both of the Department of Defense, 9 a.m., SD-G50.

*Committee on the Judiciary:* business meeting to consider the nominations of Andrew Lynn Brasher, of Alabama, to be United States Circuit Judge for the Eleventh Circuit, John Charles Hinderaker, and Scott H. Rash, both to be a United States District Judge for the District of Arizona, Joshua M. Kindred, to be United States District Judge for the District of Alaska, Matthew Thomas Schelp, to be United States District Judge for the Eastern District of Missouri, Fernando L. Aenlle-Rocha, Stanley Blumenfeld, and Mark C. Scarsi, each to be a United States District Judge for the Central District of California, Stephen A. Vaden, of Tennessee, to be a Judge of the United States Court of International Trade, and Grace Karaffa Obermann, and Stephen Sidney Schwartz, both of Virginia, both to be a Judge of the United States Court of Federal Claims, 10 a.m., SD-226.

**House**

No hearings are scheduled.



*Next Meeting of the SENATE*

9:45 a.m., Thursday, January 16

## Senate Chamber

**Program for Thursday:** Senate will continue consideration of H.R. 5430, United States-Mexico-Canada Agreement Implementation Act, and vote on or in relation to a budget point of order, if one is raised, and on passage of the bill at 11 a.m.

At 12 noon, Senate will receive the managers on the part of the House of Representatives in order that they may present and exhibit the articles of impeachment against President Trump.

At 2 p.m., Senate will begin consideration of the articles of impeachment, and be sworn in by the Chief Justice of the United States.

*Next Meeting of the HOUSE OF REPRESENTATIVES*

9 a.m., Thursday, January 16

## House Chamber

**Program for Thursday:** Consideration of H.J. Res. 76—Providing for congressional disapproval under chapter 8 of title 5, United States Code, of the rule submitted by the Department of Education relating to “Borrower Defense Institutional Accountability”.

## Extensions of Remarks, as inserted in this issue

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# Congressional Record

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