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# 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.

Our Father in Heaven, how great You are. Today, lead our lawmakers in their work. May they be messengers of unity and hope.

Lord, make them productive servants who strive to honor You. Remind them to act with justice, love, mercy, and humility. May they speak words that bring life as they seek to live with integrity.

Sovereign Lord, strengthen our Senators to seize opportunities that bring peace, hope, and freedom.

We pray in Your great 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.

## RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER (Mrs. HYDE-SMITH). The majority leader is recognized.

## NOMINATIONS

Mr. MCCONNELL. Madam President, the Senate has continued to make headway in the personnel business. This week, we are confirming a number of President Trump's thoroughly qualified nominees to important vacancies in the Federal courts and in the administration.

As I have said, it is unfortunate for this institution that our Democratic colleagues have made it their routine practice to require not just rollcall votes but cloture votes as well on noncontroversial nominees for lower profile positions—regular cloture votes on district judges, cloture votes on Assistant Secretaries, and, later this week, a cloture vote on an Assistant EPA Administrator.

These are the sorts of important but lower profile positions the Senate used to quickly process on a voice vote. When these sorts of people were qualified, they were voice-voted by Senates of both parties for Presidents of both parties. That was the norm.

New partisan hurdles will not deter the Senate from doing our job. We will continue to spend the time it takes to put impressive, impartial men and women on the Federal judiciary and give the President—more than 2 years into his administration—finally, more of his team in place in the executive branch.

Yesterday afternoon, we voted to advance the nomination of Daniel Bress to serve on the U.S. Court of Appeals for the Ninth Circuit. Mr. Bress comes with strong credentials, the academic pedigree, the legal experience, and, most importantly, a demonstrated commitment to the rule of law.

I am glad we voted to advance his nomination yesterday, and I urge our colleagues to confirm him later today.

Next, we will consider three district court nominees: T. Kent Wetherell to the Northern District of Florida, Damon Leichty to the Northern District of Indiana, and Nicholas Ranjan to the Western District of Pennsylvania.

After them, we will confirm several nominees to serve in the administration: Robert King to be Assistant Secretary of Education, John Pallasch to be Assistant Secretary of Labor, and Peter Wright to be Assistant Administrator of the Environmental Protection Agency.

In each of these cases, the President has presented us with thoroughly well-qualified individuals to serve the Nation in these very important roles. This week, the Senate will give them the straightforward consideration and confirmations they deserve.

## THE ECONOMY

Mr. MCCONNELL. Madam President, on another matter, Fourth of July celebrations weren't the only thing for American families to smile about last week. We received even more positive news about the strong U.S. economy that American workers and job creators are building with a big assist from Republican policies.

More than 200,000 new jobs were created in June alone. The economy is overflowing with opportunities. American workers are in high demand and more and more previously sidelined individuals are getting to clock back in.

The last administration's so-called recovery disproportionately helped a few major metropolitan areas, but it left whole communities and whole regions of our country more or less in the dust. Not these days. The results have been very different under Republicans' pro-growth, pro-opportunity policy agenda. Now we are seeing a real all-American recovery.

As the New York Times reported last week, ''Only recently have the economic gains filtered down to Black and Hispanic workers, those with less education, and others who face discrimination or other barriers to employment.''

So it is all kinds of American workers, all kinds of families, all kinds of small towns and farm counties and smaller cities and suburbs. This all-American recovery is benefiting our whole country with job opportunities, wage growth, net investment, and new optimism.

Two and a half years ago, Republicans started out with a pretty simple philosophy. It goes like this: The American people can accomplish great things and build prosperity for their

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

families if Washington mostly stays out of the way.

We needed the Federal Government to stop creating so many economic headwinds and start creating a few tailwinds. So we achieved historic tax reform, major regulatory reform, and all kinds of economic policies geared toward helping workers and middle-class families earn more and then send less to the IRS.

The way Republicans see it, these ideas are actually no-brainers. So as long as you believe in the promise and potential of American workers and small businesses, this is clearly the way to go, and the results continue to speak for themselves.

## RESERVATION OF LEADER TIME

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

## CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of Daniel Aaron Bress, of California, to be United States Circuit Judge for the Ninth Circuit.

The PRESIDING OFFICER. The Senator from Illinois.

#### MAJOR LEAGUE BASEBALL PARK SAFETY

Mr. DURBIN. Madam President, if you are a baseball fan, and many of us are, this is a big day—the day of the All-Star game.

I would like to spend just a few moments reflecting on an important issue for the fans of baseball across America.

Thirty-five million people every year enjoy one of America's great summer experiences—seeing a game at a Major League Baseball park. Fans join their friends and family to eat hot dogs, nachos, peanuts, and so much more. We sing the national anthem together at the start of the game and ''Take Me Out to the Ball Game'' at the seventh inning stretch, a tradition started by a man named Harry Caray in a place called Wrigley Field.

Some—the more dedicated fans—keep scorecards of home runs, RBIs, and earned run averages. Sadly, there is another statistic that has been seeing more and more attention lately—injuries to fans.

A Bloomberg report from 2014 estimated 1,750 fans suffer injuries in Major League Baseball parks every season. Some are hit by balls; others are injured trying to escape being hit by a ball. This is far too many.

On May 29, a 2-year-old girl was hit by a foul ball at Houston's Minute Maid Park. She suffered bleeding, bruises, and brain contusions from the ball's impact. Her skull was fractured. She continues to suffer seizures.

What makes her injuries even more disturbing is that they likely could have been prevented had the safety netting behind homeplate been extended.

Cubs outfielder Albert Almora, who hit the ball, was so devastated by the little girl's injuries that he could barely speak. One will never forget the image of his head bowed, crying, when he saw the damage that was done to this innocent little 2-year-old girl by a foul ball that he hit.

What did he say afterward? ''I want to put a net around the whole stadium.''

In the weeks following, we have seen more injuries in the stands. On June 10, a woman was struck by a line drive at Guaranteed Rate Field in Chicago. Two weeks later, a young woman was hit by a foul ball at Dodger Stadium in Los Angeles.

A survey by the polling organization FiveThirtyEight found that 14,000 more foul balls were hit in 2018 than 1998, and there is just no way—no way—for fans to entirely protect themselves. Here come these baseballs at 105 miles an hour off the bat. Even if you are watching it intently, you just can't protect yourself or the people you love who are watching the game with you. Bryant Gumbel made that point on his cable TV show on this very subject.

If fans can't do more, baseball teams can. In 2017, after a child was hit by a line drive at Yankee Stadium in New York, I wrote a letter to Major League Baseball commissioner Rob Manfred. I urged the league to extend safety netting at all Major League Baseball stadiums past the home plate to the far edge of each dugout. To their credit, the league did exactly that.

It is now clear, however, that is not enough. The little girl at Minute Maid Park was 10 feet beyond current netting.

In June, the Chicago White Sox became the first Major League Baseball team to announce it is going to extend netting to the foul poles. Let me tip my hat to Jerry Reinsdorf, the owner of the Chicago White Sox, for leading the way with this safety measure. The Washington Nationals, the Texas Rangers, and the Pittsburgh Pirates are all planning to do the same, and the Los Angeles Dodgers are conducting a study before making a protective strategy permanent.

I commend all these clubs for their leadership and commitment to fan safety, but I think we need more. We need a leaguewide standard.

Last month, my colleague from Illinois, Senator TAMMY DUCKWORTH, and I wrote to Commissioner Manfred calling on all 30 Major League Baseball teams to extend the protective netting to the right- and left-field corners.

Folks who complain that extending the safety netting to the foul poles will create an obstructed view ignore the obvious—right now, the most expensive seats in baseball are behind the nets, and people don't complain. It is something you get used to, and you can get used to the safety of it as well. We should be reminded that the most expensive and popular seats have been behind netting for decades.

In 2002, a 13-year-old girl named Brittanie Cecil died after being struck in the head by a hockey puck at a National Hockey League game in Columbus, OH. The National Hockey League responded quickly, ordering protective netting behind the goal. Major League Baseball should show equal concern for its fans.

Ensuring the safety of fans at baseball stadiums is a tradition that stretches back to 1879, when the Providence Grays put up a screen behind homeplate to shield fans from the area that was called ''the slaughter pen'' at that time.

The increasing number of fans hit by balls makes it clear that new safety standards are needed at ballparks.

Today, we will see Major League Baseball's finest players at the All-Star game. Baseball fans deserve the best too. I urge Commissioner Manfred and all baseball teams to extend safety netting at Major League Baseball parks to the foul poles. Let's not wait until next season. Increasing fan safety is a win for everyone.

#### PRESCRIPTION DRUG COSTS

Madam President, if you ask the American people about issues they truly care about, let them volunteer what they think about, what they worry about, the No. 1 item on the list is the cost of prescription drugs.

We all know the problem. You reach a point where you need a drug or someone in your family needs a drug, and then you face the reality of what it is going to cost. If you are lucky, and you have a good health insurance plan, it covers the cost—no worries—but for many people, that is not the case. They have copays and deductibles or sometimes no real coverage when it comes to the cost of prescription drugs.

Of course, the prices of these drugs are way beyond our control. You go to a drugstore, and you are shocked to learn that what sounded like a great idea in the doctor's office turns out to be a very expensive idea at the cash register. For some people, it is an inconvenience, an annoyance, but for other people, it is a burden they just can't bear. They can't pay the cost. It is just too much.

Some of these drugs are just not minor additions to your life; they may be matters of life and death. In those circumstances, what are you to do?

I am reminded of people I have met across my State of Illinois as I have talked about this issue. One group

stands out because there are many of them—people who are suffering from diabetes.

Of course, they know that using insulin and taking care of themselves is the way to have a good, normal life, but it turns out that the cost of insulin has gone up dramatically.

Did you know that insulin was discovered in Canada almost 100 years ago? The researchers who discovered this drug—this life-saving drug for diabetes—said at the time that they were going to surrender their legal patent rights to sell the drug for $1, give it away for $1. Do you know why? They said it was because no one should make a profit on a life-or-death drug. That was almost 100 years ago. But what are we faced with today? We are faced with a dramatic increase in the cost of insulin, a life-or-death drug.

I have sat down with parents and their children and talked about what they go through to have enough insulin so that their diabetic daughter can survive. It is incredible. Mothers in retirement go back to work to take a job to pay for the daughter's insulin.

The cost of insulin has gone up dramatically. In 1999, Humalog—a very common form of insulin made by Eli Lilly—ran about $39 a vial. What has happened to the cost of that drug in 20 years? It has gone up to $329, a dramatic increase on a drug that was discovered 100 years ago.

At the same time, Eli Lilly is selling that drug in Canada for $39—$329 in the United States. Why? Because the Canadian Government has said to Eli Lilly: That is the most you can charge in our country. We are going to fight for the people who live in Canada to have affordable drugs.

Let me ask an obvious question. Who is going to fight in the United States for affordable drugs for our people, for those sons and daughters with diabetes—and not just for diabetes but so many other conditions for which life-and-death drugs are now being priced way beyond the reach of ordinary Americans? Do you know who is supposed to fight? We are supposed to fight for it. That is why we were sent here—Members of the U.S. Senate and the House of Representatives—to pass legislation to bring these under control.

Now we have legislation coming forward from the Senate HELP Committee on the issue of healthcare, and many of us had hoped that committee would use this opportunity to put in provisions to bring the cost of prescription drugs under control. Unfortunately, with only one exception, the bill is silent on the major issues.

The measures coming out of the Senate Judiciary Committee, where I serve, don't go to the heart of the matter. They really will not make a big difference on the insulin scandal that we are now facing or on the cost of drugs in general.

I had a simple measure that I introduced with Republican Senator CHUCK GRASSLEY last year. Think about this. Have you ever seen an ad for drugs on television? If your answer is no, it is because you obviously don't own a television. You can't turn it on without seeing a drug ad, right? And if you watch during the day, when many seniors are watching, it is one after the other after the other.

I have said with amusement here we have even reached the point at which we can not only pronounce but spell the word XARELTO. We see those ads so often for XARELTO and HUMIRA and so many other things that they just bombard us. Why? They bombard us with these ads in the hope that consumers watching those TV ads will go to the doctor and say: Doctor, I need XARELTO.

Well, XARELTO is a blood thinner. There are other alternatives that are much cheaper. But if you ask for that high-priced prescription drug and the doctor doesn't want to get in a debate with you and puts it on the prescription pad, guess what you have just done. You may have the right drug for you at the moment—maybe—but you may have just added to the cost of healthcare by putting the most expensive drug out as an option when another form would work just as well.

In all of the things they tell you about these ads, some of the things I think are the most amazing and amusing are claims like this: If you are allergic to XARELTO, don't take XARELTO. Excuse me. How will I know I am allergic to it? After I take it, maybe.

Those sorts of things and warnings about suicide and death and everything else come at us, but there is one thing that isn't included in those drug ads—one very basic thing. Excuse me, Eli Lilly; excuse me, Sanofi. How much does this cost? They don't tell you because it is shocking sometimes for them to tell you that some of these drugs cost thousands of dollars, and perhaps getting rid of that little red patch on your elbow of psoriasis will not be worth $5,000 a month if you know the price.

So Senator GRASSLEY and I put this in the bill last year and passed it in the Senate. How about that? It happens so rarely around here. We passed in the Senate a bill that required the drug companies to disclose the actual list price that they list for the cost of the drug. It passed the Senate, and it got killed in a conference with the House when the pharmaceutical companies came in and said: We don't want to tell anybody what these drugs cost.

Then I got an interesting call from the Trump administration. Notice, I am on the Democratic side of the aisle, so I was surprised. Dr. Azar from Health and Human Services called me and said: We like your bill. The President wants to make your bill the law, so we are going to pass a rule that requires drug companies to disclose the cost of pharmaceutical drugs on their ads. Direct-to-consumer advertising has to tell the cost of the drug. Well, that is progress—a rule in that direction.

Do you know what happened yesterday? In a Federal court hearing in Washington, the judge struck down that rule. The judge said: Congress, you haven't given this administration or any administration the authority to do that on its own. You have to change the law, giving it the authority, or you have to change the law itself to require the disclosure of drug pricing. Does it sound like a radical idea to people that we would disclose to them how much these drugs cost in the drug advertising itself? It isn't unusual for people to list the cost of items we buy every day. When it comes to lifesaving drugs, shouldn't we have that disclosure as well? Well, I hope we will. I hope this bill that is coming to the floor will consider that as well as several other aspects when it comes to prescription drug pricing.

For example, did you know that the Veterans Administration, on behalf of the men and women who have served our country, actually negotiated with the pharmaceutical companies to have lower prices for the drugs that are used in VA hospitals and clinics? They sit down with these same drug companies and negotiate lower prices for our veterans. Good. Our veterans deserve it. But why won't our Federal Government negotiate for those who are under Medicare? Why can't we use the same drug formulary and pricing for the VA when it comes to Medicare? If we want to give our veterans a break—and we should—why wouldn't we give our seniors a break?

I think we ought to have negotiated pricing in Medicare. I think the drug companies will get along just fine. Incidentally, they are pretty profitable today. If we had that commitment for renegotiating for Medicare, it could make a difference.

I also think we ought to take on this insulin issue head-on—head-on. A story on ''60 Minutes'' recently was about a heartbroken mother from Minnesota whose son was on her health insurance plan under ObamaCare until he reached the age of 26. Then he was on his own. He was managing a restaurant. He didn't have drug coverage, and he was diabetic. He couldn't afford to pay the thousand dollars that was being charged for his insulin, so he decided to ration the dosage himself. It cost him his life. He, unfortunately, died because he couldn't afford enough insulin at the high prices that are currently being charged.

We can change that. We can come to the side of consumers across America, to families who are trying to keep their kids alive, and many others. We can do that because we work in a place called the U.S. Senate, but in order to do that, we have to act like Senators. We have to say to the pharmaceutical companies: I am sorry, but there comes a point where you have pushed it way too far. There comes a point where we

have to step in on behalf of families and consumers in America and speak up on their behalf. Watch closely to see if that happens.

The gentleman who was on the floor, my colleague from Kentucky, will be the person who will decide that. Senator MCCONNELL will decide whether we are going to challenge the pharmaceutical companies this year.

Do you remember how I started? It is the No. 1 issue that American families volunteer to us. So is it important? Yes. Secondly, will it make a difference? You bet—not just in Illinois but I bet in Kentucky as well. Many a family can step forward and talk about how tough it is to pay for these prescription drugs.

Do we have a chance to do it? You bet we do. There is a series of bills coming out of committee in the next couple of weeks. We could bring this to the floor of the Senate. Wouldn't that be amazing if the U.S. Senate, instead of doing a handful of nominations of people you have never heard of, ended up actually passing a bill, making a law that addresses the issue of prescription drug pricing in America? That, to me, is a reason we were sent here.

What I would like to see and hope to see is a bipartisan effort. We Democrats are ready to stand up, but there are certain things we believe in. First, we believe in keeping the Affordable Care Act on the books. People with preexisting conditions shouldn't be discriminated against. Families ought to be able to keep their kids on their health insurance plans until kids reach the age of 26. We are willing to fight for that even though this week there is a lawsuit by the Trump administration to do away with it.

Secondly, we believe we should negotiate prices under Medicare so that seniors get the price breaks that our veterans get today and many others do too.

Third, we need to do something about the overpricing by these drug companies, not just price disclosure on the ads but changing the patent laws to give American consumers a fighting chance. Canada is fighting for Canadians. When is America going to fight for Americans?

When it comes to pharmaceutical prices, this is our chance to do it, and we can get it done in the next 2 weeks. Who will decide that? The majority leader from Kentucky, MITCH MCCONNELL. He will decide whether this comes to the floor, whether it is important enough to the people living in Kentucky, Illinois, New York, Mississippi, or wherever. It is his choice. It is in his power to make that decision. I hope the American people will reach out to him to encourage him to do that.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

U.S. WOMEN'S WORLD CUP VICTORY

Mr. SCHUMER. Madam President, yesterday, I sent a letter to U.S. soccer that officially invited the U.S. women's soccer team to come to the Senate to celebrate their outstanding World Cup victory. Happily, I heard last night that Megan Rapinoe, one of the team's cocaptains and stars of the tournament, has accepted our invitation. I greatly look forward to scheduling a time when these inspiring women can come to the Nation's Capital.

What they have accomplished on and off the pitch is a credit to our Nation. Millions of young girls and young boys look up to these players. Millions of women, sports fans or not, admire the light they have shown on the disparities between the men's and women's game—part of a broader fight for equal treatment and fair pay in the workplace for all women.

I believe it would be a fitting tribute to this great women's soccer team to bring legislation to the Senate floor that would make it easier for women to get equal pay in the workplace. The House has already passed a bill to do just that. I call on Leader MCCONNELL, again, to bring that bill to the floor of the Senate, particularly in light of the great victory of the women's team and the knowledge that they get paid much less than the men, even though they work just as hard and bring, at least in recent years, even greater glory to the United States.

Wouldn't it be great if we could pass that bill while the women's national team is visiting the Chamber? Wouldn't that send a powerful message of our commitment to rooting out discrimination everywhere?

I urge Leader MCCONNELL to consider it. Right now that bill lies in Leader MCCONNELL's all-too-full legislative graveyard. Perhaps this great victory might spring it free so that we could do something for women's equality.

JEFFREY EPSTEIN

Madam President, on a much less happy note, this week, billionaire Jeffrey Epstein was indicted in New York on Federal sex trafficking charges. The newly released evidence of Epstein's behavior involving dozens of children is sickening, is appalling, is despicable.

Epstein should have been behind bars years ago, but, unfortunately, the Secretary of Labor, Alex Acosta, cut Epstein a sweetheart deal while Acosta was a U.S. attorney in Florida in 2008. While a Federal prosecutor, Acosta signed a nonprosecution agreement that allowed Epstein and his coconspirators to remain free and evade justice, despite overwhelming evidence.

Mr. Acosta hid this agreement from Epstein's victims. No one can figure out why Mr. Epstein was able to persuade U.S. Attorney Acosta not to prosecute, other than that Epstein could afford high-powered, high-priced attorneys. As the Miami Herald editorial board wrote this morning, it was not just that Acosta failed to get it right in 2008; the evidence suggests ''he didn't care to.''

Accordingly, I am asking three things. First, I am calling on Secretary Acosta to resign. It is now impossible for anyone to have confidence in Secretary Acosta's ability to lead the Department of Labor. If he refuses to resign, President Trump should fire him. Instead of prosecuting a predator and serial sex trafficker of children, Acosta chose to let him off easy.

This is not acceptable. We cannot have as one of the leading appointed officials in America someone who has done this—plain and simple.

Second, I am calling on the Department of Justice's Office of Professional Responsibility to make public the results of its review of Acosta's handling of the Epstein case. Senators MURRAY and KAINE have called for these findings, but the Justice Department so far has stonewalled, has refused to make them public. This rebuke cannot be kept in the dark, and there should be hearings.

Third, the President needs to answer for the statements he has made about his relationship with Mr. Epstein. In 2002, he said he had known Epstein for 15 years and that he was a ''terrific guy'' who enjoyed women ''on the younger side.'' Epstein was also reportedly a regular at the Mar-a-Lago Club for years. The President needs to answer for this, and ''I don't recall'' is not an acceptable answer in this case, particularly since President Trump appointed Mr. Acosta to such a powerful position.

HEALTHCARE

Madam President, on healthcare, today oral arguments begin in Texas v. United States, and the fate of our entire healthcare system hangs in the balance due to this nasty, cruel lawsuit led by President Trump's Department of Justice. If the courts ultimately strike down the law, the healthcare of tens of millions of Americans would be gone—gone. Prescription drug costs, high enough as they are, would go up even further. Protections for preexisting conditions that affect more than 100 million Americans would be eliminated. A mother or father whose child had cancer would have to watch them suffer because the insurance company could cut them off and say: We are not paying for this anymore.

We cannot tolerate that. Yet President Trump and his administration and 19 Republican attorneys general filed a suit that would do just that.

The case reveals the depth of the hypocrisy and cruelty of the Republican position on healthcare. Senate Republicans, come campaign season, express unequivocal support for protections for preexisting conditions, but they have repeatedly blocked our attempts to have the Senate intervene in this lawsuit and fight back against the Trump administration's position, which threatens to eliminate these very same protections.

I say to my Republican friends: You can't have it both ways. You can't say ''Oh, I want to protect people with preexisting conditions,'' and then prevent

us from doing something to actually protect them. Instead, they are going along, knees shaking, with President Trump's cruel lawsuit, and that is what every Republican in this Chamber—just about every Republican—has done.

President Trump has himself issued—also totally hypocritical—a laundry list of quotes in support of protections for preexisting conditions. He talks all the time about bringing down prescription drug costs while his administration actively pursues this lawsuit, which would raise the cost of drugs and eliminate protections for preexisting conditions.

How much hypocrisy can America tolerate? It is mind-bending. The hypocrisy is patently obvious. I don't care if you love President Trump. You should be calling him out for this hypocrisy, which will affect the vitality—God's most precious gift to us—the ability to live long and healthy and well. President Trump is trying to take it away, despite what he says to you, Trump supporters.

Senate Democrats will head to the steps of the Capitol to highlight what this lawsuit could mean to average Americans. My Republican friends should take note. The American people are keenly aware of which party is trying to take away their healthcare. Even if it happens through the courts in this Trump-supported lawsuit, they will know that congressional Republicans, by their silence—their meek, supine acquiescence—are complicit in the unraveling of our healthcare system. I believe the American people will hold them accountable at the ballot box if they don't change.

ELECTION SECURITY

Madam President, on election security, tomorrow the Senate will gather for a briefing by senior officials of the defense, law enforcement, and intelligence community on the threats facing our elections in 2020.

Russia has interfered in our elections. Everyone agrees with that. Our administration is doing nothing to stop it from occurring again in 2020, so we need a briefing by law enforcement on how serious the threat is—they have said ''serious'' in public statements—and what we are doing to stop it.

I am glad that Leader MCCONNELL agreed to my request and has worked with us to schedule a briefing. It should dispel all doubt in this Chamber about the need to take action ahead of next year's Presidential elections.

I would say this: A briefing is important; a briefing is necessary, but it is by no means sufficient. We must then debate and adopt measures to protect our democracy and preserve the sanctity of our elections. Even though Leader MCCONNELL has finally agreed to have this hearing, he has so far been content—once again, a legislative graveyard—to have the Senate do nothing—do nothing—when it comes to one of the greatest threats to our democracy, that a foreign power will reach in and interfere for its own purposes, not to help Americans.

Bipartisan bills exist. We could put them on the floor right now. This is not a partisan issue. Senators RUBIO and VAN HOLLEN have the DETER Act. Senators MENENDEZ and GRAHAM have the Russia sanctions bill. But all of these bills have languished, victims of Leader MCCONNELL's legislative graveyard. We have many more options when it comes to election security—legislation from Senators KLOBUCHAR and WARNER, FEINSTEIN and WYDEN, BLUMENTHAL and many others. It is time we move on these bills. As we continue to negotiate appropriations bills, we should include significant resources for election security. Nothing less than the vitality of and faith in our democracy is at stake.

There are not two sides to this issue. A foreign adversary attacked our democracy. I expect that Special Counsel Mueller's testimony next week will highlight once again that Russia's efforts to interfere in our democracy were sweeping and systematic.

What are we waiting for? What are we waiting for—for them to interfere again and for more Americans, whether they be Republican or Democrat or Independent, left, right, or center, to no longer believe this democracy is legit? For 243 years, since the Declaration of Independence and certainly since the signing of the Constitution a few years later, we have had faith in this democracy, even when the outcome isn't what we want. But that faith is already eroding in good part because foreign powers can interfere in our elections. We cannot—we cannot—let that happen, no matter who you are, what your politics are. But Leader MCCONNELL is standing in the way of what could eat at the roots of our democracy and eventually make this mighty oak, the American experiment, fall. We don't want that to happen.

The briefing tomorrow is a good step, but it is only one step. We need to take more. We need to act, to prepare our democracy for the challenges ahead.

FOX NEWS

Madam President, I felt it was important to point this one out: President Trump amazingly attacked FOX News in the last few days in a series of tweets for coverage he viewed as unfavorable to his administration. This is FOX News, a news outlet that, frankly, is 90 percent or more on the President's side. Their most popular shows seem to just be cheerleaders for President Trump. To me, it is the most biased newscast there is of the major news stations, not that any of them are free of any bias. Yet when President Trump hears a small, dissident tweet, dissident note, from FOX News, and now he attacks it—what kind of thin skin does this man have? What kind of thin skin? But it is worse than his thin skin—when a President can attack a news organization that is overwhelmingly friendly to him, with some of his leading advocates getting prime time space, some of them going to his rallies, it shows he really doesn't believe in freedom of the press. Dictators—dictators—shut down the press and try to shame the press when they speak truth to power, which is what our President has done in all the years of this Republic.

When President Trump can even attack FOX News because once in a blue Moon it says something he doesn't like, that shows he doesn't really deserve to be President because a President must protect our liberties whether or not he is under fire.

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

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

REMEMBERING RIVER NIMMO

Mr. COTTON. Madam President, I want to call your attention to a story that is tragic but also heartwarming and uplifting.

Honorary Colonel River ''Oakley'' Nimmo of Camden, AR, passed away last month at the age of 5 after a protracted struggle with his enemy, a rare form of cancer called neuroblastoma. Oakley's family remembers him as a ''sweet, brave boy'' who liked to play with power wheels and toy guns, but all those who knew him or who have learned about him will remember Oakley for an act of service that perhaps only a child could perform.

Oakley wanted to be an Army man when he grew up. Even in the advanced stages of his fight with cancer, you would find him at the hospital wearing camouflage fatigues and a helmet, with his trusty rifle by his side and a smile on his face.

Oakley fought his cancer valiantly, going above and beyond the call of duty. He was strengthened along the way by his Arkansas neighbors, who held yard sales and sold bracelets to help the Nimmo family pay for his care. He was also supported by 20,000 prayer warriors on a Facebook page entitled ''Prayers for Oakley Nimmo.'' But ultimately it was God's will that Oakley should return home to him. He passed away on the 20th of June.

In light of Oakley's heroic struggle, as well as his dream of becoming an Army man, Oakley was named an honorary colonel in the Arkansas National Guard. In the days leading up to his funeral, his family made a simple request: that veterans and servicemembers show up at the funeral in their uniform to give Oakley the proper sendoff. Word got around, and dozens came. Some traveled from nearby towns. Most had never even met this little boy, but it didn't matter—he was a soldier like one of them. Soldiers from the Arkansas National Guard provided funeral honors for Oakley. They presented Oakley's mother, Shelby, with the flag and a special ID tag with

his name on it. Like a true soldier, Oakley was sent off from this world to the moving tune of ''Taps'' played by a military bugler.

Colonel Nimmo's tour of duty on this Earth was brief, but he did teach an important lesson to all of us. At times, some voices may express doubts about our military, but Oakley reminded us—as perhaps only a child could—that being an Army man, a brave protector of our Nation, is one of the highest honors to which an American can be called.

The veterans and the servicemembers who attended Oakley's funeral were there to honor him, but, in fact, it was a double honor because through his life and dreams, little Oakley honored them in return.

Oakley looked up to our troops in life. Now he looks down on them from above, where he will remain in God's presence and our memory as a brave fighter against cancer, an inspiration, and indeed, for all time, an Army man.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. SCOTT of Florida). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

HEALTHCARE

Mr. CORNYN. Mr. President, yesterday our friend from New York, the minority leader, spoke on the Senate floor about the latest challenge to ObamaCare—the Affordable Care Act—which is being considered by the Fifth Circuit Court of Appeals this week. Also, if you can believe the press, he is also going to have a press conference with the Speaker and other notable Democrats to talk about the danger of a court decision on the constitutionality of the Affordable Care Act. As one might imagine, he painted a pretty grim picture of what would happen if the court were to strike down the Affordable Care Act, affirming the judgment of the trial court. Of course, he tried to place the blame squarely on those of us on this side of the aisle. It is strange to me because blaming Republicans in Congress for a yet-to-be-decided court case doesn't make a lot of sense, but it is pretty consistent with the message we have heard from our Democratic friends.

If the minority leader is going to pick a bone with anyone, then I guess his complaint is really about the Constitution itself. Court cases are decided on a case-by-case basis based on what the law is, and, of course, the Constitution is the fundamental law of the United States. So if a court ultimately holds an act of Congress to be unconstitutional, it is because the Constitution prohibits it. And a consensus among all Americans is that the Constitution shall be inviolable, dating back to the early 19th century. The Supreme Court has made clear that is ultimately their job—not to decide what the policy should be but whether the policy enacted by Congress is consistent with the requirements of the Constitution.

So I find it pretty bizarre that in about an hour, the Democratic leader will join Speaker PELOSI for a news conference to talk about coverage for preexisting conditions, and I have no doubt that once again they will try to blame Republicans as the bad guys and somehow perpetuate this myth that Republicans are opposed to covering people for preexisting conditions in their health insurance policies. They know that is false. They know that is a bald-faced misrepresentation of what our policy choices are in this body and in Congress as a whole. There is one thing that I think there is a consensus on in Congress with respect to healthcare, and that is that preexisting conditions should be covered. In fact, there are pieces of legislation that I have cosponsored in the Senate that do that expressly. The illogical fallacy of their argument is that the only way one can do that is through the Affordable Care Act.

As we know, the Affordable Care Act has been a Trojan horse for a whole lot of other policies that, frankly, are not particularly popular because they have resulted in high deductibles and high premiums and have made it harder and harder for people to afford coverage. It has also precluded individuals from picking the kind of coverage that best suits their family's needs at a price they can afford.

I think it is important for the American people to understand what we all understand—including the Democratic leader and the Speaker—which is that what they are saying about preexisting conditions is false. They know it, we know it, and it can be demonstrated. Yet they persist in saying it because they believe that people are either uninformed, naive, or so partisan that they will not be guided by the facts but, rather, by the partisan rhetoric.

Here is the other strange thing in all of this. Most progressive Democrats—we used to call them liberals; now they call themselves progressives—have embraced Medicare for All as a solution to our Nation's healthcare challenges. As the Presiding Officer knows, Medicare for All would be a recipe to bankrupt Medicare, which has traditionally, legally, and historically been a benefit earned and contributed to by seniors in order to cover their healthcare when they are 65 or older. So dumping 180 million or so additional people into Medicare who have private health insurance is really a recipe for bankrupting it, thus undermining the benefit that seniors thought they were buying into during their entire lives.

Here is the other irony I find. When he was trying to sell the Affordable Care Act, we heard that President Obama said, if you like your existing healthcare policy, you can keep it. That is what he said. It didn't end up being the case, but that is what he said. Yet now our Democratic colleagues have become so radicalized on healthcare that they are essentially saying, if you have private health insurance you like, you can't keep it. You can't keep it.

This is a very strange place to work sometimes because people say things they know are not true, but they hope they can capitalize on people's ignorance or on their partisanship. Yet, as many have said before, facts are stubborn things, and those are the facts; that there are other ways to cover preexisting conditions other than with the Affordable Care Act. For a party that has embraced this idea of Medicare for All and that wants to destroy privately held health insurance, it seems pretty rich for them to then blame this side of the aisle for wanting to destroy private health insurance that covers preexisting conditions.

A January Gallup poll found that 7 in 10 Americans have a negative view of our healthcare system and have described it as being in a state of crisis or as having major problems, which is to say that ObamaCare is not working as well as the advocates thought. As we know and as I have said, it is not the only way to protect patients who have preexisting conditions.

Earlier this year, I cosponsored a bill that was introduced by our friend from North Carolina, Senator TILLIS, called the PROTECT Act, which would ensure that no American would ever be denied health coverage because of one's having a preexisting condition. Now, the Democratic leader and the Speaker know that. Yet, presumably, today, at 12:30, when they hold their press conferences, they will say all Republicans are opposed to covering preexisting conditions because of this court case in the Fifth Circuit that has yet to be decided. They are just gleeful that this will provide, they think, some way for them to argue what they know is not true—that the Republicans are opposed to covering people's preexisting conditions.

I believe health coverage for these patients shouldn't hang in the balance of a court decision because, ultimately, it is our decision. If we pass the PROTECT Act, it would finally codify what I hope every Member of this body would agree on—that Americans deserve access to healthcare coverage. The PROTECT Act is just one example of the countless healthcare bills that are working their way through the Senate right now.

In addition, in the Senate Finance Committee, we are considering a package of bills to reduce prescription drug prices, just as we have in the Health, Education, Labor, and Pensions Committee and in the Judiciary Committee. The HELP Committee overwhelmingly passed a bipartisan bill to reduce healthcare costs, to increase transparency, and to eliminate surprise

medical bills. Last week, the Judiciary Committee unanimously reported out legislation that would keep pharmaceutical companies from gaming the patent system. Our colleagues—or political candidates—can go on TV and try to spin the ObamaCare system all they want, but we are going to continue to work hard to make real meaningful changes to make our healthcare system better.

BORDER SECURITY

Mr. President, on another matter, we know that a record number of migrants is continuing to cross our southern border, and the impact on Texas communities—the State I represent—has been overwhelming.

Detention centers are over their capacities. Customs and Border Protection officers and agents are pulling double duty in their being law enforcement officers and caregivers to children, not because that is what they have been trained to do but because that is what they must do in order to take care of this flood of humanity. Nongovernmental and community organizations are unable to keep up with this pace of the thousands of people who have been coming across the border each and every day.

Before the Senate recessed for the Fourth of July week, which was about 10 weeks after the President requested emergency funds, we finally passed a bipartisan bill to send much needed humanitarian relief. It includes additional funding for the departments and agencies that have depleted their resources in trying to manage this crisis, and it makes $30 million available in reimbursement for which impacted communities may apply—charges that should be the Federal Government's responsibility and not the local governments'. As I said, after some handwringing and delay, the House passed this bill, and the President signed it. I hope my constituents back in Texas who have been working tirelessly to manage this crisis will soon find some relief.

It is important to remember, though, that depleted funding isn't the reason for the crisis; it is only a symptom of a larger problem. In other words, we are dealing with the effects and not the cause of the basic problem. Without getting to the root cause, we are only setting ourselves up for failure, which means we will be back here in another couple of months and will have to pass another emergency appropriations bill for an additional $4.5 billion to try to deal with the problem we can fix but have refused to.

Sadly, this issue has become so politicized that few are willing to reach across the aisle and find solutions, and most of the proposals we have seen are ultrapartisan. The Democrats who are running for President support things like decriminalizing illegal border crossings or providing free healthcare to undocumented immigrants, both of which are unpopular, unsafe, and completely unaffordable. The vast majority of Americans oppose open borders and already struggle to manage their own bills. They certainly don't want to be burdened with the costs of people who enter our country illegally and don't pay taxes.

We don't need these radical proposals to solve the crisis at our southern border. Both in the short term and the long term, we need bipartisan solutions that can provide some real relief. If we want to get to the root of the crisis and avoid making emergency funding bills the norm, we need to get down to brass tacks and talk about real reforms that, No. 1, will fix the problem and, No. 2, will stand a chance of actually becoming law.

Right now, there is only one bill, to my knowledge, that has bipartisan and bicameral support, and that is a bill called the HUMANE Act. I introduced this bill with my Democratic friend in the House, HENRY CUELLAR, to address the humanitarian crisis at the border.

First and foremost, the HUMANE Act includes important provisions to ensure that migrants in our custody receive proper care. It requires the Department of Homeland Security to keep families together throughout their court proceedings, and it includes additional standards of care. Beyond suitable living accommodations, the HUMANE Act requires each facility to provide timely access to medical assistance, recreational activities, educational services, and legal counsel.

It would require all children to undergo biometric and DNA screening so family relationships could be confirmed so as to ensure these children would be, in fact, traveling with their relatives rather than with human smugglers or sex traffickers.

In order to better protect children who would be released to Health and Human Services, this bill would place prohibitions on certain individuals who could serve as guardians. For example, no child should be released into the custody of a sex offender or a human trafficker. I would hope we could all agree on that.

In addition to improving the quality of care for those in custody, the HUMANE Act would improve the ways migrants would be processed. It would require the Department of Homeland Security to establish regional processing centers in high-traffic areas, which would serve as a one-stop shop by which the process would take place. This was a recommendation from the bipartisan Homeland Security Advisory Council. It would also alleviate the long wait times that are experienced by many asylum seekers. These centers would have personnel on hand from across the government to assist, including medical personnel and asylum officers.

In addition to these changes, the legislation would also include provisions to make some commonsense improvements, such as additional Customs and Border Protection personnel and training for CBP and ICE employees who work with children.

The HUMANE Act would make much needed reforms to improve the processing and quality of care for migrants. Importantly, it would also take steps to address the flow of those who enter our country by the tens of thousands each month.

I spend a lot of time talking to folks who live and work on the border about the status quo and what we need to do to prevent this crisis from becoming even bigger. The most common feedback I get is that we need to close the loopholes that are being exploited by the people who are getting rich off of trafficking in human beings from Central America, across Mexico, and into the United States.

One of the most commonly exploited loopholes is something called the Flores settlement agreement, which was created to ensure that unaccompanied children don't spend long periods of time in the custody of the Border Patrol. It was and remains an important protection for the most vulnerable people who are found along our border. It also ensures they can be processed and released to either relatives or to the Department of Health and Human Services pending the presentations of their cases before immigration judges when they claim asylum. Yet a misguided 2016 decision by the Ninth Circuit effectively expanded those protections from children to families.

One thing I can say with some certainty is that human smugglers and traffickers are not fools; they are entrepreneurs. They are twisted and criminal, to be sure, but they are entrepreneurs. They know how to exploit the gaps in our system, and they know how to make money while doing it. They know, if adults are traveling alone, they could be detained for long periods of time before they are eventually returned home after presenting their cases before immigration judges. So now, rather than there being single adults who arrive at the border alone, adults are bringing children with them so they can be processed as family units, thus taking advantage of that expansion of the Flores settlement agreement and drawing out the process to the point at which it overloads the system. They realize they can bring a child—any child—and pose as a family so they will be released after 20 days, never to be heard from again.

We have seen a massive increase in the number of families who have been apprehended. In May of 2018, roughly 9,500 families were apprehended. In May of this year, the number skyrocketed to more than 84,000. So, in just 1 year, it went from 9,500 to 84,000. Now, are legitimate families crossing the border? Absolutely. Yet we know many of these people who claim to be related are fraudulent families who use innocent children as pawns to gain entry into the United States. Something that nobody wants to talk about is, often, these children are abused and assaulted along the way, and many arrive at the border in critical health.

If we care about the welfare and the lives of these children, we cannot let these practices continue. It is unfair not only to these children but to the American people and to the immigrants who have waited patiently to enter the United States legally for people to be able to game the system, move to the head of the line, and break all the rules while doing it.

The HUMANE Act would clarify that the Flores agreement applies only to unaccompanied children. It would also provide greater time for processing and immigration proceedings to take place before a family is released from custody.

Eliminating this pull factor is an important way to stop the flow of those illegally entering our country because they know how to game the immigration system.

While the HUMANE Act will certainly not fix every problem that exists in our broken immigration system, it is an important start. It is a necessary start. It is the only bill pending before the Congress that is bipartisan and bicameral, and I would encourage all of our colleagues who are serious about our responsibilities to get to the root of this humanitarian crisis to join us and get this passed and sent to the President for his signature.

I yield the floor.

The PRESIDING OFFICER. The Senator from Virginia.

AFFORDABLE CARE ACT

Mr. KAINE. Mr. President, I rise today in support of the Affordable Care Act and to discuss the devastating impact its potential elimination would have on rural families and rural communities.

My State, Virginia, has so many rural communities, and in that, I am with every other Member of this body, and I want to talk specifically about them.

The Trump administration has sought for years to end the Affordable Care Act using every tool available. They have worked on that task here in Congress to repeal it and sabotage it and even dismantle it in the court system. Today marks another milestone in that deeply troubling effort.

The U.S. Fifth Circuit Court of Appeals will hear oral arguments in a case that could strike down the Affordable Care Act in its entirety. If the ACA were struck down, families and communities around the country would bear life-altering consequences, and the healthcare system would be thrown into chaos. Tens of millions of Americans would lose healthcare coverage and protections for preexisting conditions, among the countless other consumer protections that have been put in place by the ACA.

A number of my colleagues are going to be on the floor this afternoon speaking about particular aspects of this that trouble them. I want to focus on one in particular: how important the Affordable Care Act's Medicaid expansion is to rural America and how much is at stake for those communities should the Affordable Care Act be eliminated.

Medicaid expansion enables low-income, rural residents to get affordable, quality health insurance so they can get the care they need. It is often the case that insurance companies do not compete with the same intensity in rural communities because there are just not enough patients. So it is common in rural America for somebody wanting to buy an insurance policy on the exchange, for example, to maybe have only one option. Medicaid expansion has turned out to be a huge benefit for many low-income people living in rural America. Many of those who are receiving insurance pursuant to Medicaid expansion were previously uninsured, and so for some, it is the first insurance they have had in their lives.

A particular impact of Medicaid expansion has not been on just individuals receiving that Medicaid but on the hospitals that are sort of the healthcare and even economic pillars in rural communities. Rural hospitals often have a difficult time making the finances work. Again, lower patient volumes make it difficult. Medicaid expansion has meant that the care they have been providing that in the past might not have been reimbursed at all—they are now able to at least get a Medicaid reimbursement, and that has been a significant financial benefit to these hospitals.

Mr. President, you understand this because your State is like mine, and there are a lot of rural communities. Rural hospitals are often the lifeblood of rural communities. They can be the largest employers in a town or a county. They often do a tremendous amount of outreach on healthcare and other philanthropic efforts not just within the hospital walls but outside the hospital walls—sponsoring the Little League teams and doing the things that make a community a community.

Residents of rural communities need access to healthcare, but they also need access to jobs and good healthcare information. Rural hospitals provide that.

I have seen the impact of rural hospital closures in Virginia firsthand. Two rural hospitals in Virginia closed in recent years because Virginia did not expand Medicaid initially. In the last year, Virginia has done Medicaid expansion, but before Medicaid expansion was done, we saw hospitals close in two communities in Virginia: Patrick County, which is a south side Virginia county that is on the border with North Carolina, and Lee County, which is a far southwestern Virginia county that is on the border with Kentucky and Tennessee. Two hospitals have closed in those communities.

I got a letter from a mother in Christiansburg, VA, which is actually up near Virginia Tech. Her name is Robin, and she wrote about the closure of the Pioneer Hospital in Patrick County in 2017.

She wrote this:

> My mother who recently turned 70 still lives in the county, and we are approaching a point of either moving back to Patrick County or moving my mother to Christiansburg where we currently live. My son has severe food allergies that could lead to anaphylactic shock (which would require immediate medical attention) so this variable also weighs very heavily on my mind when considering the options of how to manage my family's land and take care of my mom. I don't want to live somewhere without access to emergency health care. It seems inconceivable that this is the case in the era in which we live now. . . . Please help get my home county back on the medical map to give its economy and its people a fighting chance.

Blacksburg is probably an hour and a half to 2 hours away. The mother is living in a county that now has no hospital—she has turned 70—so she doesn't have access to the care that she needs. The daughter is trying to decide: Do I move back? But I have a son who needs care because of allergies. Do I have to move my mother out of the home where she would rather stay?

Rural hospitals across the country are struggling to keep their doors open for a number of reasons, but here is an amazing set of statistics. Whether a State expands Medicaid pursuant to the ACA is a massively significant factor in rural hospitals' financial outlook and decisionmaking. Without Medicaid expansion, rural hospitals may be forced to cut vital services or even close. Here is the data point that really says it all: Since January 2010, 107 rural hospitals have closed in the United States, and 93 of those 107 hospitals were in States that had not expanded Medicaid at the time of the closure.

Hundreds more rural hospitals are at risk of closure. Rural hospital closures disproportionately occur in States that have not expanded Medicaid. The success of the Texas case would wipe out the ACA, including Medicaid expansion, and deeply penalize these rural hospitals.

A comprehensive 2018 study published in Health Affairs found that Medicaid expansion is directly associated with hospital financial performance and that expansion substantially reduces the risk of hospital closure, particularly in rural areas. The study also found that going back to pre-ACA eligibility for Medicaid would drive even more rural hospitals to closure.

So we think about Robin's dilemma of a mother living in a rural area where the hospital has closed. If the ACA is struck down and there is no Medicaid expansion, this is going to be faced by more and more rural communities across the country, and that means this is a dilemma individuals and their families will ultimately face.

Research from Georgetown University's Health Policy Institute indicates that the uninsured rate for low-income adults in rural communities fell three times as fast in States that expanded Medicaid as compared to States that did not expand. Turn that around.

States that expand Medicaid find that rural families have a dramatically higher likelihood of having insurance than those in rural areas where the States haven't expanded Medicaid.

As of now, 36 States, including Virginia, have expanded Medicaid and 14 have not. I am thrilled that earlier this year Virginia, after a multiyear battle, finally announced that Medicaid expansion was happening. In less than a year after expansion, nearly 293,000 adults are newly enrolled in Medicaid in Virginia, many of whom never had health insurance before in their lives—293,000 adults in a State where the population is about 8.5 million. That is a significant number of people who have received insurance through Medicaid expansion. They risk losing their eligibility if the administration is successful in its efforts to gut the ACA.

If we care about rural residents and rural communities, there are a number of things we can do.

First, we need to stand up against the administration's attempt to end the ACA, including its Medicaid expansion.

I have now been in public life for 25 years since I was elected to the Richmond City Council in May 1994. I will say that in all of the elections I have been in, up or down, and all the various legislative and other battles, the single most dramatic moment in my life as an elected official was standing on the floor of this body at 2 o'clock in the morning when Senator John McCain, fresh out of a hospital after being diagnosed with a glioblastoma brain tumor, cast the deciding vote, and by one vote—one vote—we saved the Affordable Care Act. I have never in my life in the public realm experienced something that was so dramatic and so consequential.

We have to continue to stand up. I would have thought that vote might have moved us to a new chapter where we would be talking about fixing and improving rather than repealing, but that is not the case, as evidenced by the lawsuit today. But my hope is that we will resist efforts to sabotage and destroy and instead join together in efforts to improve. I have joined with my colleagues to cosponsor a resolution allowing Senate legal counsel to intervene in the lawsuit, to defend the Affordable Care Act.

The second thing we can do to help rural communities is focus on the 14 States that haven't yet expanded Medicaid and provide them a clearer path and encouragement to do so.

I am proud to be an original cosponsor of something called the SAME Act, which would extend the same level of Federal assistance to every State that chooses to expand Medicaid regardless of when the expansion occurs. I think that is important.

Let's use the original Medicaid Program as an example. It was passed in 1965. It was not a mandate; it was an option. The last State—Arizona; State 50—that joined didn't join until 1982. There was a 17-year period between when the first State joined the then-voluntary Medicaid Program and when the last State joined.

Let's make sure that whenever States join, they are treated the same. If this bill passes, States that choose to expand now—these 14 States—we would make sure that they get the full Federal level of assistance as was available to those States that initially joined, and that should help remaining States get off the sidelines.

Finally, we need to stand up against administrative sabotage to the Affordable Care Act. We shouldn't promote skimpy insurance plans. We shouldn't slash funding for enrollment, outreach, or marketing. We should build on and improve and, yes, fix—because it is not perfect—the ACA to extend its promise of affordable coverage to even more Americans.

That is why I have introduced Medicare-X legislation to establish a public insurance plan that could be offered on the ACA exchanges, beginning in rural areas. My bill would also make the ACA's tax credits more generous, expand tax credit eligibility to additional families, and allow for an enhanced reimbursement rate in rural communities where low patient volumes often pose financial challenges to healthcare providers.

In closing, the ACA has meant the difference between life and death for many families across the country, and I run into them every day.

I am going to be standing with some Senate colleagues on the steps of the Senate in a few minutes talking about a youngster from Winchester, VA, who has a series of significant healthcare challenges that would essentially in the past have made him uninsurable because of preexisting conditions but who now—because of that protection within the ACA, he and his family at least have the peace of mind of knowing that he can't be kicked off insurance or turned down for insurance because he happened to be born with a condition over which he had no control.

If the ACA were to be struck down, families and communities would suffer, and I think that in Virginia, that would particularly be the case in our rural communities.

Again, I am just going to hold up this issue of our rural hospitals. We need to protect rural hospitals not only because of the healthcare they provide but because they are employment centers and centers of community outreach. When we see the closure of rural hospitals overwhelmingly being in States that have not expanded Medicaid, that tells us how valuable that portion of the ACA has been to stabilize the provision of rural healthcare.

I will continue to fight to protect the ACA and the health of my rural communities in Virginia and elsewhere. I encourage my colleagues to do the same.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

THE ECONOMY

Mr. THUNE. Mr. President, we received more good economic news on Friday with the announcement that the economy created 224,000 jobs in June.

Meanwhile, unemployment remained near its lowest level in half a century. June marked the 16th straight month that unemployment has been at or below 4 percent. That is a tremendous record.

June also marked the 11th straight month that wage growth has been at or above 3 percent. Before 2018, wage growth had not hit 3 percent in nearly a decade.

Friday's announcement was just the latest piece of good news about the economy. Thanks to Republican economic policies, the economy has taken off during the Trump administration. Economic growth is up, wage growth is up, personal income is up, and the list goes on.

Importantly, the benefits of this economic growth are being spread far and wide. One of the distinguishing features of the economic expansion that we have been experiencing is the way it has been reaching those who have trailed behind economically.

Over the past 3 years, pay hikes for the lowest income workers have exceeded pay hikes for the richest workers. Huge numbers of new blue-collar jobs have been created, and the employment situation for minorities has improved substantially.

The unemployment rates for Asian Americans, African Americans, and Hispanic Americans are all at or near record lows. The Wall Street Journal notes that ''Nearly one million more blacks and two million more Hispanics are employed than when Barack Obama left office, and minorities account for more than half of all new jobs created during the Trump Presidency.''

So where has all this economic progress come from? At the end of the Obama administration, 2½ years ago, the economic outlook wasn't too rosy. The economy was sputtering, and American families were struggling. Some were predicting that a weak economy would be the new normal.

Republicans, however, didn't agree with that. We knew that American workers and American businesses were as dynamic and creative as ever. But we also knew that burdensome regulations and an outdated tax code were holding our economy back and reducing the opportunities available to workers. So when we took office in 2017, we got right to work on improving

our economy in order to improve life for the American people.

We eliminated burdensome regulations that were acting as a drag on economic growth, and we passed a historic reform of our Tax Code to put money in Americans' pockets and make it easier for businesses to grow and to create jobs. Now we are seeing the results: a thriving economy that is extending more opportunities to more Americans.

For all of Democrats' talk about inequality, it is actually Republicans and President Trump who have done something about it. We have helped create an economy that is lifting up people across the entire economic spectrum.

There is still more work to be done, of course. For one thing, we need to make sure that the agriculture economy is able to catch up to the economy at large. But thanks to tax reform and other Republican economic policies, American workers are doing better than they have in a very long time.

It is unfortunate that the gains we have made would be reversed if Democrats have their way. Democrats' plans—from budget-busting government-run healthcare to free college—all have one thing in common: They would cost a lot of money.

Where would the government get most of that money? From tax increases—tax increases on businesses and tax increases on ordinary Americans.

Thanks to the tax relief that Republicans passed, the economy has expanded, paychecks have increased, and more jobs and opportunities have been created.

Raising taxes would result in the opposite: fewer jobs and opportunities, a smaller economy, and more families struggling to get by on smaller paychecks.

Republicans are determined to make sure that doesn't happen. We are committed to building on the progress we have made and further expanding economic opportunity for all Americans.

I yield the floor.

The PRESIDING OFFICER. The Senator from Pennsylvania.

HONG KONG

Mr. TOOMEY. Mr. President, I rise today to speak about the very high-stakes political and social crisis that has been unfolding in Hong Kong over the past several weeks.

Hong Kong is a very exceptional city. It boasts of a very robust free market economy that has thrived for centuries. It has a very vibrant free press. It has an independent judiciary and a partially democratic election system. Those freedoms, combined with Hongkongers' natural entrepreneurial spirit and appreciation for individual liberty, have made Hong Kong a jewel of the financial and business world, one of the freest places in Asia, and a great place to live—for a time, anyway, as I did back in 1991.

Economic and political achievements are particularly impressive when you consider that Hong Kong is, after all, a part of China, which has neither a free economy nor a politically free society.

Back in 1997, Great Britain transferred Hong Kong to China on a condition—an explicit written agreement—that Hong Kong's social and economic systems would remain unchanged under a ''one country, two systems'' arrangement that would last for at least 50 years, until 2047.

The Chinese Government also made a pledge at the time—a pledge that Hong Kong's legislative and executive leaders would be elected through ''universal suffrage.'' Yet, here we are, 22 years later. Hongkongers still do not enjoy complete universal suffrage, and Hong Kong has faced deep and persistent efforts by the mainland to erode the independence and the authority of Hongkongers.

On the surface, this ongoing crisis in Hong Kong was clearly caused by the Hong Kong Government, probably at the behest of the Chinese leadership in Beijing to pass a deeply unpopular extradition bill. This bill would diminish Hong Kong's independent legal system very dramatically, and it would do so by allowing and exposing individuals in Hong Kong—including Hong Kong citizens, foreigners, and even tourists—to being extradited to China.

The accused would then face prosecution by an authoritarian government in mainland China that does not uphold the rule of law, nor does it practice the fair and impartial administration of justice. Let's face it. The judicial system in China is politicized and controlled by the Chinese Communist Party.

Some people are concerned that if this bill were to become law, it would even pave the way for Chinese state-sponsored kidnapping of dissidents. It certainly would have a chilling effect on freedom in Hong Kong, a chilling effect on the ability of Hong Kong people to live their lives and express their views without the fear of political repercussions. It is simply a fact that mainland China is a legal black hole, and Hong Kong's extradition bill would be a step to exposing Hong Kong residents directly to mainland China's opaque and often blatantly unfair legal system.

In response to this threat, the people of Hong Kong have for weeks poured into the streets, calling for a withdrawal of this bill and deeper democratic reforms. Remarkably, last month, one of these protests—one of these demonstrations brought together an estimated 2 million Hongkongers into the streets. It is stunning anywhere in the world that 2 million people would come out to protest anything. But in Hong Kong, it is truly staggering because the total population of Hong Kong is only 7.4 million. That is about one in four Hongkongers who were on the streets protesting.

Just today, the Hong Kong Chief Executive said that bill was dead. But it has not been formally withdrawn, as I understand it, and I think the threat remains.

It is also important to note that on a deeper level these ongoing protests are really a response to efforts by the Chinese Government to ''mainlandize'' Hong Kong. It is an effort in which political, cultural, and even physical distinctions between Hong Kong and mainland China are meant to be diminished, the differences blurred, and the distinction eroded.

The extradition bill is just the latest example of the Hong Kong people's struggle for the freedom, democracy, and respect for human rights that they cherish, that they want to hold on to, and that were promised to them when the handover occurred in 1997.

Hongkongers really have a rich history of protest, and I think that history reveals their enduring grassroots desire for the freedoms they have grown to love and cherish and for a democratic form of government that they deserve.

Back in 1989, the Tiananmen Square massacre that we all remember—the 30th anniversary was just last month. On the eve of the massacre, once it was clear the Chinese Communist Government would respond to peaceful protesters with bullets and tanks—once that became clear, about 1.5 million Hongkongers marched in the streets of Hong Kong in solidarity with the students in Tiananmen.

In 2003, the Hong Kong leadership proposed an anti-subversion bill. Hongkongers rightly saw this bill as an attack on their freedom of speech and freedom of association. The Hong Kong leadership proposed it—again, doing it at the behest of the mainland Chinese Government—and 500,000 citizens protested and eventually forced the government to withdraw the bill.

In 2014, the Hong Kong Government announced a reform to change how Hong Kong's Chief Executive was selected. The proposal was meant to continue what already existed, and that was mainland Chinese Communist control over the election process in Hong Kong. One of the mechanisms they used to achieve this was that only candidates vetted by a committee of mostly pro-Beijing supporters would be allowed to seek the office of Chief Executive.

In response to this undemocratic measure, Hong Kong students staged a campaign of civil disobedience and peaceful protest to oppose this effort. Up to a half a million people participated in the movement. Students famously used umbrellas to shield themselves from tear gas and pepper spray that was being launched at them by the police, so much so that the pro-democracy protesters were quickly termed the ''Umbrella Movement.''

All of these protests and acts of civil disobedience make it clear that Hongkongers want more freedom, not less freedom.

I think this matters. This matters obviously in Hong Kong, but it matters

beyond Hong Kong. It matters to us. It should matter to us. What is happening in Hong Kong is not just important for those residents but for the rest of the world. Today the people of Hong Kong are fighting against an unpopular and unfair extradition bill. They are really fighting for a future in which they can enjoy basic human rights, natural rights that everyone should have, including the right to free speech, the right to a fair trial, the right to be confident that your government will follow the laws of the society in which it exists, and participation in a just and fair representative system of government.

If the Chinese officials in Beijing and the Communist Chinese who rule mainland China have their way, they will extinguish these rights for the people of Hong Kong. If the extradition bill were to become law, it would threaten all of those rights because of the chilling effect of the threat of being extradited to the lawlessness of the Chinese judicial system.

In some important ways, I think Hong Kong can be seen as a canary in a coal mine for Asia. What happens in Hong Kong will at least set expectations, create a climate that will maybe affect what happens in Taiwan over time, other Asian nations that are struggling for freedom in the shadow of China. The fact is, China itself is controlled by an authoritarian government, interested primarily in its own survival. That is the top priority of Beijing's leadership. They have created a modern-day police state. They use mass surveillance, censorship, internet applications in order to control their own citizens. They have imprisoned over a million of their own citizens, the Muslim Uighur minorities, in concentration camps.

China's authoritarianism threatens free and open societies all around the world. A democratic Hong Kong is a direct threat to the Communist regime in Beijing because people across China, naturally, ask the question: Why do Hongkongers get to have more rights and a better life and more freedom than we have? That is the threat the government in Beijing is trying to extinguish.

We, of course, recently had the blessing of being able to celebrate our own Independence Day, when Americans reflect on our own struggle against tyranny, against an unjust government, and our successful effort to throw that off and establish this, the world's greatest, most vibrant, and freest democratic society.

In many ways, the Hongkongers are fighting for some of the very same values as our Founding Fathers did during the American Revolution. I think it is important that we in the United States not turn a blind eye to the struggle for freedom that is happening outside our borders. I think it is important that Americans continue to stand in support of the voices in Hong Kong calling for freedom, for democracy, and respect for basic human rights. I will do what I can in the Senate to support the people of Hong Kong in their peaceful protests for their own freedom, and I call on my colleagues in this administration to join me.

I yield the floor.

## RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:30 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

## EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The Senator from California.

Mrs. FEINSTEIN. Madam President, if I understand the procedure, are we in morning business?

The PRESIDING OFFICER. We are postcloture on the Bress nomination.

Mrs. FEINSTEIN. I ask unanimous consent to speak as in morning business.

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

Mrs. FEINSTEIN. Madam President, I rise today to oppose the nomination of Daniel Bress to the Ninth Circuit in California.

First, by history and tradition, this is a California seat on the Ninth Circuit. The fact is that Mr. Bress is neither a California attorney nor a California resident. In fact, he has not been a resident of the State for over a decade. He has lived and practiced in the Washington, DC, area for almost his entire adult life.

As California Senators, Senator HARRIS and I know that experience and connection to California are really necessary for a Ninth Circuit judge to be effective on the bench. We know our State, we know our constituents, and we know the challenges they face.

That is why the blue slip is so important. Honoring the blue slip ensures that Senators who understand and are accountable to their constituents have a say in judicial nominations for their home States.

Senator HARRIS's and my blue slips were not returned. That ultimately symbolizes our objections. I was also very disappointed that the White House ignored that and moved forward with Mr. Bress's nomination.

Senator HARRIS and I worked in good faith with the White House to find nominees acceptable to the President and to us. During our negotiations that took place, we informed the White House that we could support several other nominees who were, in fact, selected by the White House. Yet the White House and the Republican members of the Judiciary Committee have claimed we were at an impasse. That is simply not true. For reasons still unknown to us, the White House abandoned our negotiations and nominated Mr. Bress for this seat instead.

I am very disappointed that Republican leadership decided to schedule a vote on Mr. Bress's nomination, given both of our objections to his nomination and our concerns about a lack of connection to our State.

Next, I want to discuss what I mean by a lack of connection to our State.

The White House has greatly exaggerated Mr. Bress's connections to California to justify their decision to move forward with a non-California nominee.

I have studied Mr. Bress's record extensively, and I would like to run through some of what I have found.

Mr. Bress claims to spend a substantial amount of time working in his law firm's San Francisco office. However, as recently as November 2018, Mr. Bress's profile on the Kirkland & Ellis LLP website listed him as an attorney working exclusively in the firm's Washington, DC, office. His profile page likewise provided contact information—phone and fax—only for the Washington, DC, office.

Just before he was nominated, Mr. Bress's Kirkland & Ellis profile was revised to list him as an attorney in both the Washington, DC, and San Francisco, CA, offices of the firm.

In addition, according to a review conducted by my staff, every public legal filing signed by Mr. Bress lists his office as Washington, DC. This includes legal filings submitted in California courts. Mr. Bress has never had an oral argument before the Ninth Circuit—never had an oral argument before the Ninth Circuit.

The chairman of the Judiciary Committee entered a letter into the record at Mr. Bress's hearing identifying 26 cases in California courts that Mr. Bress has been involved in. However, according to Mr. Bress's Senate Judiciary questionnaire, 11 of these 26 cases were asbestos lawsuits for a single client, the chemical company BASF Catalyst. Another four cases were products liability lawsuits involving another single client, the air conditioning manufacturer United Technologies Corporation. So those are two clients. This is hardly the wide breadth of California court experience that one would expect of a Ninth Circuit court appointee.

Mr. Bress does not belong to any legal organizations in California. His children do not attend school in our State. He has voted only once since high school in a California election. And he does not have a California driver's license. Finally, Mr. Bress does not own any property in California outside of one share in a family business venture.

These facts, along with Mr. Bress's residency in the Washington, DC, area—he lives here; his family lives here—make clear to us that he is not a Californian, nor is he suited for the Ninth Circuit.

This is something we have never experienced before; that is, bringing a judge from one coast to put him on the Ninth Circuit on the other coast.

Some of my Republican colleagues have cited past instances when an attorney living and practicing in one State has been nominated and confirmed to a seat in another State. This is highly unusual.

Republicans have been able to provide examples of this occurring only 4 times in the past 20 years, and in each case, it was with the support of the home State Senators. This support is simply not here in this case; this is not the case with this nominee.

California is a diverse and complex State. We have over 40 million people. It is the fifth largest economy in the world. It makes up 14 percent of the U.S. economy. There are 53 Fortune 500 companies that are based in our State. We have the largest ag industry in the country. We produce more manufacturing revenue than any other State. And California technology companies produce 53 percent of all tech revenues in the United States.

This vast and diverse nature of California's people and economy means the Ninth Circuit regularly considers challenging and complex issues of fact and law. These cases require not only the sharpest legal minds but lawyers and judges who know and understand the complexities facing the State of California.

We have an imported judge now coming to the Ninth Circuit. One of our most critical tasks as Senators is to ensure that lifetime appointments to the Federal courts are well qualified and well suited to the seats to which they have been nominated.

Home State Senators are a crucial part of this evaluation process. The Presiding Officer knows this very well. I am so disappointed that the majority has disregarded this.

This disregard of blue slips represents another breakdown of Senate traditions. It is really very disturbing. One thing I have learned over 20 years here is that what goes around comes around. By doing this, it is a major violation of a precedent that this Senate has followed, I believe, to its absolute.

I will vote against Mr. Bress's confirmation, and I urge my colleagues to do the same.

Thank you very much.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island.

REMEMBERING JIM TARICANI

Mr. REED. Madam President, I rise today to salute a hometown hero, a dedicated journalist, and a trusted newsman, Jim Taricani, who sadly passed away last month after decades of contributions to Rhode Island and the field of journalism throughout this country.

This is just an example of the tributes that he won by a very, very enthusiastic population of Rhode Island. This is the front page of the Providence Journal on the day of his funeral service.

He was a gentleman. He was a man of integrity, a man of fairness—the qualities that define a great journalist. In fact, the words ''great journalist'' and ''Jim Taricani'' are synonymous.

He leaves behind an extraordinary legacy. He was an award-winning investigative journalist who earned multiple Emmys and the coveted Edward R. Murrow Award, and he was a true champion of the First Amendment.

Jim grew up in Connecticut and served the U.S. Air Force, where he was stationed in Europe as a military police officer. But he made his mark when he moved to Rhode Island and embarked on a career in broadcast journalism, first in radio, and then over a 30-year career at WJAR that spanned from the late 1970s through 2014.

Jim began his stint for NBC 10—WJAR—as a general assignment reporter but gained notoriety for covering big stories and uncovering the truth. He went on to found the station's investigative team in 1979.

He earned a reputation for taking on tough stories about organized crime and political corruption. In reporting on these difficult topics, Jim's own integrity, selflessness, and fairness shone through every day and every moment.

Indeed, Jim didn't just talk about principles; he lived them. In February 2001, Jim obtained an FBI surveillance video from a confidential source. It showed a public employee accepting a bribe in the famed Operation Plunder Dome case, which transfixed Rhode Island and Providence, its capital, for many, many months. It marked a significant moment when people could see and hear what corruption looked like. Rather than following a court order to reveal the source of the tape, Jim stood up for the First Amendment, and he was sentenced to 6 months of home confinement.

Several of Jim's friends and colleagues wrote letters to the judge on Jim's behalf, including Christiane Amanpour, who interned for Jim in the early 1980s, when she was a student at URI.

She noted that Jim Taricani taught her ''that journalism when done right is a noble profession, that America's unique commitment to freedom of the press is vital to a functioning democracy, [and] that holding public officials to account is the imperative of a corruption-free society.''

Indeed, that is what Jim set out to do through his reporting.

He became a strong advocate for other journalists, testifying before Congress about freedom of the press and the challenges journalists face in trying to keep the public informed about their government. His help, his actions, and his activity spurred action. The Senate Judiciary Committee advanced Senator SCHUMER's bipartisan media shield bill. But the work to protect journalists, and to ensure that they can responsibly do their job and inform the public, continues. We must find a bipartisan way forward that balances freedom of the press and public safety.

Jim was also a tremendous advocate for the American Heart Association. A survivor of cardiovascular disease and multiple heart attacks, Jim documented his own process of undergoing a heart transplant, from uncertainty to recovery. Here is how the Providence Journal's television critic described it:

> Listed—the title refers to the word from doctors that every heart transplant candidate longs to hear—is the most powerful human interest story I have ever seen on local television. It is courageous first-person journalism, a story that you may never forget.

Taricani, who kept a diary throughout his hospital stay, wanted to have his experience videotaped in order to produce a donor awareness video for the American Heart Association. It was never his intention to broadcast the account, but when the news director, Dan Salamone, suggested it would reach a broader audience if televised, Taricani agreed.

That was Jim. He was not looking to be the story but was willing to share his story if it could help others. Thoughtful, tenacious, and tough—that was Jim Taricani. By the way, 32 days after receiving his new heart, Jim was back at work, which tells you everything you need to know about how passionate he was about journalism and how much he loved his job.

Undoubtedly, the love of his life was his wife, Laurie White, who is a force in her own right and has taken up Jim's cause of freedom of the press and encouraging the next generation of aspiring young journalists to go out and make a difference. She has endowed a lecture series on First Amendment rights at the University of Rhode Island in Jim's honor, which is a fitting tribute.

She said:

> Journalists bring sunlight to the stories that otherwise may stay hidden in the shadows. It is my hope that this lecture series will continue his legacy of inspiring the next generation of ethical and responsible journalists.

I expect the series will help increase public understanding of the importance of a free press and the First Amendment for decades to come.

As a journalist and as a person, nothing stopped Jim from following the facts, uncovering the truth, sharing important stories, and enlightening his audience. We are all, in Rhode Island and across the country, deeply saddened by the loss of Jim Taricani, but his example and legacy endure. That legacy will sustain us and inspire us to continue working together to build a just and decent country, and for that we are all grateful to Jim.

Madam President, I yield the floor to my distinguished colleague from Rhode Island, Senator WHITEHOUSE.

The PRESIDING OFFICER. The Senator from Rhode Island.

Mr. WHITEHOUSE. Madam President, it is a great honor to join my senior colleague, Senator REED, on the Senate floor to remember someone we both knew very well, Jim Taricani, a

legendary investigative reporter, whom not only we knew well but so many Rhode Islanders knew well.

There was a rule in Rhode Island: When Jim called, you answered. He was also tough. He was always fair. He was the founder of WJAR's I-Team, a storied investigative unit for the NBC affiliate in Rhode Island.

Jim started working as a reporter in the 1970s, when the New England mafia was still active on the streets of Providence. He became known for segments exposing organized crime and for sniffing out public corruption, and, at times, a bit of a combination of both. Jim's news sense and his doggedness were legendary.

Jim was a Rhode Island icon. In a small State, with more than its share of stories to tell and plenty of larger-than-life characters, investigative journalists have always had a particular prominence. For more than three decades, Jim was among the best of them all.

He was brave. When a Federal judge ordered Jim to divulge who had provided him with a tape of a bribe being accepted at Providence City Hall, he opted for a prison sentence rather than give up his source. The courage of Jim Taricani made national headlines. He ended up serving 4 months of home confinement and testified before Congress in 2007 in support of a Federal shield law to protect the freedom of the press.

Rhode Islanders felt a personal connection to Jim for another reason. Jim needed a new heart in the 1990s. After having suffered two heart attacks in his thirties, he shared this health saga on the air, allowing WJAR cameras to follow along as he underwent a heart transplant and navigated his recovery.

From living rooms and kitchen tables across Rhode Island, Rhode Islanders rooted for Jim. As his health improved, he ultimately returned to the newsroom. The transplant would give him 23 more years, which he called his bonus.

Jim passed away last month at the age of 69. With the free press under more strain than almost any other point in our Nation's history, Jim's funeral became a really important moment. The photo Senator REED just showed on the front page of the Providence Journal the next day was a sight to behold. More than 50 journalists showed up to serve as Jim Taricani's honor guard. The honor guard had dozens of reporters from across Rhode Island—not just from WJAR but from all of its competitors too. Journalists came from other parts of the country who had crossed paths with Jim at channel 10 during time they spent in Rhode Island. They had come back to see off a friend, a hero, and a staunch defender of the First Amendment.

I join Senator REED today in thinking of Jim's beloved wife, Laurie White, and the many friends of theirs who mourn Jim's passing. He will be missed.

I yield the floor.

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

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. BLACKBURN). Without objection, it is so ordered.

(The remarks of Mr. YOUNG pertaining to the introduction of S. 2063 are printed in today's RECORD under ''Statements on Introduced Bills and Joint Resolutions.'')

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

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

## AFFORDABLE CARE ACT

Mr. MURPHY. Madam President, I am going to be joined on the floor over the next 45 minutes or so by a number of my colleagues to talk about an exceptional court case that is being heard today in New Orleans, LA.

This is a court case the Trump administration, along with a number of Republican attorneys general, has brought to obliterate the Affordable Care Act, all of it, overnight. The case, if successful, would result in a humanitarian catastrophe in this country.

Why do I say that? Because the plaintiffs in the case, backed by the Trump administration, are arguing that the court should throw out the entire Affordable Care Act, with nothing to replace it, despite the fact that for almost a decade now, I have listened to this President and my Republican colleagues in the Congress object to the Affordable Care Act on the premise that they will have something better to replace it with—in President Trump's words, a replacement that will insure more people, at lower cost, with all the protections the Affordable Care Act has. That plan has not materialized yet because it doesn't exist. It has never existed. It will never exist.

The choice today is between the Affordable Care Act, which insures over 20 million Americans, which guarantees that people with preexisting conditions cannot be discriminated against, and nothing—no protections, no expansion of Medicaid, no subsidies—for individuals to buy private insurance.

Right now, with the support of Republicans in Congress, the Trump administration today is making the argument that the entire Affordable Care Act should be struck down, with nothing—nothing at all—to replace it.

This is my friend John from Middletown, CT. I had breakfast with John last week. That is a picture of John in his younger years. John was 12 years old when he started to have flulike symptoms but was diagnosed—coincidentally, on the day of the tragedy in Sandy Hook, CT—with a rare form of soft-tissue cancer in the back of his throat.

The treatment process for John was, in his words, horrendous, bringing him to as little as 70 pounds for a period of time, rendering him unable to speak, eat, or drink. He was out of school and in and out of the hospital for almost 2 years.

Six years later, he can only open his jaw a small fraction of the normal range of motion; he can only chew foods out of one side of his mouth; and he has very limited healing ability for any jaw injury.

These issues will never go away for John. He has become an advocate for the Affordable Care Act because he knows—he knows that if the Trump administration's lawsuit is successful, his life as he knows it is over because, once again, insurance companies would deny him treatment. No insurance company would provide John Carlson with insurance, knowing his history of cancer, if they were allowed to make decisions for themselves on who gets coverage and who doesn't. The only reason John gets coverage is that we have said, through the Affordable Care Act, we are not going to hold you responsible for your childhood cancer. We are going to make sure you get insurance no matter what.

These are the stakes right now. These are the stakes for millions of Americans like John whose lives will be upended if this heartless, thoughtless, cruel lawsuit proceeds. We should be talking about how to make the healthcare system better. We should be talking about ways to lower costs. We shouldn't be talking about going backward with no safety net.

What if this lawsuit is successful? I haven't heard a single Republican in the Senate talk about what they would do. I haven't heard the President talk about what his plan is if his lawsuit is successful.

What happens to John? What are you going to do to make sure he still gets the treatment he needs? The answer is, you don't know. The answer is, you are jumping without a net, and you are playing with the lives of millions of Americans.

John is a remarkable young man also because his eyes were opened when he was in the hospital. I want to read you his words. He said this to me a couple of weeks ago, and I asked him to write it down because it is really remarkable the capacity of young people to see beyond their own suffering. He said:

> I wanted to take this opportunity today to tell one more story about an experience I had in the hospital during my cancer treatment. This is a story about a young boy who received cancer treatment the same time as me. During my daily physical therapy walks around the childhood cancer floor, I started to notice a pattern. There was always one room—directly across from the nurses station—with the same patient inside. A small

boy, no older than three years old. I can remember asking my parents and nurses, ''Why are that baby's parents not with him?'' I felt so angry that such a tiny child was left alone and forgotten in a hospital room while going through cancer treatment. I remember seeing the tiny chemotherapy port embedded in his head through the glass door.

''Why would they abandon him like that?'' I asked the nurse walking with me that day. She explained to me that he had not been abandoned at all, he was not forgotten nor neglected. She explained that he was left alone due to pure necessity and desperation.

This is John talking. He said:

I learned that both of his parents were working day and night to be able to afford his cancer treatment. Nobody deserves to go through this alone, especially not a three-year-old infant. I shared my story so that his story will not continue to take place in America. I shared my story so that patients fighting for their life will no longer be taken advantage of by the hospitals and insurance companies.

What a miracle that this young man, going through his own cancer treatments, would think of a 3-year-old child who has no parents there with him because his parents are working multiple jobs in order to afford the cancer treatments for their son.

Before the Affordable Care Act went into effect, 750,000 people in this country went into bankruptcy because of medical costs. That does not happen any longer. It doesn't mean our healthcare system is perfect. It doesn't mean it doesn't need more improvement, but why would we want to go back to the day in which a family lost everything simply because their 3-year-old son got cancer? Why would we take this chance with these people's lives?

I, once again, come to the floor to beg my colleagues to stand with us, to stand with us and oppose this lawsuit—this careless, thoughtless lawsuit. At the very least, if you support it, then come to the floor with a real plan for how you are going to take care of John and the millions of Americans who rely on the Affordable Care Act for coverage.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Madam President, I am very pleased to follow my colleague from Connecticut and to continue his thoughts about the utter chaos and catastrophe that would be caused by the success of this lawsuit now before the court of appeals—chaos and catastrophe that would, in effect, turn back the clock to days that I remember well because I was attorney general when preexisting conditions were used as a ruse to deny lifesaving medical care and coverage to people with cancer, brain tumors, and literally lethal diseases.

In those days, as attorney general, I took their fight and made it my own, even sometimes calling presidents of insurance companies over weekends to go to bat for those individuals.

Those bad old days—the days of no protection against preexisting conditions—are over now, but they will come back if this lawsuit is successful. If this lawsuit wins, young people who are now covered by their parents' policies up to the age of 26 will be without it. If this lawsuit wins, the annual and lifetime caps on benefits will come back. If this lawsuit is successful, preexisting conditions again will come back to haunt people who need and deserve coverage. If this lawsuit wins, millions of people—tens of thousands in Connecticut—will be at risk.

One of them is a young man, Conner Curran, an 8-year-old boy in Ridgefield. His picture is right here. I met Conner 3 years ago when he was 5, and his parents noticed he was lagging behind his twin brother. They brought him to a doctor, expecting maybe a simple diagnosis. Instead, they were told that Conner had Duchenne muscular dystrophy. That is a degenerative, terminal disease. It has no cure. It is life-threatening. In fact, most people with the disease don't survive past their midtwenties.

Conner's family wrote to me, telling me that their beautiful, young, sweet child, at the time just 5½ and full of life, would slowly lose his ability to run, to walk, to lift his arms. Eventually, they said, he would lose his ability to hug them.

Conner needs care—complex care—from multiple specialists, costing tens of thousands of dollars per year. Thanks to the Affordable Care Act, there is no denying him coverage. There is no denying him coverage because of his illness, and he will receive the care he needs.

His family also wrote to me that the reinstatement of lifetime caps or elimination of essential health benefits will hinder his family's ability to access the care Conner needs. In fact, if this lawsuit wins, there will be virtually insuperable obstacles to Conner receiving that vital lifesaving care. If this disease progresses, as seems very possible, he will need access to Medicaid in offsetting costs of living with that disability.

For his family, the question is, Will Medicaid even be there? If that devastating day comes, will he receive the care he needs?

Conner's family shared their concern over what would happen if the repeated and reckless attempts to undermine healthcare succeed and if repeal of the ACA becomes a reality. He and his family are not giving up. They have come to my office since he was diagnosed to fight for a cure and for the Affordable Care Act. They have demonstrated strength and courage, sometimes with tears in their eyes. They raise awareness and fight for their son. I know they would do it a million times over if it meant Conner could have a long and healthy life.

Connor and millions like him are the reasons I am here to fight back against any attempts to repeal the Affordable Care Act. Whether it is in Congress or in the courts, make no mistake, this effort in the courts is another means of repealing the ACA. The people of Connecticut get it. They understand the agenda here. They want all of us—and I think most of our constituents do as well—to make sure this kind of care is there for Connor and for all of us because all of us will be at risk if the ACA is repealed, whether it is in Congress or the courts.

In Connecticut, there are 1.5 million people living with preexisting conditions. That includes 182,000 children like Connor. If this Republican-backed lawsuit against the Affordable Care Act succeeds, their protections will be eviscerated; they will be lost, not just for a year or two but likely for their lifetime.

The Affordable Care Act ban on lifetime coverage caps is so important to kids like Connor. If the Republican-backed lawsuit against the ACA is successful, he will be one of the more than 1.2 million people in Connecticut who would meet a lifetime coverage limit and be forced to worry about how and if they can pay for their necessary medical care.

In Connecticut, about 25,000 young people get their healthcare coverage under their parents' plans, thanks to the Affordable Care Act's requirement that children can be covered until the age of 26. If the Republican-backed lawsuit against the ACA succeeds, these young adults will be left without coverage.

In Connecticut, over a quarter of a million people have healthcare coverage because of the ACA's Medicaid expansion. Another 110,000 have coverage through the Connecticut ACA exchange. If the Republican-backed lawsuit against the Affordable Care Act succeeds, their healthcare coverage will be gone.

If the Republican-backed lawsuit succeeds, the uninsured rate of Black Connecticut residents would likely double. One in five Latinos under 65 will go uninsured.

All of these people, like Connor, represent our Nation—the best of our Nation—with their dedication to the people they love, and they deserve to be heard. Their voices need to be heard here. They are the true faces of the Affordable Care Act. Every one of them, like Connor, is a life that will be enhanced by continuing the Affordable Care Act. If this Republican-backed lawsuit succeeds, their lives will be at risk, and we will be a lesser nation.

I yield the floor.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, I come before this body, I come before all of those in America to explain a little bit of what we had before the Affordable Care Act and where we are today.

I wasn't here in 2009 when they passed the Affordable Care Act. I was the Governor of the State of West Virginia, my beautiful State. I can tell you about the type of healthcare in a rural State—a rural, hard-working

State—where people have worked hard all their lives. They have been challenged, but they really have given so much to this great country. Most of them did not have insurance. A lot of people across America had some really good insurance, but a lot of working people—hard-working people or people of less means, poor people—did not have access.

Let me tell you what they used. They used the emergency room—the highest cost of entry with no preventive care, nothing at all to maintain health or wellness—but they would go there in an emergency. That is what most people who didn't have any insurance used.

Let me tell you about the people who basically were working and could not afford the copays where they worked or weren't afforded insurance at places where they worked. If they were ill or if they got hurt at home, working, they would go into work on Monday and make a worker's comp claim, again, at a very high cost to all of the States.

At the end of the year, and I think this is in most States, they would come to you—every hospital, every rural clinic would come to their Governor and their legislature; we would call them DSH payments, disproportionate share—and say: Governor Manchin, if you don't help me with $10 million or $12 million—I have given away $20 million in charity care—we are going to have to close.

We had to scramble around, using taxpayer dollars to keep every rural clinic and hospital open for the people. People forget about all of that.

For those who had wonderful access to insurance or were offered insurance, that was wonderful. We want to make sure they still have that opportunity.

Guess what. We have a way to fix this. There have been two bills sitting on Senator MCCONNELL's desk for almost 3 years that would reduce the cost—what we know is wrong with the bill—the Affordable Care Act.

Let me tell you what is right with the Affordable Care Act. I wasn't here in 2009. I would like to have seen changes, but now that I am here, I know what I had before, which wasn't working, and I know what we have now can be a lot better.

In a bipartisan way we have tried to fix this. We have tried to find ways to make sure that people who had good insurance are not going to be exorbitantly charged out of the market or priced out of the market. We are doing everything we possibly can.

I am asking everybody, please, for the sake of humanity, if a person for the first time has ever gotten insurance—and I have told people this. We gave people the greatest wealth card you could ever get, which is a health card, but we didn't give them one shred of evidence as far as information about how to use it—the instructions.

I compare it to this: If you bought a box of Cracker Jacks, you would get the prize inside, and they would show you how to use that little prize. We never took the time, but now they want to throw it out. Let's make an effort to basically teach people how to live a healthier lifestyle, how to use preventive care, how to have a more productive and a healthier life. We haven't done any of that.

For the first time, we know, scientifically, if a person is addicted to drugs—if they are addicted—it is basically a health problem. It is an illness. An illness needs treatment. For the first time, in a State that has been inundated with opioid addiction and drug addiction, people are able to get treatment, get back into a productive lifestyle and get their lives cleaned up. For the first time they want to take that away. Out of 1.8 million people who live in my State, there are 800,000 West Virginians who have some form of preexisting condition because they have worked in the mines and the factories. They were hard workers. Those people, if you have ever talked to them, if you have ever talked to rural Americans in any State, you can ask: How are you doing?

I am OK. I am OK.

How is your health?

Well, I don't want to be a burden to my family.

Let me tell you what they are telling you when they say ''I don't want to be a burden to my family.'' They are saying: I can't afford insurance. I don't have insurance. I am not going to break my family and put them in bankruptcy to try to keep me alive. So whatever the good Lord has planned for me, I will accept.

That is not who we are as Americans. It is just not who we are. This is what we are trying to change.

We have 20 attorneys general, Republican attorneys general. These are people I know. I don't think they are mean-spirited, but to be this insensitive to the real world and what is going to happen—every hospital, every clinic, every provider is going to be in jeopardy of not having a job or being able to provide the services people need. This thing will come unraveled—unraveled.

We are fighting and hoping and praying that this is not upheld in the court system. How it has gotten this far I do not know. I can tell you, reasonable people would not make this type of decision.

When you look at what is going on—let me tell you, in a bipartisan way, my Republican colleagues have admitted that millions of Americans will lose their health insurance if the Republican attorneys general succeed. They have admitted this. It is bipartisan because we all have the same challenges. Senator TILLIS from North Carolina and nine other Republicans stated that oral arguments in Texas v. United States will begin September 5, and if a judge rules in favor of the plaintiffs, protections for patients with preexisting conditions could be eliminated. We know that.

My good friend Senator MURKOWSKI from Alaska said, in her own words, that this lawsuit will take away healthcare coverage from people with preexisting conditions. Senator MURKOWSKI said: ''With the uncertainty of the outcome in the upcoming Texas v. United States case, this legislation is needed now more than ever to give Alaskans, and all Americans, the certainty they need that protections for those with pre-existing conditions will remain intact.''

My Republican colleagues know that if these attorneys general win, it will devastate households, our economy, and millions and millions of Americans' health. That is why I have been working with them to fix the problems of the Affordable Care Act. I introduced the Premium Reduction Act with my Republican colleague and dear friend Senator SUSAN COLLINS from Maine. It would reduce the cost of health insurance in the individual market by supporting and expanding State-based health insurance.

We owe it to every West Virginian with a preexisting condition to fix our healthcare system.

I would like to introduce you to Aiden Jackson Williams. This is Aiden Jackson Williams right here. Aiden is a 6-year-old cancer survivor from West Virginia. At 9 months old, he was diagnosed with an optic glioma and underwent chemotherapy for 16 months. At 2 years old, he was in remission. Aiden continues to get MRIs every 3 to 6 months, and there is a high chance of recurrence of other tumors in his body due to his condition.

With that said, Aiden doesn't let it bother him. His parents are proud to say that today Aiden is doing great. He and his twin sister Reagan both enjoy sports, and he moves around just as well as anybody. To this day, Aiden is their hero and inspiration.

Kids like Aiden have fought and beat cancer. They shouldn't also have to fight to keep their health insurance.

What we are saying is that if the ACA goes away, Aiden will not have the certainty to be able to have health insurance, to have the MRIs to detect early enough to save his life. That is what we are talking about.

This is life and death. This is life and death. This is not just a matter of the ideological differences that we have. We are going to fight and fight hard, and that is why I am here—for Aiden and all West Virginians with preexisting conditions. They are trusting us to do the right thing, along with my colleagues, the Republicans, in a bipartisan way, to fix what, basically, we have to know and what we do know that can be fixed with the bill before us, the Affordable Care Act, but not throw the baby out with the bath water.

I hope that each one of my colleagues will take this seriously and that they will work with us in a bipartisan way to fix the healthcare for Americans that is so needed.

With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Washington.

Mrs. MURRAY. Madam President, today President Trump and Republican attorneys general are explaining in court why they think people who got their healthcare through the exchanges or Medicaid expansion should have it ripped away. They are explaining why limits on patients' out-of-pocket costs should go away while limits on their annual and lifetime benefits should come back and why protections for people with preexisting conditions should be struck down.

In other words, Republicans are, once again, fighting to take us back to the bad old days to give big insurance companies all the power, to leave millions of people without any hope of getting the quality affordable care they need and to leave patients and families with fewer protections and higher bills—patients like Lily from Gig Harbor, WA, in my home State.

Lily is a rising high school sophomore. She is a rising soccer star, and she is a patient living with cystic fibrosis. To stay healthy and stay on the field, Lily needs to take several prescriptions a day. She needs to keep expensive medical devices on hand and visit specialists every other month, not to mention the hospital a couple of times a year. Even on a good month, her healthcare can cost thousands of dollars.

For families like hers, the stakes could not be higher. If Republicans win their blatantly partisan lawsuit, insurance companies could kick patients like Lily off their parents' insurance before they turn 26, meaning that instead of worrying whether Lily will continue her soccer career at Gonzaga or UW or somewhere else, her family could spend her senior year worrying how to make sure she can get the healthcare she needs.

If Republicans win, insurance companies could also avoid covering essential health benefits patients need—things like prescription drugs or emergency care. They could remove limits on how much patients have to pay out of pocket and put limits on patients' annual and lifetime benefits, which is particularly challenging for patients, like Lily, who need expensive drugs to treat chronic preexisting conditions.

If Republicans win, insurance companies could discriminate against patients who have preexisting conditions, like cystic fibrosis, by charging them more, excluding benefits, or even denying them coverage completely.

Let's be clear. Lily is just 1 of 30,000 patients in our country with cystic fibrosis and 1 of over 100 million patients in our country living with a preexisting condition.

Like the woman who wrote to me about her severe arthritis, which could be debilitating without treatment, or her husband whose high blood pressure could be deadly without medication, or the mom who wrote to me about her son's rare form of epilepsy and how, without insurance, the medical costs would crush her family. For these families and so many other patients living with a preexisting condition, the lawsuit Republicans are bringing today is a matter of life and death.

People are watching closely, and they are not going to forget who kept their word to fight for their healthcare, to fight for protections for people with preexisting conditions, and who on the other side blatantly broke that promise by championing a partisan lawsuit that would throw the healthcare of millions of people out the window.

Democrats are not going to stop fighting for families like Lily's; we are not going to stop holding President Trump accountable for his ongoing healthcare sabotage; and we are not going to stop pushing for commonsense steps that help women and families get quality, affordable healthcare or pushing Republicans to work with us to get the train back on the track and stop pulling up the rails.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

Mr. BROWN. Madam President, I both concur and applaud the senior Senator from Washington State for her comments. We saw Senator MANCHIN here. I know Senator KAINE was here. Senator MURPHY was here. Senator BLUMENTHAL was here. I know there are probably a dozen others, all of whom know people and have talked to people, who get out and, as Lincoln said, listen to people and get their public opinion baths.

They meet people like Susan Halpern from Columbus, whom I will talk about in a few minutes. They talk to them. They meet. They see that what we do here actually matters to people's lives.

They can play games with the Affordable Care Act. They have been doing that for a decade now, literally almost a decade, putting people's healthcare at risk, scaring people, and alarming people, trying to take their healthcare away. These are real people, as these pictures show and as these stories show.

Let me back up for a minute. A Federal judge is hearing arguments in a case that would literally yank health coverage away from millions of Americans.

I know what that means in my State. There are 900,000 people in Ohio who have insurance today because of the Affordable Care Act. There are 100,000 Ohio seniors who have gotten major savings on their prescription drugs through the Affordable Care Act. One million Ohio seniors have had osteoporosis screenings, diabetes screenings, physicals with no copay and no deductible, and preventive care so they don't get sick, saving the healthcare system money, saving taxpayers' dollars, and making their lives better. Yet my colleagues on the other side of the aisle, all of whom have good insurance paid for by taxpayers, want to take it away from them.

Almost any day you could look down the hall—you can open this door and walk down the hall, look down the hall, and you will see the healthcare lobbyists, the drug company lobbyists, the tobacco lobbyists, and the gun lobbyists. You will see one after another going to the Republican leader's office, Senator MCCONNELL. Every one of those lobbyists causes us to spend more dollars on health insurance. The health insurance lobby, the gun lobby, the tobacco lobby, the alcohol lobby, the spirits lobby coming out of Kentucky—all of them cost taxpayers more because it means people's health gets worse because they don't stand up to these interest groups.

We know what is happening in Texas. A partisan judge, an absolutely partisan hack of a judge, ruled in December to strike down the Ohio healthcare law. I know Justice Roberts said we don't talk about Obama judges or Bush judges or Clinton judges or Trump judges. Yes, that is what they say, and that is what Supreme Court Chief Justice Roberts says, but we know what has happened here. We know how Senator MCCONNELL is looking for the most extreme and young judges possible to put on the court to go after labor rights, to go after voting rights, to go after healthcare, costing our citizens their health and costing citizens billions of dollars.

We know the President wants to get rid of the entire Affordable Care Act. If President Trump gets his way, if the court decides to wipe it off the books, to take away the entire healthcare law, here is what happens: tax credits to help you afford your health insurance—gone; protections for preexisting conditions—gone.

Right now, 5 million Ohioans have a preexisting condition. Most of the rest of us will have a preexisting condition at some time in our lives. It is called aging, when people are more likely to develop illnesses and get sick.

So consumer protections built in by Obama, built in by the Affordable Care Act so insurance companies can't deny you coverage, and they can't say: ''Sorry, we are not going to insure you'' or ''You already have insurance''—and they will take the insurance away if you just happen to get too sick and you cost the private insurance companies too much money—gone. Republicans in this body and President Trump want to take those protections away.

The ability to stay on your parents' health insurance until you are 26—gone. We know what that has meant to so many families. If my colleagues would leave this building, leave their foreign travel, leave their nice homes that most of us have in our States and get out and listen to people, they will hear people say: Well, this is really important to my 26-year-old sister or my 26-year-old daughter or my 24-year-old son.

Ohio's entire Medicaid expansion that Republican Governor Kasich did—

gone. Limits on how much you pay out-of-pocket each year—gone. Many more affordable prescription drugs for seniors through closing the doughnut hole under the Affordable Care Act, if they get their way—gone.

Free preventive services, like mammograms and bone density screenings for Medicare beneficiaries—millions of them in my State and tens of millions of them in the country—gone. The list goes on.

There are 5 million Ohioans under 65 who have preexisting conditions. That is half the population of our State.

I am not being an alarmist. We know this is what so many of you who were in the House earlier voted on time and again to try to repeal the Affordable Care Act. You had no replacement. You said you did, but there was no replacement for the Affordable Care Act. It was the repeal of the Affordable Care Act, taking away all of these benefits that tens and tens of million Americans benefit from.

These Ohioans have been able to rest a little easier knowing they can't be turned down for healthcare coverage or have their rates skyrocket because a child has asthma, because a husband has diabetes, or because a wife was diagnosed with breast cancer, but this case intentionally puts all of that at risk.

President Trump has thrown the whole power and all of the attorneys—the battery of lawyers—in the Justice Department into this case to try to take the away the Affordable Care Act. That is what he promised in his campaign; that is what all these Republican Members of the Senate promised; and that is what all the Republican Members of the House promised. Do you know what? A lot of them lost last year because they want to take their insurance away. They are not doing it through Congress because that might be politically risky. They don't want to do that. They are trying to do it through the court system and then blame who knows what for this.

In Columbus, I met Susan Halpern. Ms. Halpern is a cancer survivor. She is pictured here. She told me this:

As a breast cancer survivor and self-employed small business owner in Ohio—

Creating jobs—

I depend on the ACA for my healthcare. I am aware that without the ACA, I would not be able to purchase health insurance for any price. Even though my cancer has been in complete remission for 12 years, I would still be uninsurable.

These stories from Michigan that Senator STABENOW tells, from Washington State that Senator MURRAY just told, that Senator KAINE told, that Senator MURPHY has told, and that Senator BLUMENTHAL has told go on and on. These are all cases where people have insurance, and a bunch of people in this body—all of whom get insurance paid for by taxpayers—are trying to take it away from them. All of these benefits are gone, thanks to the lobbyists lining up in Senator MCCONNELL's office from the gun lobby, the tobacco lobby, the insurance lobby, the spirits lobby, and all the rest.

Last week, in Cleveland, I met Maya Brown-Zimmerman, who pointed out to me that I had met her many years before when she was a student in high school. She went to high school with my daughter. I met her at a school event once. She has a rare genetic disorder that one of her four children also inherited. Here is what she said:

I cried the day the ACA was passed because it meant a safety net for my family. No lifetime caps on medical coverage, and the guarantee of being able to get health insurance even if something were to happen to my husband's job.

She went on:

Whether or not my family loses these protections literally keeps me awake at night.

Think about that. Think about the selfishness of my Republican colleagues, of President Trump, and of the people in this administration—all the Justice Department lawyers and all these judges. Think about their selfishness. They have a political agenda, and they are keeping Ms. Brown-Zimmerman awake at night because she worries about her insurance. Think about the selfishness. Think about the morality of that.

She said:

I want our elected officials to remember we can't predict when we will need to access the healthcare system and so access to healthcare is an issue that is going to affect us all.

There are not too many people who are not able to sleep in this body. There were not too many people who were not able to sleep in the House as they were all voting to repeal the Affordable Care Act. That doesn't seem to cross their mind, but it crosses the minds of millions of people in Detroit, in Ann Harbor, in Cleveland, and in Mansfield.

Today, tomorrow, and the day after, 14 Ohioans will die of an overdose. Medicaid is the No. 1 tool we have to get people into treatment. Ohio is in the throes of an addiction crisis, like much of the rest of the country but only worse in many cases. We know Medicaid expansion has been a lifeline to so many Ohioans.

Sometime ago, I was at Albert House in Cincinnati, one of the best addiction treatment centers in the country. I sat with a man and his daughter. He put his hand gently on his daughter's arm. He looked at me, and he said: ''Senator, my daughter would be dead if it were not for Medicaid.'' He said: ''My daughter would be dead if it were not for Medicaid.''

Yet Federal judges—Trump-appointed judges and Bush-appointed judges—and Republican Senators, all of whom get health insurance from the Federal Government, from taxpayers, are apparently willing to have that on their conscience. They are willing to work to repeal the Affordable Care Act with no real replacement. That matters in the life of Ms. Halpern. That matters in the life of Ms. Brown-Zimmerman, whom I just talked about. That matters in the life of the gentleman in Cincinnati who talked to me about his daughter.

The President wants to make it harder for Ohioans to get that care. I don't know how Members of this Congress and this President—all with good insurance that is paid for by taxpayers—can support dismantling this lifeline that so many Americans rely on.

I yield the floor.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I first want to thank my friend and colleague from Ohio for his passion and for caring so deeply, as we all do in our caucus, fighting for people's healthcare.

It seems every week I am down on the floor saying exactly the same thing: Healthcare is personal; it is not political. Healthcare is personal to every single person in Michigan; it is not political.

Whether a senior is able to afford the medication she needs to treat her chronic condition, that is personal. Whether a single dad is able to take his children to a trusted doctor when they get sick or hurt and keep them on his policy until age 26, that is personal. Whether a woman is charged more for the health insurance coverage she needs to detect cancer early enough so it can be cured, that is personal.

Unfortunately, the law that helps seniors afford their prescriptions, ensures children can remain on their parents' insurance until age 26, requires health insurance policies to charge women the same as a man and to cover lifesaving, preventive care, that law is currently in the intensive care unit on life support.

As we know, since 2010, Senate and House Republicans have voted to repeal or undermine the Affordable Care Act more than 100 different times—100 different times. That didn't sit right with families across Michigan and across the country. They stood up with us, they fought back with us, and together we won.

What Republicans couldn't do in Congress, they are trying to do through the courts. Today, literally, the Fifth Circuit Court of Appeals begins hearing arguments in a case brought by 18 different Republican attorneys general and Governors.

In short, these 18 Republican attorneys general and Governors, backed by the Trump administration and President Trump, are trying to take away your healthcare. If they win, healthcare reform could be completely overturned and healthcare taken away. That would take everything away, including Medicaid expansion, which we call Healthy Michigan. In Michigan, we have about 700,000 people getting healthcare now who don't have to pick between working a minimum wage job and getting healthcare. They can do both. Children staying on their parents' insurance plans until age 26—

gone. More affordable drugs for seniors—gone. Protections for people with preexisting conditions—gone.

In other words, it would put insurance companies back in charge of your healthcare, and we all remember what that was like.

Women could once again be charged more for coverage and have to get a rider if they want to get maternity care coverage and prenatal care coverage. Remember when being a woman was considered a preexisting condition? I do. Members of my family do.

Families could once again face yearly or lifetime caps on care when they need it the most, when you think about it.

If the Affordable Care Act is repealed through the courts, the insurance companies would once again be able to say to your doctor: You know, I don't think she really needs 10 cancer treatments or 12 cancer treatments, so we will pay for 5. If addiction treatment or mental health treatment is needed, they could say: I don't think you really need to have more than two sessions if you are an addict. Come on. Today, the doctor decides, with you, what you need in terms of number of treatments, and that is the way it should be.

As I mentioned, nearly 700,000 people in my State are getting healthcare through Healthy Michigan or Medicaid expansion, and they could lose that. In fact, they will lose that.

Our uninsured rate has fallen from 12 percent before the Affordable Care Act to 5 percent. So 12 percent of people were not insured at all, and now it is 5 percent. I would call that a success. Is there more that should be done? Yes. But that is positive, not negative.

The number of people without insurance who have been treated has fallen by 50 percent in Michigan—50 percent. And that is great for all of us. It is certainly great for hospitals that were treating people without insurance before. Someone walks into the emergency room and gets care in the most expensive way, and they don't have insurance. What happens? Everybody else's insurance rates go up. That is what happened. When people were able to get their own insurance coverage, insurance rates went down. In fact, we had over $400 million in Michigan that was put into the State government as a savings as a result of not paying for people going to the emergency room without insurance.

A record 97 percent of Michigan children can see a doctor now when they get sick—97 percent. I would argue that is a great success, not something to be taken away or something to play politics with.

Michigan seniors are saving money on their prescription drugs through the Medicare Part D Program—something called the doughnut hole, the gap in coverage that we closed.

More than half of our families in Michigan, which includes people with preexisting conditions, are now able to get coverage. The insurance companies can't say no, and they can't say: When you get sick, you are going to be dropped. They can't deny you from getting the coverage you need if you have a preexisting condition.

One of those people in Michigan is Heidi, who lives in Cedar Springs. She wrote to me in May. I thank Heidi for doing that. Heidi had bought health insurance for years and almost never needed it because she was healthy. In fact, she only used it, she said, when she gave birth to her daughter. That all changed in 2004 when Heidi was diagnosed with breast cancer at the age of 45. She has since had multiple tests, multiple surgeries, and multiple rounds of chemotherapy, all at least partially covered by insurance.

Heidi wrote this:

> My fear every day is that I won't have insurance if these changes are made. There is no way any company would insure me. My husband has a life insurance policy that he bought before we were married. . . . We asked about me. The salesman nicely said that I am not insurable. So my plan B is, if I lose my health insurance, I will take that money and save it for my funeral (since I can't even get a life insurance policy for enough for a funeral).

Heidi added this:

> I am lucky that I thought insurance was a good thing, and, therefore, paid for it for years through my job.

Heidi depends on protections for people with preexisting conditions. Heidi didn't ask to get breast cancer. It could happen to any of us. Any day, something could happen to any of us or someone in our family. And if you have or will have what is called a preexisting condition, your health insurance will be taken away if this court case, supported by President Trump, his administration, and Republicans, succeeds.

A couple of months ago, I spoke at the Detroit Race for the Cure, which raises money for breast cancer research. It is a wonderful event. We had a beautiful, sunny day. As I stood on the stage and looked out over a crowd of over 10,000 people, mostly women and many wearing pink, I saw women living with preexisting conditions. I saw people like Heidi.

One woman who was standing on the stage near me asked me a question that I will never forget: ''Why is it that I have to worry about whether or not I will be able to get insurance in the future? Why?'' She added: ''Why don't President Trump and other Republicans understand that this is my life? This is my life.'' It is a very good question. It deserves an answer.

Why don't Republicans in Congress, why don't those 18 attorneys general and Governors, and why doesn't President Trump believe that people like Heidi deserve to have healthcare coverage? Why don't they believe that seniors deserve access to more affordable prescription drugs? Why don't they believe that women should pay the same for their health insurance as men? Why don't they believe that young people should be able to stay on their parents' insurance until age 26? And why don't they believe that families, not insurance companies, should make healthcare decisions? Families, with their doctors, should be making health decisions, medical decisions, not an insurance company. If this lawsuit succeeds, we are going to go right back to putting your medical decisions in the hands of the insurance companies.

Healthcare isn't political; it is personal. It is time to stop playing politics with people's health. For each of us, it is our life.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. WYDEN. Madam President, I ask unanimous consent that I be permitted to speak for 5 minutes, followed by Senator CORTEZ MASTO for 5 minutes, prior to the series of votes we will have.

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

Mr. WYDEN. Madam President and colleagues, at Fourth of July picnics and parades, it is likely that complicated healthcare policy debates are not exactly a central topic of conservation. I am pretty sure that is the way the Trump administration wanted it to be.

Today, lawyers representing the Trump administration and a number of Republican Governors are attempting to have the Affordable Care Act ripped up and thrown out by a Federal court. They were unable to do that in the Congress, so now they have headed off to try to get it done in the courts. The case is happening in the Fifth Circuit in Louisiana. This is not some theoretical exercise; this is an immediate threat to the healthcare of millions and millions of Americans.

I want to be clear at the outset of these remarks what the bottom line is. The bottom line is that eliminating protections for preexisting conditions is now the official position of the Republican Party. That is the centerpiece of what this court case attacks—the ironclad, airtight guarantee at the heart of the Affordable Care Act that insurance companies cannot discriminate against those with a preexisting condition. The fact is, the Republican Party wants that eliminated.

This attack on Americans' healthcare goes way beyond preexisting conditions. What about prescription drug costs? Prescription drugs are outrageously expensive right now, and the problem is getting worse under the Trump administration. Prices are up more than 10 percent just in the past 6 months. Americans are forced to make life-threatening choices where they really have to balance their food bill against their medicine bill and medicine against other necessities, like shelter. In effect, Americans selfration because their prescriptions just cost too much.

If this lawsuit succeeds, prescription drug costs are going to skyrocket even higher. If the Affordable Care Act is

thrown out, that will be the end of the requirement that health insurance companies have to cover prescription drugs. Patients will be forced into junk insurance plans that don't cover the care they actually need. Millions of people of limited means would be kicked off their Medicaid coverage. Millions of seniors would face higher drug costs.

The bottom line: If this case is successful, it will launch a forced march back to the days of yesteryear when healthcare was for the healthy and the wealthy. The reason I say that is that is the way it used to be. If you had a preexisting condition in the past, you were just out of luck unless you had an enormous amount of money. The only people who really could benefit were people who were healthy and people who were wealthy. The Affordable Care Act changed that. More than 100 million people got a lifeline protection against discrimination if they had a preexisting condition.

If the lawsuit succeeds, the biggest winners are going to be the largest of the insurance companies and the drug manufacturers. They would get the power they need to once again walk all over the American people.

Here is the kicker: There is no replacement plan if the Affordable Care Act is wiped out. The President keeps saying he has a big, beautiful healthcare plan, and we always get the sense—it reminds you of the movie house in the old days where it would say: Coming soon. Movie coming soon. But it never actually gets there. There is never a grand unveiling, and that is because there isn't a backup plan. This is just an ideological crusade to make winners out of the most powerful corporations and losers out of millions of working Americans.

Democrats in this Chamber have proposals ready to go to take a better path, a better approach, and to protect the healthcare of our people, blocking Trump's lawyers from using taxpayer dollars to destroy the Affordable Care Act, banning junk insurance, which isn't worth much more than the paper it is written on, and standing foursquare behind protecting people with a preexisting condition.

That is what the Senate ought to be working on so the Trump administration can't bring on a healthcare nightmare for millions and millions of Americans.

One of our most valuable members of the Senate Finance Committee has joined us now, Senator CORTEZ MASTO, and I am happy to yield to her to close our time before the vote.

The PRESIDING OFFICER. The Senator from Nevada.

Ms. CORTEZ MASTO. Madam President, I want to talk today about Kyle Bailey from Sparks, NV. Kyle is 27 years old, and he is an amazing success story. He was born with cystic fibrosis, a genetic condition that affects the lungs and digestive system, making it hard to breathe normally or absorb nutrients.

Cystic fibrosis has no cure, so patients like Kyle spend hours every day on treatments to keep themselves as healthy as possible. With good medical care and lifesaving medications, he has been able to live a full life, creating music and artwork. He is engaged to be married.

Yet Kyle lives in fear. He is afraid he will lose his health insurance and coverage for treatments that keep him alive. That could happen if the Republican Party succeeds in its latest attempt to use the courts to attack the Affordable Care Act and to end its protections for preexisting conditions.

Just today, a Federal appeals court has heard more arguments about whether the ACA is constitutional. On one side are patients like Kyle; on the other side are the Trump administration and 18 Republican State attorneys general, who all want the court to strike down the Affordable Care Act.

We have seen it before. The Republicans have tried to defeat the ACA in Congress and in the courts over 100 times, and each time they have failed because the American people have raised their voices and said: Stop. We want our healthcare coverage.

But just because the ACA survived those attacks doesn't mean it is safe. It is especially scary for those who gained coverage and peace of mind thanks to the Affordable Care Act's strong safeguards for patients.

One of the most important parts of the ACA is its guaranteed protections for people with preexisting conditions. Insurers used to be able to discriminate against people because of their medical history. They would weed out people who were born with genetic conditions, like Kyle, or people who had gotten seriously ill, like Ivy Batmale from Incline Village. At 5 years old, Ivy was diagnosed with acute lymphoblastic leukemia, one of the most common childhood cancers. Ivy beat leukemia, but the years of harsh therapy triggered a reaction that affected her legs. Ivy was told that she would never walk again. She spent years in wheelchairs undergoing surgery and other treatments.

With costly therapies, Ivy got better. This spring, she and her family marched into breakfast with me right here on Capitol Hill to advocate for childhood cancer research. But Ivy, like other childhood cancer survivors, has had lingering health conditions over the course of her life and will need careful monitoring until she is 40 years old. That is why if Republicans give insurance companies the choice, insurers will either refuse to cover people like Ivy and Kyle or they will charge sky-high rates. The ACA keeps the insurance companies from doing that. If judges strike down the ACA, people like Ivy and Kyle will be endangered through absolutely no fault of their own.

Some people may hear stories about Kyle and Ivy and think, well, that is very sad, but it can't affect that many people. That is wrong. In Nevada alone, in 2015, 1.2 million people under 65 had preexisting conditions. That is half of the nonelderly residents of the State.

A preexisting condition could be as rare as childhood cancer or as common as pregnancy. That means every other Nevadan can face increased insurance rates if the ACA is struck down.

I have met families at roundtables across the Silver State whose kids are some of the 44,000 Nevada children with asthma. Just last week in Las Vegas, I talked to 12-year-old Joey Douglas. Joey's asthma often keeps him from school and sometimes lands him in the hospital for days. He told me that even when he is struggling to breathe, his biggest concern is whether his mom will be able to pay his medical bills. These kinds of worries are the reason that when Kyle wrote to me, he asked me to speak out for people who don't have a voice in healthcare policy in this country—people who are afraid that losing the ACA could mean losing protections that have allowed them to grow up, start a family, follow their passions, and live their lives to the fullest.

Today and every day I am here to fight for people like Kyle and Ivy and countless Nevadans like them. I have repeatedly urged the President and Department of Justice to come down on the side of patients in the Texas case. I have cosponsored legislation to get rid of junk healthcare plans that let insurance companies make an end run around ACA protections for people with preexisting conditions, and I am committed to protecting and strengthening the ACA for all Americans but especially for people like Kyle, Ivy, and Joey.

So I am calling on this President and Republicans in Congress to do what we can to make sure that the Affordable Care Act is not repealed and that we are fighting for healthcare insurance for everyone.

I yield the floor.

NOMINATION OF DANIEL AARON BRESS

Mr. DURBIN. Madam President, this week, the Republican leader, Senator MCCONNELL, has scheduled a vote on a nominee to fill a Ninth Circuit seat based in California.

But the nominee, Daniel Bress, is a Washington, DC, lawyer who has only lived in California for 1 year since high school.

Mr. Bress checks many of the usual boxes that we see for Republican judicial nominees: He is very young—only 40 years old—he has a track record of representing big corporate interests, and he is a longtime member of the Federalist Society.

But what is new and different about this nominee is that, by any reasonable standard, he is not a member of the legal community of the State in which he would sit if confirmed.

Mr. Bress is listed by the California bar as an out-of-State attorney. He belongs to no legal societies or organizations in California. He has only worked

on a handful of matters in California courts.

He doesn't own property in California or even have a California driver's license. Mr. Bress's nomination is opposed by California's two Senators, neither of whom have provided a blue slip. He was reported out of the Judiciary Committee with opposition from all committee Democrats.

To my Republicans colleagues, I say this: The vote on the Bress nomination will set a precedent that could come back to haunt your State.

Any Senator who votes to confirm Mr. Bress is giving their blessing to a process that could cause an out-of-state attorney to be seated in a circuit court judgeship in your own State, over the objection of your State's Senators.

There are thousands of well-qualified attorneys living and practicing in California whom the Trump administration could have selected for this California-based Ninth Circuit seat. They bypassed all of them in favor of a Washington, DC, attorney with minimal California ties.

There have been many breakdowns in the Senate's process for confirming judicial nominees under this Republican majority. If the Senate votes to confirm Mr. Bress, it would represent yet another new precedent that diminishes the Senate's advice and consent process. I urge my colleagues to vote no.

The PRESIDING OFFICER (Mr. CASSIDY). The Senator from Florida.

ORDER OF PROCEDURE

Mr. SCOTT of Florida. Mr. President, I ask unanimous consent that the first vote in the series be 10 minutes in length.

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

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

Mr. SCOTT of Florida. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The result was announced—yeas 53, nays 45, as follows:

[Rollcall Vote No. 191 Ex.]

YEAS—53

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

NAYS—45

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

NOT VOTING—2

| | |
|---|---|
| Gillibrand | Sanders |

The nomination was confirmed.

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

## CLOTURE MOTION

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

The legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of T. Kent Wetherell II, of Florida, to be United States District Judge for the Northern District of Florida.

Mitch McConnell, Kevin Cramer, Mike Crapo, Marco Rubio, John Kennedy, Thom Tillis, James M. Inhofe, Rob Portman, Johnny Isakson, John Thune, John Boozman, Cory Gardner, Steve Daines, Richard C. Shelby, Pat Roberts, Lindsey Graham, John Hoeven.

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

The question is, Is it the sense of the Senate that debate on T. Kent Wetherell II, of Florida, to be United States District Judge for the Northern District of Florida, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

This is a 10-minute vote.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 82, nays 16, as follows:

[Rollcall Vote No. 192 Ex.]

YEAS—82

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

NAYS—16

| | | |
|---|---|---|
| Baldwin | Markey | Stabenow |
| Blumenthal | Menendez | Van Hollen |
| Booker | Merkley | Warren |
| Harris | Schatz | Wyden |
| Hirono | Schumer | |
| Klobuchar | Smith | |

NOT VOTING—2

| | |
|---|---|
| Gillibrand | Sanders |

The PRESIDING OFFICER. On this vote, the yeas are 82, the nays are 16.

The motion is agreed to.

## CLOTURE MOTION

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

The senior assistant bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Damon Ray Leichty, of Indiana, to be United States District Judge for the Northern District of Indiana.

Mitch McConnell, Roy Blunt, John Barrasso, Pat Roberts, Mike Crapo, John Cornyn, John Thune, Kevin Cramer, Roger F. Wicker, John Boozman, John Hoeven, Thom Tillis, Johnny Isakson, Tim Scott, Mike Braun, Richard Burr, Lindsey Graham.

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

The question is, Is it the sense of the Senate that debate on the nomination of Damon Ray Leichty, of Indiana, to be United States District Judge for the Northern District of Indiana, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

This is a 10-minute vote.

The senior assistant bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Vermont (Mr. SANDERS) are necessarily absent.

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

The yeas and nays resulted—yeas 87, nays 11, as follows:

[Rollcall Vote No. 193 Ex.]

YEAS—87

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

NAYS—11

| | | |
|---|---|---|
| Blumenthal | Klobuchar | Smith |
| Booker | Markey | Stabenow |
| Harris | Murray | Warren |
| Hirono | Schatz | |

NOT VOTING—2

| | |
|---|---|
| Gillibrand | Sanders |

The PRESIDING OFFICER. On this vote, the yeas are 87, the nays are 11.

The motion is agreed to.

## CLOTURE MOTION

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

The bill clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of J. Nicholas Ranjan, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

Mitch McConnell, Roy Blunt, John Barrasso, Pat Roberts, Mike Crapo, John Cornyn, John Thune, Kevin Cramer, Roger F. Wicker, John Boozman, John Hoeven, Thom Tillis, Johnny Isakson, Tim Scott, Mike Braun, Richard Burr, Lindsey Graham.

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

The question is, Is it the sense of the Senate that debate on the nomination of J. Nicholas Ranjan, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

Mr. DURBIN. I announce that the Senator from New York (Mrs. GILLIBRAND) and the Senator from Vermont (Mr. SANDERS), are necessarily absent.

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

The yeas and nays resulted—yeas 83, nays 15, as follows:

[Rollcall Vote No. 194 Ex.]

YEAS—83

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

NAYS—15

| | | |
|---|---|---|
| Bennet | Hirono | Smith |
| Blumenthal | Klobuchar | Stabenow |
| Cantwell | Markey | Udall |
| Harris | Merkley | Warren |
| Heinrich | Murray | Wyden |

NOT VOTING—2

| | |
|---|---|
| Gillibrand | Sanders |

The PRESIDING OFFICER. On this vote, the yeas are 83, the nays are 15.

The motion is agreed to.

## EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of J. Nicholas Ranjan, of Pennsylvania, to be United States District Judge for the Western District of Pennsylvania.

The PRESIDING OFFICER. The majority whip.

ORDER OF PROCEDURE

Mr. THUNE. Madam President, I ask unanimous consent that at 11 a.m. on Wednesday, July 10, the Senate vote on confirmation of the following nominations in the order listed: Executive Calendar Nos. 47, 52, and 51; that if confirmed, the motions to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action. I further ask that at 4:30 p.m., the Senate vote on the pending cloture motions on the King and Pallasch nominations and that if cloture is invoked, the confirmation votes occur at a time to be determined by the majority leader, in consultation with the Democratic leader, on Thursday, July 11. Finally, I ask unanimous consent that the cloture motion with respect to the Wright nomination ripen following disposition of the Pallasch nomination.

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

## LEGISLATIVE SESSION

### MORNING BUSINESS

Mr. THUNE. Madam President, I ask unanimous consent that the Senate proceed to legislative session and be in a period of morning business, with Senators permitted to speak therein for up to 10 minutes each.

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

## TRIBUTE TO MARY BALLARD

Mr. MCCONNELL. Madam President, it is always a privilege to honor the men and women of America's Greatest Generation. They defended our national values both at home and abroad, and we owe each one of them a tremendous debt of gratitude for their service and sacrifice. Today, I would like to recognize one of these intrepid Americans from my home State of Kentucky. Mary Somers Ballard volunteered to serve in the U.S. Army Nurse Corps during World War II, providing healing care to wounded soldiers across the European theatre. This month, Mary will enjoy her 100th birthday at a celebration with friends and family, and I would like to add my voice to the chorus of those praising her lifetime of achievement.

When war broke out, Mary lived in Boston working as a nurse and attending school. Hearing stories from the front, she was called to leave her studies and put her talents to work for the war effort. At the age of 23, she joined the Army's 811th Air Evacuation Unit and sailed from New York City for Europe. Mary was deployed at a hospital in Manchester, England, where she cared for wounded soldiers flown back from France and Germany. In the aftermath of the invasion of Normandy, Mary traveled to the continent to support the Battle of the Bulge, one of Hitler's last-ditch efforts to stop the Allied advance. After the liberation of Paris, Mary was sent to the city to care for troops there. In her many posts, Mary delivered lifesaving care to many Allied soldiers, often in challenging surroundings.

More than 59,000 Americans joined the Army Nurse Corps during the Second World War, many serving under enemy fire. Their service supported the recovery of countless wounded soldiers at evacuation hospitals like Mary's.

After the war, Mary was stationed in Indiana where she met Al Ballard, a young surgical resident. The couple married and moved to Al's native Kentucky, where Mary has lived ever since. Together, they raised eight children and, like so many other members of the Greatest Generation, continued to contribute to their community and our country.

Through the years, Mary has been honored for her brave service. To celebrate her 95th birthday, for example, she threw out the first pitch at a Lexington Legends minor league baseball

game. I am glad to join her family and friends in marking Mary's 100th birthday. With her lifesaving work in the Army and a longtime commitment to Kentucky, Mary has made a lasting impression on the lives of countless many. With all of them, I would like to wish her a happy birthday and thank her for her remarkable service to the United States. I urge my Senate colleagues to join me in honoring this Kentucky hero.

## VOTE EXPLANATION

Ms. HARRIS. Madam President, I was necessarily absent but, had I been present, would have voted no on rollcall vote No. 190, the motion to invoke cloture on Daniel Aaron Bress, of California, to be United States Circuit Judge for the Ninth Circuit.

## ADDITIONAL STATEMENTS

### TRIBUTE TO MYKAYLAN BURNER

• Mr. ROUNDS. Madam President, today I recognize Mykaylan Burner, an intern in my Washington, DC, office, for all the hard work she has done on behalf of myself, my staff, and the State of South Dakota.

Mykaylan is a graduate of Dakota Valley High School in North Sioux City, SD. Currently, she is attending South Dakota State University in Brookings, SD, where she studies political science and Spanish. Mykaylan is a dedicated and diligent worker who has been devoted to getting the most out of her internship experience and has been a true asset to the office.

I extend my sincere thanks and appreciation to Mykaylan for all of the fine work she has done and wish her continued success in the years to come.•

### RECOGNIZING CAPITAL SHOE FIXERY

• Mr. RUBIO. Madam President, as chairman of the Senate Committee on Small Business and Entrepreneurship, it is my honor to recognize a small business that exemplifies a rigorous work ethic, attention to detail, and dedication to tradition. This week, it is my privilege to name Capital Shoe Fixery of Tallahassee, FL, as the Senate Small Business of the Week.

Known for their expertise in shoe maintenance, Capital Shoe Fixery has become a local staple, servicing the members of their community since 1938. Having celebrated their 81st anniversary, the small business has become a landmark in the State's capitol and remains a true Main Street favorite. Originally owned by Elton and June Henley, Nick Camechis's father, John, bought the business in 1966. After school, Nick spent his days helping his father around the store and learning the trade. Following the precedent of hard work and tradition, Nick took over the business in 1995. To this day, Nick expands on his father's longstanding tradition of fairly priced, high-quality craftsmanship. Recently turning 65, this shoe cobbler has no current plans to retire, working 70 hour workweeks with no sick days.

Today, Capital Shoe Fixery remains family-oriented and affordable, providing only the highest quality of work to their customers. When customers arrive, they are greeted by Nick's dog Tuck, who also never misses a day of work. Capital Shoe's clientele ranges from politicians, college students, dancers, and customers from all walks of life. Capital Shoe Fixery will take in approximately 60 to 70 shoes a day during a typical legislative session. Furthermore, Nick is known for his honesty with customers and will decline new business if he feels that the damaged shoes are irreparable.

This outstanding quality of service and honesty by Capital Shoe Fixery has not gone unnoticed. In addition to their excellent reviews, in 2016, Capital Shoe Fixery was featured in Tallahassee Family Magazine, where the family-owned business was commended for their work ethic and attention to detail. The article truly cemented Capital Shoe Fixery as a Main Street staple, highlighting its unique traits that allow for remarkable customer experiences.

Capital Shoe Fixery has remained true to their original values by focusing on quality service with an expert investment of time, care, and honesty to prioritize the customer. In addition, it is a reminder of the extensive amount of time and care required to achieve success and longevity in business. Nick's dedication is a quintessential example of how hard work can lead to exceptional success. It is with great pleasure that I extend my congratulations to Nick and Capital Shoe Fixery. I wish you well as you continue serving the people of Tallahassee, and I look forward to watching your continued success.•

## MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 2740. An act making appropriations for the Departments of Labor, Health and Human Services, and Education, and related agencies for the fiscal year ending September 30, 2020, and for other purposes.

H.R. 3055. An act making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, 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–1860. A communication from the Acting Principal Deputy Director, Defense Pricing and Contracting, Department of Defense, transmitting, pursuant to law, the report of a rule entitled ''Defense Federal Acquisition Regulation Supplement: Repeal of Transportation Related DFARS Provisions and Clauses'' ((RIN0750–AK63) (DFARS Case 2019–D020)) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2019; to the Committee on Armed Services.

EC–1861. A communication from the Management and Program Analyst, Federal Aviation Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled ''Amendment and Revocation of Air Traffic Service (ATS) Routes in the Vicinity of Manistique, MI'' ((RIN2120–AA66) (Docket No. FAA–2018–0220)) received during adjournment of the Senate in the Office of the President of the Senate on July 2, 2019; to the Committee on Commerce, Science, and Transportation.

## PETITIONS AND MEMORIALS

The following petitions and memorials were laid before the Senate and were referred or ordered to lie on the table as indicated:

POM–102. A joint resolution adopted by the Legislature of the State of California urging the United States Congress to block the President's national emergency declaration by overriding the President's veto of House Joint Resolution 46 and consider terminating the declaration of a national emergency within six months or at the earliest possible time pursuant to the National Emergencies Act; to the Committee on Armed Services.

SENATE JOINT RESOLUTION NO. 2

Whereas, On February 15, 2019, United States President Donald J. Trump declared an undefined national emergency; and

Whereas, The President intends to cut $7.5 billion in the United States Department of Defense's funding targeted at the general welfare of our military, supporting infrastructure construction, defending national security threats, and limiting the flow of illegal drugs into the United States; and

Whereas, Appropriating funds intended for military construction projects and counterdrug activities will come at the expense of troop readiness and departmentwide efforts to address the military's aging infrastructure and

Whereas, Funds would otherwise be used to improve potable water distribution, update maintenance and storage facilities for military vehicles, build new combat training facilities, construct a shooting range complex, and build a close combat training facility, located at the Navy SEAL Campus in Coronado, California; and

Whereas, Dollars would also otherwise be used for renovating the Defense Distribution Depot located in Tracy, California; and

Whereas, The President is proposing to revert money already appropriated for updating runways and landing pads, as well as increased airfield security, at the Naval Air Station in Lemoore, California; and

WHEREAS, Funds would otherwise be used to construct a Navy SEAL reserve training facility in San Diego, California; and

Whereas, Money would otherwise be used for military family housing projects to remove lead paint and update hazardous living conditions in service members' homes; and

Whereas, The funds would otherwise be used to fund a C–130 flight simulator facility at the Channel Islands Air National Guard Station in Oxnard, California, which would train pilots to fly planes outfitted with Modular Airborne Fire Fighting Systems that are used to combat wildfires in California; and

Whereas, The national emergency declaration diverts attention from current emergencies that pose real dangers to the health and welfare of California's environment at our border, such as the continued pollution at the Tijuana River Valley and the New River in Calexico; and

Whereas, Dollars that would otherwise be used to update hospitals that treat wounded soldiers will be misused, placing even greater constraints on the moneys available for this purpose; and

Whereas, The President has also stated that he expects to use this national emergency declaration to revert and repurpose funds already approved by the United States Congress to limit the flow of drugs into the United States; and

Whereas, These funds were earmarked to combat the drug cartels in West Africa, Mexico, and Colombia, and nations acting as drug cartels, such as North Korea; and

Whereas, In recent years, a substantial amount of counternarcotics funding has been used to stem the increasing tide of fentanyl being imported from China; and

Whereas, Controlled substances are more likely to be smuggled through official ports of entry than between border crossings; and

Whereas, Cutting drug interdiction funding will not deter the passage of controlled substances through the United States border, but will hamper counterdrug efforts in areas where the funds could make a meaningful impact; and

Whereas, The United States Department of Defense has roughly $1 billion earmarked for counternarcotic missions and drug interdiction for the 2019 fiscal year, and yet the Trump Administration has asked for $2.5 billion from the counternarcotic fund; and

Whereas, The Pentagon will have to divert money from elsewhere beyond the appropriated funding to come up with the extra $1.5 billion, negatively affecting our nation's ability to effectively and efficiently combat the flow of drugs into our borders; and

Whereas, This nation needs to continue to repair and strengthen our military and redirecting funds needed for this purpose will undercut our accomplishments and underfund our operations; and

Whereas, Numerous news reports indicate that the President is considering reallocating funds currently appropriated for disaster relief and aid, including $2.4 billion appropriated to the State of California, the diversion of which will severely hurt communities already suffering as a result of natural disasters; and

Whereas, By the President's own admission in regard to the national emergency declaration, he ''didn't need to do this''; and

Whereas, On February 26, 2019, the United States House of Representatives passed House Joint Resolution 46 by a vote of 245—182, pursuant to the federal National Emergencies Act, to overturn President Trump's emergency declaration and the United States Senate passed that resolution by a 59–41 vote on March 14, 2019. On the following day, the President vetoed the resolution; and

Whereas, Twenty states, including California, have filed suit to block the President's national emergency declaration; now, therefore, be it

Resolved, by the Senate and the Assembly of the State of California, jointly, That the Legislature urges the houses of the United States Congress to stand in unity and block the President's national emergency declaration by overriding the President's veto of House Joint Resolution 46 and, if not possible, to consider terminating the declaration of national emergency within six months or at the earliest possible time pursuant to the National Emergencies Act; and be it further

Resolved, That the Legislature urges the President to reconsider his motives and decision and allow military, defense, and counterdrug funds to be used for the purposes for which they are needed and for which they were made available; and be it further

Resolved, That the Secretary of the Senate transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the Majority Leader of the Senate, and to each Senator and Representative from California in the Congress of the United States.

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POM–103. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to support the initiative calling for accurate, third-party application (app) ratings and intuitive parental controls to better protect children from harmful online and mobile device content; to the Committee on Commerce, Science, and Transportation.

SENATE CONCURRENT RESOLUTION NO. 36

Whereas, millions of children use online and mobile devices daily; and

Whereas, parents rely on ratings to decide whether to allow their children to have access to apps available online and on mobile devices; and

Whereas, app developers currently self-rate their apps and display the ratings in app stores; and

Whereas, this rating system can be misleading, inconsistent, and does not appropriately warn parents of the potential dangers found in applications; and

Whereas, no third-party organization holds app developers accountable to ensure ratings are accurate and adequately explain the content and advertising available to children therein: and

Whereas, popular apps often do not include or have adequate parental controls; and

Whereas, apps can be hot spots for bullying, grooming, sex-trafficking, pornography, glamorized self-harm content, and the buying and selling of illegal drugs; and

Whereas, in order to protect children from such harm, parents seek adequate parental controls as well as the information necessary to determine if apps are appropriate for their children; and

Whereas, the #fixappratings initiative calls for the creation of an independent app ratings board and rating system that is clearly understood, enforced, trustworthy, and exists to protect the innocence of minors; and

Whereas, the #fixappratings initiative also calls for the release of intuitive parental controls to ensure that parents can effectively control their children's app activity;

Whereas, be it

*Resolved*, That the Legislature of Louisiana memorializes the Congress of the United States to support the #fixappratings initiative calling for the establishment of a third-party organization to assign app ratings and descriptions and the development of user-friendly parental controls; and be it further

*Resolved*, That a copy of this Resolution shall be transmitted to the secretary of the United States Senate and the clerk of the United States House of Representatives and to each member of the Louisiana delegation to the United States Congress.

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POM–104. A resolution adopted by the Senate of the State of New Jersey urging the United States Congress and the President of the United States to pass legislation that would amend the Code of the Internal Revenue Service which would prevent the IRS from collecting taxes on any amount of student loan forgiven for deceased veterans; to the Committee on Finance.

SENATE RESOLUTION NO. 75

Whereas, Each member of the United States Armed Forces serves our country to protect the citizens of the United States and, in 2015, there were over one million active duty members of the Armed Forces; and

Whereas, If a service member sustains an injury or illness while on active duty, they may be discharged and return home to pursue higher educational opportunities; and

Whereas, Many service members embrace the opportunity to pursue higher education through the various tuition assistance programs and college funds offered to service members, which may be used in combination with federal and private student loans to pay for the cost of college; and

Whereas, If a service member loses his or her life as a result of an injury or illness sustained while on active duty, the federal education loans are forgiven under the Higher Education Act and private loan companies can choose to forgive the education loans; and

Whereas, When an educational loan is forgiven the Internal Revenue Code categorizes the amount of the loan as taxable gross income for a cosigner on the loan, which can include both family and friends of the deceased service member; and

Whereas, Taxing loan forgiveness as income can be burdensome to family members and friends especially during a time when they are grieving the loss of their loved one; and

Whereas, Families of veterans who lost their lives as a result of an illness or injury sustained while serving on active duty have already sacrificed so much for the United States; and

Whereas, [The federal bill H.R. 500, named the ''Andrew P. Carpenter Tax Act,''] *It is altogether fitting and proper for Congress to enact legislation, similar to H.R. 500 of the 115th Congress, that* would amend the Internal Revenue Code to prevent the Internal Revenue Service from collecting taxes on any amount of student loan forgiven; and

Whereas, The [federal bill will] *legislation would* help to ease the financial burden for individuals who are already grieving for the loss of their loved one; Now, therefore, be it

*Resolved*, by the Senate of the State of New Jersey:

1. This House respectfully urges the President and Congress of the United States to enact [H.R. 500] *legislation* which amend the Internal Revenue Code to prevent the Internal Revenue Service from collecting taxes on any amount of student loan forgiven for deceased veterans.

2. Copies of this resolution, as filed with the Secretary of State, shall be transmitted by the Secretary of the Senate to the President and Vice President of the United States, the United States Secretary of Defense, the Majority and Minority Leader of the United States Senate, the Speaker and the Minority Leader of the United States House of Representatives, and every member of Congress from New Jersey.

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POM–105. A resolution adopted by the Senate of the State of Hawaii urging the United States Congress to embrace the goals of the New York Declaration on Forests and the 2030 Agenda and make sustainable development the centerpiece of national social and sustainable policies; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 98

Whereas, Hawaii is recognized as a global partner and local leader in sustainability, peace, climate change adaptation, and human rights due to its adoption of global

standards of social justice to improve the well-being of Hawaii's islands and the world; and

Whereas, in September 2015, the United Nations General Assembly adopted the historic Transforming Our World: The 2030 Agenda for Sustainable Development (2030 Agenda), a comprehensive, compassionate, creative, and courageous plan of action to end poverty, protect the planet, and ensure that all people enjoy peace and prosperity; and

Whereas, the 2030 Agenda includes seventeen Sustainable Development Goals (SDGs), one hundred sixty-nine Targets, and two hundred thirty Indicators upon which general agreement has been reached to measure, monitor, and mobilize; and

Whereas, the Hawaiian islands are home to forests that play a pivotal role in Hawaii's natural environment, both historically and for future generations, by providing watershed, soil, and habitat protection; and

Whereas, Hawaii's forests cover two million acres, approximately half of the entire land mass of Hawaii, and Hawaii has a strong commitment to planting, management, and natural regeneration of its forests; and

Whereas, Hawaii's forests are critically important to local culture, the people, and perpetuation of pristine environments and provide aesthetic value, enjoyment, water conservation, and improved air quality; and

Whereas, the New York Declaration on Forests (NYDF) provides a proactive and participatory human rights based approach to protect and restore forests that supports the scope and significance of the United Nations SDGs; and

Whereas, the NYDF was created and launched at the United Nations Climate Summit at United Nations Headquarters in September, 2014, receiving endorsements by two hundred entities including governments, corporations, civil society, and indigenous peoples; and

Whereas, the NYDF outlines ten global targets related to protecting and restoring forests, which, if realized, have the potential to reduce annual carbon emission by 4.5 to 8.8 billion tons of CO2—the equivalent of the annual emissions of the United States; and

Whereas, the ten goals of the NYDF are:

(1) Stop forest loss;

(2) Eliminate deforestation from agricultural activities;

(3) Reduce non-agricultural deforestation;

(4) Support alternatives to deforestation for subsistence farming, fuel, and other basic needs;

(5) Restore forests;

(6) Quantify forest conservation and restoration targets for 2030 as part of the 2030 Agenda SDGs;

(7) Reduce emissions from deforestation and forest degradation in accordance with global climate agreements;

(8) Provide financing for forest action;

(9) Reward countries and jurisdictions that reduce forest emissions; and

(10) Strengthen governance, empower communities, and recognize the rights of indigenous peoples; and

Whereas, adopting the NYDF can accelerate progress with new partnerships to achieve the United Nations Paris Agreement and the United Nations 2030 Agenda; and

Whereas, the ten goals of the NYDF coincide with the seventeen SDGs and provide an agenda for grassroots and global action but it is up to individuals, communities, and states to generate the political will necessary to achieve these goals; and

Whereas, Hawaii is already participating in global efforts to empower and engage everyone, everywhere to protect the planet and end poverty, regularly attending sessions of the United Nations Framework Convention on Climate Change, the United Nations Human Rights Council, and the United Nations High Level Political Forum; and

Whereas, in Hawaii, college, community, and capitol discussions on the United Nations Framework Convention on Climate Change Conference of Parties annual results and the United Nations High Level Political Forum follow-up and review of the SDGs continue to generate genuine insight into how both sets of goals are being realized in the Hawaiian Islands and what next steps are needed to continue Hawaii's forward momentum; and

Whereas, adopting the NYDF in Hawaii will allow for greater coordination and communication between Hawaii and other NYDF partners to share promising practices and support further improvements for Hawaii's forests; and

Whereas, adopting the NYDF will link Hawaii's forest practitioners to a global network with relevant expertise and capacity to support the implementation of the forest elements of commitments under the Paris Agreement that; Now, therefore, be it

*Resolved by the Senate of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019,* that this body engages, endorses, accepts, and adopts the New York Declaration on Forests; and, be it further

*Resolved* that the Legislature urges federal leaders and the nation to embrace the goals of the NYDF and the 2030 Agenda and make sustainable development the centerpiece of national social and sustainable policies; and be it further

*Resolved* that certified copies of this Resolution be transmitted to the President of the United States, Vice President of the United States, Speaker of the United States House of Representatives, Minority Leader of the United States House of Representatives, Majority Leader of the United States Senate, Minority Leader of the United States Senate, members of Hawaii's congressional delegation, United Nations Secretary General, United Nations General Assembly President, United Nations High Commissioner for Human Rights, NYDF Platform Secretariat, Executive Secretary of the United Nations Framework Convention on Climate Change, United Nations High Level Political Forum, and mayors of each county.

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POM–106. A resolution adopted by the Senate of the State of Hawaii urging the United States Congress to embrace the Aarhus Convention and make protection of the environment and decision-making on environmental policies the centerpiece of national debate and practice; to the Committee on Foreign Relations.

SENATE RESOLUTION NO. 99

Whereas, Hawai'i is recognized as a global partner and local leader in promoting human rights to create a culture of democracy, rule of law, and protection of the planet through its adoption of global and regional standards to guide decisionmaking processes; and

Whereas, Hawai'i is guided by traditional Hawaiian values and emerging international human rights visions to generate good governance and ensure participation in policymaking and protection of our islands and the planet; and

Whereas, in September 2015, the United Nations General Assembly adopted the historic 2030 Development Agenda entitled ''Transforming Our World: The 2030 Agenda for Sustainable Development'', a comprehensive, compassionate, creative, and courageous plan of action to end poverty, protect the planet, and ensure that all people enjoy peace and prosperity; and

Whereas, in December 2015, the United Nations Framework Convention on Climate Change Conference of Parties agreed to the Paris Agreement, calling for the first time to limit future increases in the global average temperature to 1.5 degrees Celsius; and

Whereas, the United Nations Economic Commission for Europe Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters (Aarhus Convention) is an important instrument for achieving the goals of the Paris Agreement and the 2030 Agenda; and

Whereas, the Aarhus Convention consists of numerous articles covering ideas and coordinating implementation including the following:

(1) Access to Environmental Information;

(2) Collection and Dissemination of Environmental Information;

(3) Public Participation in Decisions on Specific Activities;

(4) Public Participation Concerning Plans, Programmes and Policies Relating to the Environment;

(5) Public Participation During the Preparation of Executive Regulations and/or Generally Applicable Legally Binding Normative Instruments; and

(6) Access to Justice; and

Whereas, the parties to the Aarhus Convention:

(1) Aimed to further accountability of and transparency in decision-making and to strengthen public support for decisions on the environment;

(2) Recognized that that the public needs to be aware of procedures for participation in environmental decision-making, have free access to the political process, and know how to exercise that access;

(3) Recognized the importance of respective roles for individual citizens, non-governmental organizations, and the private sector in environmental protection; and

(4) Desired to promote environmental education to further the understanding of the environment and sustainable development and to encourage widespread public awareness of and participation in decisions affecting the environment and sustainable development; now, therefore, be it

*Resolved* by the Senate of the Thirtieth Legislature of the State of Hawaii, Regular Session of 2019, that this body engages, endorses, accepts, and adopts the Aarhus Convention; and be it further

*Resolved* that the Congress of the United States is requested to embrace the Aarhus Convention and make protection of the environment and decision-making on environmental policies the centerpiece of national debate and practice; and be it further

*Resolved* that certified copies of this Resolution be transmitted to the President of the United States, Vice President of the United States, Speaker of the United States House of Representatives, President Pro Tempore of the United States Senate, Majority Leader of the United States House of Representatives, Minority Leader of the United States House of Representatives, Majority Leader of the United States Senate, Minority Leader of the United States Senate, Hawai'i's congressional delegation, Governor, mayor of each county, Secretary General of the United Nations, United Nations High Commissioner for Human Rights, and Chairs of Hawai'i's Climate Change Mitigation and Adaptation Commission.

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POM–107. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to recognize the historical significance of Juneteenth Independence Day to the United States and observe Juneteenth nationally as a holiday; to the Committee on the Judiciary.

HOUSE CONCURRENT RESOLUTION NO. 66

Whereas, news of the end of slavery did not reach frontier areas of the United States,

and in particular the southwestern states, for more than two and a half years after President Lincoln's Emancipation Proclamation, which was issued on January 1, 1863, and months after the conclusion of the Civil War; and

Whereas, Juneteenth is an annual observance and celebration of the date Union soldiers enforced the Emancipation Proclamation freeing all remaining slaves in Galveston, Texas, on June 19, 1865; and

Whereas, since 1865, the day has been celebrated as the day African-Americans received the news of the signing of the Emancipation Proclamation; and

Whereas, Juneteenth commemorates the strength and resolve of African-Americans throughout our history, and is an opportunity to highlight the value of African-American culture, art, history, and achievement; and

Whereas, the celebration of the end of slavery is an important and enriching part of the history and heritage of the United States; and

Whereas, for more than one hundred fifty years, Juneteenth Independence Day celebrations have been held to honor African-American freedom while encouraging self-development and respect for all cultures; and

Whereas, forty-six states and the District of Columbia have designated Juneteenth Independence Day as a special day of observance in recognition of the emancipation of all slaves in the United States; and

Whereas, in 1997, the 105th United States Congress officially recognized Juneteenth as the observance of Independence Day of Americans of African descent; and

Whereas, Juneteenth reflects our belief in liberty and equality for every citizen, as everyone can benefit from a greater understanding and appreciation of the experiences of others; Therefore, be it

*Resolved,* That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to recognize the historical significance of Juneteenth Independence Day to the United States and observe Juneteenth nationally as a holiday; and be it further

*Resolved,* that a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

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POM–108. A concurrent resolution adopted by the Legislature of the State of Louisiana urging the United States Congress to take such actions as are necessary to authorize the garnishment of veterans' disability benefits to fulfill child support obligations; to the Committee on Veterans' Affairs.

HOUSE CONCURRENT RESOLUTION NO. 7

Whereas, Civil Code Article 224 provides that parents are obligated to support, maintain, and educate their child, and the obligation to educate a child continues after minority as provided by law; and

Whereas, 5 CFR Part 581, Subpart A provides which moneys received by a civilian employee for services rendered to a governmental entity are subject to garnishment for the purpose of enforcing the legal obligations of obligors to provide child support; and

Whereas, pursuant to 42 U.S.C. 659, the United States consents to the withholding and garnishing of income of an individual for the enforcement of the individual's child support and alimony obligations; and

Whereas, 42 U.S.C. 659 further provides that the federal government will allow under certain circumstances the garnishment of service-connected disability compensation paid by the Secretary of Veterans Affairs to former members of the armed forces for the purpose of enforcing child support and alimony obligations; and

Whereas, in Rose v. Rose, 481 US 619 (1987), the Supreme Court held that not only could a state consider the amount of disability benefits received by a veteran in setting the amount of child support, but also, once a child support obligation had been created, the veteran's disability benefits could be used to satisfy that obligation; and

Whereas, in the same case, Justice Marshall, quoting the legislative record, describes the purpose of veterans' disability benefits as compensation for impaired earning capacity and ''to provide reasonable and adequate compensation for disabled veterans and their families''; and

Whereas, as of February 2019, the current total for child support arrears in Louisiana is $1,923,958,949.00 and less than one percent of that amount has been collected; and

Whereas, adequate child support is vital to the well-being of children and families in our state; Therefore, be it

*Resolved,* That the Legislature of Louisiana does hereby memorialize the United States Congress to take such actions as are necessary to authorize the garnishment of veterans' disability benefits to fulfill child support obligations; and be it further

*Resolved,* That a copy of this Resolution be transmitted to the presiding officers of the Senate and the House of Representatives of the Congress of the United States of America and to each member of the Louisiana congressional delegation.

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POM–109. A resolution adopted by the Mayor and Council of the City of Cincinnati, Ohio, expressing its support for H.R. 5, known as the Equality Act, which will ensure that federal civil rights laws are fully inclusive of protections for all persons, regardless of sexual orientation or gender identity; to the Committee on the Judiciary.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. HOEVEN, from the Committee on Indian Affairs, without amendment:

S. 279. A bill to allow tribal grant schools to participate in the Federal Employee Health Benefits Program (Rept. No. 116–54).

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

S. Con. Res. 10. A concurrent resolution recognizing that Chinese telecommunications companies such as Huawei and ZTE pose serious threats to the national security of the United States and its allies.

S. Res. 198. A resolution condemning Brunei's dramatic human rights backsliding.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, without amendment:

S. 1173. A bill to amend the Public Health Service Act to reauthorize the Emergency Medical Services for Children program.

By Mr. ALEXANDER, from the Committee on Health, Education, Labor, and Pensions, with an amendment in the nature of a substitute:

S. 1199. A bill to amend the Public Health Service Act to revise and extend the poison center network program.

## INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Mr. ROUNDS:

S. 2058. A bill to amend title 10, United States Code, to improve policy and data collection in connection with personnel tempo of the Armed Forces and the United States Special Operations Command, and for other purposes; to the Committee on Armed Services.

By Mr. TILLIS (for himself, Mr. GRAHAM, Mr. GRASSLEY, Mrs. BLACKBURN, Ms. ERNST, and Mr. CRUZ):

S. 2059. A bill to provide a civil remedy for individuals harmed by sanctuary jurisdiction policies, and for other purposes; to the Committee on the Judiciary.

By Ms. WARREN (for herself and Mr. DAINES):

S. 2060. A bill to require policies and programs to prevent and treat gambling disorder among members of the Armed Forces and their dependents, and for other purposes; to the Committee on Armed Services.

By Mr. TESTER (for himself, Mr. YOUNG, and Mr. MURPHY):

S. 2061. A bill to amend the United States Housing Act of 1937 and title 38, United States Code, to expand eligibility for the HUD–VASH program, to direct the Secretary of Veterans Affairs to submit annual reports to the Committees on Veterans' Affairs of the Senate and House of Representatives regarding homeless veterans, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MANCHIN:

S. 2062. A bill to prohibit the use of funds for the 2026 World Cup unless the United States Soccer Federation provides equitable pay the members of the United States Women's National Team and the United States Men's National Team; to the Committee on Commerce, Science, and Transportation.

By Mr. YOUNG:

S. 2063. A bill to amend title XI of the Social Security Act with respect to organ procurement organizations; to the Committee on Finance.

By Mr. PORTMAN:

S. 2064. A bill to direct the Director of the Administrative Office of the United States Courts to consolidate the Case Management/Electronic Case Files system, and for other purposes; to the Committee on the Judiciary.

By Mr. PORTMAN (for himself, Mr. HEINRICH, Mr. SCHATZ, Mr. GARDNER, Mr. ROUNDS, Ms. ERNST, and Mr. PETERS):

S. 2065. A bill to require the Secretary of Homeland Security to publish an annual report on the use of deepfake technology, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. RISCH (for himself, Mrs. SHAHEEN, Mr. RUBIO, and Mr. COONS):

S. 2066. A bill to review United States Saudi Arabia Policy, and for other purposes; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. WICKER:

S. Res. 272. A resolution congratulating the United States Women's National Soccer Team on winning the 2019 FIFA Women's World Cup; to the Committee on Commerce, Science, and Transportation.

By Mr. MERKLEY (for himself, Mr. MENENDEZ, Mr. SCHATZ, Ms. BALDWIN,

Mrs. SHAHEEN, Mr. MURPHY, Mr. SANDERS, Ms. HASSAN, Mr. CARDIN, Mr. DURBIN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mr. BROWN, Ms. KLOBUCHAR, Ms. WARREN, Mr. MARKEY, and Mrs. FEINSTEIN):

S. Res. 273. A resolution expressing the sense of the Senate with respect to health care rights; to the Committee on Health, Education, Labor, and Pensions.

## ADDITIONAL COSPONSORS

S. 9

At the request of Mr. RUBIO, the name of the Senator from Pennsylvania (Mr. TOOMEY) was added as a cosponsor of S. 9, a bill to amend the Federal Food, Drug, and Cosmetic Act to clarify the Food and Drug Administration's jurisdiction over certain tobacco products, and to protect jobs and small businesses involved in the sale, manufacturing and distribution of traditional and premium cigars.

S. 153

At the request of Mr. RUBIO, the names of the Senator from Connecticut (Mr. BLUMENTHAL) and the Senator from Nevada (Ms. CORTEZ MASTO) were added as cosponsors of S. 153, a bill to promote veteran involvement in STEM education, computer science, and scientific research, and for other purposes.

S. 182

At the request of Mr. KENNEDY, the name of the Senator from Missouri (Mr. BLUNT) was added as a cosponsor of S. 182, a bill to prohibit discrimination against the unborn on the basis of sex, and for other purposes.

S. 239

At the request of Mrs. SHAHEEN, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 239, a bill to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe.

S. 296

At the request of Ms. COLLINS, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 296, a bill to amend XVIII of the Social Security Act to ensure more timely access to home health services for Medicare beneficiaries under the Medicare program.

S. 348

At the request of Mr. MENENDEZ, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from Nevada (Ms. ROSEN), the Senator from Illinois (Ms. DUCKWORTH), the Senator from Michigan (Ms. STABENOW), the Senator from Arizona (Ms. SINEMA), the Senator from Massachusetts (Mr. MARKEY) and the Senator from Maine (Mr. KING) were added as cosponsors of S. 348, a bill to amend title XVIII of the Social Security Act to provide for the distribution of additional residency positions, and for other purposes.

S. 374

At the request of Mr. TESTER, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 374, a bill to amend title 38, United States Code, to expand health care and benefits from the Department of Veterans Affairs for military sexual trauma, and for other purposes.

S. 634

At the request of Mr. CRUZ, the name of the Senator from Arkansas (Mr. BOOZMAN) was added as a cosponsor of S. 634, a bill to amend the Internal Revenue Code of 1986 to establish tax credits to encourage individual and corporate taxpayers to contribute to scholarships for students through eligible scholarship-granting organizations and eligible workforce training organizations, and for other purposes.

S. 750

At the request of Mr. BLUNT, the name of the Senator from Virginia (Mr. WARNER) was added as a cosponsor of S. 750, a bill to amend the Internal Revenue Code of 1986 to permanently extend the new markets tax credit, and for other purposes.

S. 803

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

S. 867

At the request of Ms. HASSAN, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 867, a bill to protect students of institutions of higher education and the taxpayer investment in institutions of higher education by improving oversight and accountability of institutions of higher education, particularly for-profit colleges, improving protections for students and borrowers, and ensuring the integrity of postsecondary education programs, and for other purposes.

S. 872

At the request of Mrs. SHAHEEN, the name of the Senator from New York (Mr. SCHUMER) was added as a cosponsor of S. 872, a bill to require the Secretary of the Treasury to redesign $20 Federal reserve notes so as to include a likeness of Harriet Tubman, and for other purposes.

S. 901

At the request of Ms. COLLINS, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 901, a bill to amend the Older Americans Act of 1965 to support individuals with younger onset Alzheimer's disease.

S. 980

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

S. 983

At the request of Mr. COONS, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 983, a bill to amend the Energy Conservation and Production Act to reauthorize the weatherization assistance program, and for other purposes.

S. 1038

At the request of Mrs. FISCHER, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1038, a bill to strengthen highway funding in the near term, to offer States additional financing tools, and for other purposes.

S. 1067

At the request of Ms. HARRIS, the name of the Senator from Massachusetts (Mr. MARKEY) was added as a cosponsor of S. 1067, a bill to provide for research to better understand the causes and consequences of sexual harassment affecting individuals in the scientific, technical, engineering, and mathematics workforce and to examine policies to reduce the prevalence and negative impact of such harassment, and for other purposes.

S. 1081

At the request of Mr. MANCHIN, the name of the Senator from Connecticut (Mr. MURPHY) was added as a cosponsor of S. 1081, a bill to amend title 54, United States Code, to provide permanent, dedicated funding for the Land and Water Conservation Fund, and for other purposes.

S. 1088

At the request of Mr. MARKEY, the names of the Senator from Delaware (Mr. COONS) and the Senator from California (Mrs. FEINSTEIN) were added as cosponsors 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. 1102

At the request of Mr. RUBIO, the name of the Senator from North Dakota (Mr. CRAMER) was added as a cosponsor of S. 1102, a bill to promote security and energy partnerships in the Eastern Mediterranean, and for other purposes.

S. 1107

At the request of Mr. RUBIO, the name of the Senator from Arizona (Ms. SINEMA) was added as a cosponsor of S. 1107, a bill to require a review of women and lung cancer, and for other purposes.

S. 1170

At the request of Mr. ENZI, the name of the Senator from Idaho (Mr. CRAPO) was added as a cosponsor of S. 1170, a bill to amend the Employee Retirement Income Security Act of 1974 to establish additional criteria for determining when employers may join together in a group or association of employers that will be treated as an employer under section 3(5) of such Act for purposes of sponsoring a group health plan, and for other purposes.

S. 1263

At the request of Ms. CORTEZ MASTO, the name of the Senator from New

Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 1263, a bill to require the Secretary of Veterans Affairs to establish an interagency task force on the use of public lands to provide medical treatment and therapy to veterans through outdoor recreation.

S. 1273

At the request of Mr. KENNEDY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1273, a bill to amend title 17, United States Code, to establish an alternative dispute resolution program for copyright small claims, and for other purposes.

S. 1365

At the request of Ms. WARREN, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 1365, a bill to provide emergency assistance to States, territories, Tribal nations, and local areas affected by the opioid epidemic and to make financial assistance available to States, territories, Tribal nations, local areas, and public or private nonprofit entities to provide for the development, organization, coordination, and operation of more effective and cost efficient systems for the delivery of essential services to individuals with substance use disorder and their families.

S. 1506

At the request of Mr. ROUNDS, the name of the Senator from Oklahoma (Mr. INHOFE) was added as a cosponsor of S. 1506, a bill to amend title 18, United States Code, to permit certain individuals complying with State law to possess firearms.

S. 1522

At the request of Mrs. CAPITO, the name of the Senator from Nevada (Ms. ROSEN) was added as a cosponsor of S. 1522, a bill to improve broadband data collection, mapping, and validation to support the effective deployment of broadband services to all areas of the United States, and for other purposes.

S. 1539

At the request of Mr. PETERS, the name of the Senator from Maryland (Mr. CARDIN) was added as a cosponsor of S. 1539, a bill to amend the Homeland Security Act of 2002 to provide funding to secure nonprofit facilities from terrorist attacks, and for other purposes.

S. 1583

At the request of Mr. DURBIN, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of S. 1583, a bill to amend the Lead-Based Paint Poisoning Prevention Act to provide for additional procedures for families with children under the age of 6, and for other purposes.

S. 1625

At the request of Mr. WICKER, the names of the Senator from New York (Mrs. GILLIBRAND), the Senator from Illinois (Ms. DUCKWORTH) and the Senator from Alabama (Mr. JONES) were added as cosponsors of S. 1625, a bill to promote the deployment of commercial fifth-generation mobile networks and the sharing of information with communications providers in the United States regarding security risks to the networks of those providers, and for other purposes.

S. 1644

At the request of Mr. TOOMEY, the name of the Senator from Nebraska (Mrs. FISCHER) was added as a cosponsor of S. 1644, a bill to ensure that State and local law enforcement may cooperate with Federal officials to protect our communities from violent criminals and suspected terrorists who are illegally present in the United States.

S. 1682

At the request of Mr. DAINES, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1682, a bill to require the Director of the Office of Personnel Management to create a classification that more accurately reflects the vital role of wildland firefighters.

S. 1683

At the request of Mr. DAINES, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 1683, a bill to correct problems pertaining to human resources for career and volunteer personnel engaged in wildland fire and structure fire.

S. 1728

At the request of Mr. MARKEY, the name of the Senator from Tennessee (Mrs. BLACKBURN) was added as a cosponsor of S. 1728, a bill to require the United States Postal Service to sell the Alzheimer's semipostal stamp for 6 additional years.

S. 1730

At the request of Ms. HARRIS, the name of the Senator from Delaware (Mr. CARPER) was added as a cosponsor of S. 1730, a bill to direct the Administrator of the National Oceanic and Atmospheric Administration to make grants to State and local governments and nongovernmental organizations for purposes of carrying out climate-resilient living shoreline projects that protect coastal communities by supporting ecosystem functions and habitats with the use of natural materials and systems, and for other purposes.

S. 1792

At the request of Mr. CASEY, the name of the Senator from New Mexico (Mr. UDALL) was added as a cosponsor of S. 1792, a bill to require the Secretary of Labor to maintain a publicly available list of all employers that relocate a call center or contract call center work overseas, to make such companies ineligible for Federal grants or guaranteed loans, and to require disclosure of the physical location of business agents engaging in customer service communications, and for other purposes.

S. 1840

At the request of Mrs. FISCHER, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1840, a bill to establish certain requirements for the small refineries exemption of the renewable fuels provisions under the Clean Air Act, and for other purposes.

S. 1863

At the request of Mr. DURBIN, the name of the Senator from Tennessee (Mr. ALEXANDER) was added as a cosponsor of S. 1863, a bill to require the Secretary of the Interior to conduct a special resource study of the sites associated with the life and legacy of the noted American philanthropist and business executive Julius Rosenwald, with a special focus on the Rosenwald Schools, and for other purposes.

S. 1979

At the request of Mr. MARKEY, the name of the Senator from Wisconsin (Ms. BALDWIN) was added as a cosponsor of S. 1979, a bill to amend title 49, United States Code, to provide for the minimum size of crews of freight trains, and for other purposes.

S. 2003

At the request of Mr. MANCHIN, the name of the Senator from West Virginia (Mrs. CAPITO) was added as a cosponsor of S. 2003, a bill to require the Federal Communications Commission to designate a 3-digit dialing code for veterans in crisis.

S. 2043

At the request of Mr. BLUMENTHAL, the names of the Senator from Rhode Island (Mr. WHITEHOUSE), the Senator from Oregon (Mr. WYDEN) and the Senator from Maryland (Mr. VAN HOLLEN) were added as cosponsors of S. 2043, a bill to provide incentives for hate crime reporting, provide grants for State-run hate crime hotlines, and establish alternative sentencing for individuals convicted under the Matthew Shephard and James Byrd, Jr. Hate Crimes Prevention Act.

S.J. RES. 3

At the request of Mrs. HYDE-SMITH, the name of the Senator from Texas (Mr. CORNYN) was added as a cosponsor of S.J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

S. CON. RES. 9

At the request of Mr. ROBERTS, the name of the Senator from Montana (Mr. DAINES) was added as a cosponsor of S. Con. Res. 9, a concurrent resolution expressing the sense of Congress that tax-exempt fraternal benefit societies have historically provided and continue to provide critical benefits to the people and communities of the United States.

S. RES. 80

At the request of Mr. COONS, the name of the Senator from Minnesota (Ms. SMITH) was added as a cosponsor of S. Res. 80, a resolution establishing the John S. McCain III Human Rights Commission.

S. RES. 98

At the request of Mrs. BLACKBURN, the name of the Senator from Iowa

(Ms. ERNST) was added as a cosponsor of S. Res. 98, a resolution establishing the Congressional Gold Star Family Fellowship Program for the placement in offices of Senators of children, spouses, and siblings of members of the Armed Forces who are hostile casualties or who have died from a training-related injury.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. YOUNG:

S. 2063. A bill to amend title XI of the Social Security Act with respect to organ procurement organizations; to the Committee on Finance.

Mr. YOUNG. Mr. President, I rise today to discuss an issue that is very important to me and to the 1,300 Hoosiers currently in need of an organ transplant. That issue is the lack of organs for patients in need and our broken organ donation system.

For more than 30 years, our Nation's organ donation system has operated in complete darkness. Groups known as organ procurement organizations, or OPOs, are responsible for getting organs from the donors to the patients who actually need them, but questions surround the effectiveness, transparency, and accountability of these organizations.

OPOs are the main link between donor hospitals and organ recipients, and their performance can be a limiting factor for all stakeholders in the organ donation system.

In the last 20 years, no OPO has been decertified despite serious issues of underperformance. For example, CMS recently recertified the New York City OPO despite persistent underperformance for nearly a decade. This problem exists throughout the country.

Currently, OPO performance is measured by data that is self-reported, unaudited, and fraught with errors. Many of these errors have been documented by Lenny Bernstein and Kimberly Kindy at the Washington Post.

That is why today I introduced legislation that would require organ procurement organizations to be held to metrics that are objective, verifiable, and not subject to self-interpretation. This way, there can be meaningful transparency, evaluation, and accountability. Updating these metrics will also enable geographic-level donation rates to be evaluated and improved. This is desperately needed for the more than 113,000 Americans currently waiting for a lifesaving transplant. The legislation I introduced today is supported by the American Society of Nephrology, Dialysis Patient Citizens, and the nonprofit group ORGANIZE. Additionally, in April of this year, I wrote to CMS Administrator Seema Verma urging CMS to update OPO metrics to be objective and verifiable.

I am hopeful that we will soon see action from the White House and the Department of Health and Human Services. You see, this issue is very personal to me. My friend Dave ''Gunny'' McFarland from Jeffersonville, IN, died because his heart transplant never came. We served together in the U.S. Marine Corps, and over the years, I have gotten to know his widow, Jennifer McFarland Kern. Jen has made it her mission to raise awareness about the organ transplant process and to help prevent others from facing a similar situation.

Because the system is so complex, most people don't know how it works or if patients are actually being protected. It is time to change that. Today's legislation is the first in a series of bills I am working on to reform our organ donation system once and for all and help save precious lives. I will not stop until we increase the availability of organs for patients in need.

Semper fidelis.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 272—CONGRATULATING THE UNITED STATES WOMEN'S NATIONAL SOCCER TEAM ON WINNING THE 2019 FIFA WOMEN'S WORLD CUP

Mr. WICKER submitted the following resolution; which was referred to the Committee on Commerce, Science, and Transportation:

S. RES. 272

Whereas, on July 7, 2019, the United States Women's National Soccer Team won the 2019 FIFA Women's World Cup by defeating the Netherlands Women's National Football Team;

Whereas, that victory marks the first time a country has won 4 Women's World Cup titles;

Whereas, the United States Women's National Soccer Team began its historic run with an overwhelming 13–0 victory, the largest ever winning margin in the history of World Cup soccer;

Whereas, over the course of the month-long tournament, the United States Women's National Soccer Team scored 26 goals, breaking the record the team set in 1991 of 25 goals; and

Whereas the players of the United States Women's National Soccer Team presented a shining example of sportsmanship, camaraderie, and skill to all people of the United States and to the world: Now, therefore, be it

*Resolved,* That the Senate—

(1) congratulates the United States Women's National Soccer Team for winning an unprecedented 4 Women's World Cup titles and for inspiring a new generation of youth in the United States to strive for physical greatness and athletic achievement; and

(2) directs the Secretary of the Senate to transmit an enrolled copy of this resolution to—

(A) Carlos Cordeiro, President of the United States Soccer Federation; and

(B) Jill Ellis, Head Coach of the United States Women's National Soccer Team.

### SENATE RESOLUTION 273—EXPRESSING THE SENSE OF THE SENATE WITH RESPECT TO HEALTH CARE RIGHTS

Mr. MERKLEY (for himself, Mr. MENENDEZ, Mr. SCHATZ, Ms. BALDWIN, Mrs. SHAHEEN, Mr. MURPHY, Mr. SANDERS, Ms. HASSAN, Mr. CARDIN, Mr. DURBIN, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Ms. DUCKWORTH, Mr. BROWN, Ms. KLOBUCHAR, Ms. WARREN, Mr. MARKEY, and Mrs. FEINSTEIN) submitted the following resolution; which was referred to the Committee on Health, Education, Labor, and Pensions:

S. RES. 273

*Resolved,* That it is the sense of the Senate that all people of the United States have the right—

(1) to affordable health insurance coverage, including—

(A) the right of individuals with pre-existing conditions to secure health insurance with the same terms, benefits, and price as individuals who do not have pre-existing conditions;

(B) the right to a comprehensive set of essential health benefits in the individual and small group markets;

(C) the right to stay on a parent's policy until age 26 for young adults who meet certain requirements;

(D) the right to keep health coverage after getting sick, even if the individual made an honest mistake on his or her insurance application;

(E) the right to use an individual's own resources to purchase and pay for treatment or services; and

(F) the right to a cap on the yearly deductibles and other out-of-pocket costs an individual is required to pay for covered services under a health insurance plan;

(2) to coverage and access to health care services, including—

(A) the right to health insurance coverage regardless of an individual's pre-existing medical conditions or health status;

(B) the right to certain preventive screenings without paying out-of-pocket fees or copayments;

(C) the right to health insurance that provides value relative to the premium cost;

(D) the right to be held harmless from surprise medical bills;

(E) the right to coverage of mental health and substance abuse services with no annual or lifetime limits (including behavioral health treatment, mental and behavioral health inpatient services, substance use disorder treatment);

(F) the right to mental health and substance abuse benefits without financial, treatment, or care management limitations that only apply to such benefits;

(G) the right to access all smoking cessation medications that are approved by the Food and Drug Administration;

(H) the right to choose a provider, and to receive an accurate list of all participating providers;

(I) the right to access doctors, specialists, and hospitals;

(J) the right to emergency medical services without—

(i) preauthorization for emergency services;

(ii) extra administrative hurdles for out-of-network emergency services; or

(iii) higher cost-sharing for out-of-network emergency services than in-network emergency services;

(K) the right to affordable medications;

(L) the right to physical, mental, and oral care;

(M) the right to a treatment plan from provider for a complex or serious medical condition;

(N) the right to go directly to a women's health care specialist (including obstetricians and gynecologists) without a referral for routine and preventive health care services;

(O) the right to a full scope of reproductive health services, including contraceptive care, pregnancy-related care, prenatal care, miscarriage management, family planning services, abortion care, labor and delivery services, and postnatal care;

(P) the right to breastfeeding support, counseling, and equipment (including manual and electric pumping equipment);

(Q) the right to prescription medications and medical and surgical services related to gender transition;

(R) the right to try investigational drugs;

(S) the right to a second medical opinion;

(T) the right to home care services;

(U) the right to a full scope of hospice and palliative care, and end-of-life options; and

(V) the right of pediatric patients to a full scope of services offered to adult patients;

(3) to health information and records privacy;

(4) to explanations of coverage decisions, including—

(A) the right to an explanation and appeal if a plan denies payment for a medical treatment or service;

(B) the right to an internal appeal of payment decisions of private health plans if the health plan refuses to make a payment;

(C) the right to a review by an outside review, by an independent organization; and

(D) the right to complain, through grievances processes;

(5) to transparency, including—

(A) the right to an easy-to-understand summary of benefits and coverage;

(B) the right to at least 30 days' notice if an insurer cancels coverage;

(C) the right to clear justification and explanation for premium increases that are unreasonable;

(D) the right to know how an enrollee's plan pays its providers;

(E) the right to give informed consent and understanding about medical conditions, risks and benefits of treatment, and appropriate alternatives;

(F) the right to know how drug companies set drug prices; and

(G) the right to know the amount of money pharmacy benefit managers keep and the amount of savings from pharmacy benefits managers that reach patients and consumers;

(6) to protection from discrimination, including on the basis of race, color, national origin, sex (including sexual orientation and gender identity), age, disability, or documentation status; and

(7) to culturally appropriate care, including health care services in a language that the patient understands and that is culturally sensitive.

## AMENDMENTS SUBMITTED AND PROPOSED

SA 906. Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 386, to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; which was referred to the Committee on the Judiciary.

SA 907. Mr. THUNE (for Mrs. SHAHEEN) proposed an amendment to the bill S. 239, to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe.

SA 908. Mr. THUNE (for Mr. CRUZ (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 188, encouraging a swift transfer of power by the military to a civilian-led political authority in the Republic of the Sudan, and for other purposes.

SA 909. Mr. THUNE (for Mr. CRUZ (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 188, supra.

## TEXT OF AMENDMENTS

**SA 906.** Mr. GRASSLEY submitted an amendment intended to be proposed by him to the bill S. 386, to amend the Immigration and Nationality Act to eliminate the per-country numerical limitation for employment-based immigrants, to increase the per-country numerical limitation for family-sponsored immigrants, and for other purposes; which was referred to the Committee on the Judiciary; as follows:

At the end, add the following:

**SEC. 3. POSTING AVAILABLE POSITIONS THROUGH THE DEPARTMENT OF LABOR.**

(a) DEPARTMENT OF LABOR WEBSITE.—Section 212(n)(6) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(6)) is added, to read as follows:

''(6) For purposes of complying with paragraph (1)(C)—

''(A) Not later than 180 days after the date of the enactment of the Fairness for High-Skilled Immigrants Act of 2019, the Secretary of Labor shall establish a searchable internet website for posting positions in accordance with paragraph (1)(C) that is available to the public without charge, except that the Secretary may delay the launch of such website for a single period identified by the Secretary by notice in the Federal Register that shall not exceed 30 days.

''(B) The Secretary may work with private companies or nonprofit organizations to develop and operate the Internet website described in subparagraph (A).

''(C) The Secretary shall promulgate rules, after notice and a period for comment, to carry out this paragraph.''.

(b) PUBLICATION REQUIREMENT.—The Secretary of Labor shall submit to Congress, and publish in the Federal Register and in other appropriate media, a notice of the date on which the Internet website required under section 212(n)(6) of the Immigration and Nationality Act, as established by subsection (a), will be operational.

(c) APPLICATION.—The amendment made by subsection (a) shall apply to any application filed on or after the date that is 90 days after the date described in subsection (b).

(d) INTERNET POSTING REQUIREMENT.—Section 212(n)(1)(C) of such Act is amended—

(1) by redesignating clause (ii) as subclause (II);

(2) by striking ''(i) has provided'' and inserting the following:

''(ii)(I) has provided''; and

(3) by inserting before clause (ii), as redesignated by paragraph (2), the following:

''(i) except in the case of an employer filing a petition on behalf of an H–1B nonimmigrant who has already been counted against the numerical limitations and is not eligible for a full 6-year period, as described in section 214(g)(7), or on behalf of an H–1B nonimmigrant authorized to accept employment under section 214(n), has posted on the internet website described in paragraph (6), for at least 30 calendar days, a description of each position for which a nonimmigrant is sought, that includes—

''(I) the occupational classification, and if different the employer's job title for the position, in which the nonimmigrant(s) will be employed;

''(II) the education, training, or experience qualifications for the position;

''(III) the salary or wage range and employee benefits offered;

''(IV) the location(s) at which the nonimmigrant(s) will be employed; and

''(V) the process for applying for a position; and''.

**SEC. 4. H–1B EMPLOYER APPLICATION REQUIREMENTS.**

(a) WAGE DETERMINATION INFORMATION.—Section 212(n)(1)(D) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(D)) is amended by inserting ''the prevailing wage determination methodology used under subparagraph (A)(i)(II),'' after ''shall contain''.

(b) NEW APPLICATION REQUIREMENTS.—Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)) is amended by inserting after subparagraph (G)(ii) the following:

''(H)(i) The employer, or a person or entity acting on the employer's behalf, has not advertised any available position specified in the application in an advertisement that states or indicates that—

''(I) such position is only available to an individual who is or will be an H–1B nonimmigrant; or

''(II) an individual who is or will be an H–1B nonimmigrant shall receive priority or a preference in the hiring process for such position.

''(ii) The employer has not primarily recruited individuals who are or who will be H–1B nonimmigrants to fill such position.

''(I) If the employer, in a previous period specified by the Secretary, employed one or more H–1B nonimmigrants, the employer shall submit to the Secretary the Internal Revenue Service Form W–2 Wage and Tax Statements filed by the employer with respect to the H–1B nonimmigrants for such period.''.

(c) LABOR CONDITION APPLICATION FEE.—Section 212(n) of the Immigration and Nationality Act (8 U.S.C. 1182(n)) is amended by adding at the end the following:

''(6)(A) The Secretary of Labor shall promulgate a regulation that requires applicants under this subsection to pay an administrative fee to cover the average paperwork processing costs and other administrative costs.

''(B)(i) Fees collected under this paragraph shall be deposited as offsetting receipts within the general fund of the Treasury in a separate account, which shall be known as the 'H–1B Administration, Oversight, Investigation, and Enforcement Account' and shall remain available until expended.

''(ii) The Secretary of the Treasury shall refund amounts in such account to the Secretary of Labor for salaries and related expenses associated with the administration, oversight, investigation, and enforcement of the H–1B nonimmigrant visa program.''.

(d) ELIMINATION OF B–1 IN LIEU OF H–1.—Section 214(g) of the Immigration and Nationality Act (8 U.S.C. 1184(g)) is amended by adding at the end the following:

''(12)(A) Unless otherwise authorized by law, an alien normally classifiable under section 101(a)(15)(H)(i) who seeks admission to the United States to provide services in a specialty occupation described in paragraph (1) or (3) of subsection (i) may not be issued a visa or admitted under section 101(a)(15)(B) for such purpose.

''(B) Nothing in this paragraph may be construed to authorize the admission of an alien under section 101(a)(15)(B) who is coming to the United States for the purpose of performing skilled or unskilled labor if such admission is not otherwise authorized by law.''.

**SEC. 5. INVESTIGATION AND DISPOSITION OF COMPLAINTS AGAINST H–1B EMPLOYERS.**

(a) INVESTIGATION, WORKING CONDITIONS, AND PENALTIES.—Section 212(n)(2)(C) of the

Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(C)) is amended by striking clause (iv) and inserting the following:

''(iv)(I) An employer that has filed an application under this subsection violates this clause by taking, failing to take, or threatening to take or fail to take a personnel action, or intimidating, threatening, restraining, coercing, blacklisting, discharging, or discriminating in any other manner against an employee because the employee—

''(aa) disclosed information that the employee reasonably believes evidences a violation of this subsection or any rule or regulation pertaining to this subsection; or

''(bb) cooperated or sought to cooperate with the requirements under this subsection or any rule or regulation pertaining to this subsection.

''(II) An employer that violates this clause shall be liable to the employee harmed by such violation for lost wages and benefits.

''(III) In this clause, the term 'employee' includes—

''(aa) a current employee;

''(bb) a former employee; and

''(cc) an applicant for employment.''.

(b) INFORMATION SHARING.—Section 212(n)(2)(H) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(H)) is amended to read as follows:

''(H)(i) The Director of U.S. Citizenship and Immigration Services shall provide the Secretary of Labor with any information contained in the materials submitted by employers of H–1B nonimmigrants as part of the petition adjudication process that indicates that the employer is not complying with visa program requirements for H–1B nonimmigrants.

''(ii) The Secretary may initiate and conduct an investigation and hearing under this paragraph after receiving information of noncompliance under this subparagraph.''.

**SEC. 6. LABOR CONDITION APPLICATIONS.**

(a) APPLICATION REVIEW REQUIREMENTS.—Section 212(n)(1) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)) is amended, in the undesignated matter following subparagraph (I), as added by section 4(b)—

(1) in the fourth sentence, by inserting '', and through the internet website of the Department of Labor, without charge.'' after ''Washington, D.C.'';

(2) in the fifth sentence, by striking ''only for completeness'' and inserting ''for completeness, clear indicators of fraud or misrepresentation of material fact,'';

(3) in the sixth sentence, by striking ''or obviously inaccurate'' and inserting '', presents clear indicators of fraud or misrepresentation of material fact, or is obviously inaccurate''; and

(4) by adding at the end the following: ''If the Secretary's review of an application identifies clear indicators of fraud or misrepresentation of material fact, the Secretary may conduct an investigation and hearing in accordance with paragraph (2).''.

(b) ENSURING PREVAILING WAGES ARE FOR AREA OF EMPLOYMENT AND ACTUAL WAGES ARE FOR SIMILARLY EMPLOYED.—Section 212(n)(1)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(1)(A)) is amended—

(1) in clause (i), in the undesignated matter following subclause (II), by striking ''and'' at the end;

(2) in clause (ii), by striking the period at the end and inserting '', and''; and

(3) by adding at the end the following:

''(iii) will ensure that—

''(I) the actual wages or range identified in clause (i) relate solely to employees having substantially the same duties and responsibilities as the H–1B nonimmigrant in the geographical area of intended employment, considering experience, qualifications, education, job responsibility and function, specialized knowledge, and other legitimate business factors, except in a geographical area there are no such employees, and

''(II) the prevailing wages identified in clause (ii) reflect the best available information for the geographical area within normal commuting distance of the actual address of employment at which the H–1B nonimmigrant is or will be employed.''.

(c) PROCEDURES FOR INVESTIGATION AND DISPOSITION.—Section 212(n)(2)(A) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(A)) is amended—

(1) by striking ''(2)(A) Subject'' and inserting ''(2)(A)(i) Subject'';

(2) by striking the fourth sentence; and

(3) by adding at the end the following:

''(ii)(I) Upon receipt of a complaint under clause (i), the Secretary may initiate an investigation to determine whether such a failure or misrepresentation has occurred.

''(II) The Secretary may conduct—

''(aa) surveys of the degree to which employers comply with the requirements under this subsection; and

''(bb) subject to subclause (IV), annual compliance audits of any employer that employs H–1B nonimmigrants during the applicable calendar year.

''(III) Subject to subclause (IV), the Secretary shall—

''(aa) conduct annual compliance audits of each employer that employs more than 100 full-time equivalent employees who are employed in the United States if more than 15 percent of such full-time employees are H–1B nonimmigrants; and

''(bb) make available to the public an executive summary or report describing the general findings of the audits conducted under this subclause.

''(IV) In the case of an employer subject to an annual compliance audit in which there was no finding of a willful failure to meet a condition under subparagraph (C)(ii), no further annual compliance audit shall be conducted with respect to such employer for a period of not less than 4 years, absent evidence of misrepresentation or fraud.''.

(d) PENALTIES FOR VIOLATIONS.—Section 212(n)(2)(C) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(C)) is amended –

(1) in clause (i)—

(A) in the matter preceding subclause (I), by striking ''a condition of paragraph (1)(B), (1)(E), or (1)(F)'' and inserting ''a condition of paragraph (1)(B), (1)(E), (1)(F), (1)(H), or 1(I)''; and

(B) in subclause (I), by striking ''$1,000'' and inserting ''$3,000'';

(2) in clause (ii)(I), by striking ''$5,000'' and inserting ''$15,000'';

(3) in clause (iii)(I), by striking ''$35,000'' and inserting ''$100,000''; and

(4) in clause (vi)(III), by striking ''$1,000'' and inserting ''$3,000''.

(e) INITIATION OF INVESTIGATIONS.—Section 212(n)(2)(G) of the Immigration and Nationality Act (8 U.S.C. 1182(n)(2)(G)) is amended—

(1) in clause (i), by striking ''In the case of an investigation'' in the second sentence and all that follows through the period at the end of the clause;

(2) in clause (ii), in the first sentence, by striking ''and whose identity'' and all that follows through ''failure or failures.'' and inserting ''the Secretary of Labor may conduct an investigation into the employer's compliance with the requirements under this subsection.'';

(3) in clause (iii), by striking the second sentence;

(4) by striking clauses (iv) and (v);

(5) by redesignating clauses (vi), (vii), and (viii) as clauses (iv), (v), and (vi), respectively;

(6) in clause (iv), as so redesignated—

(A) by striking''clause (viii)'' and inserting ''clause (vi)''; and

(B) by striking ''meet a condition described in clause (ii)'' and inserting ''comply with the requirements under this subsection'';

(7) by amending clause (v), as so redesignated, to read as follows:

''(v)(I) The Secretary of Labor shall provide notice to an employer of the intent to conduct an investigation under clause (i) or (ii).

''(II) The notice shall be provided in such a manner, and shall contain sufficient detail, to permit the employer to respond to the allegations before an investigation is commenced.

''(III) The Secretary is not required to comply with this clause if the Secretary determines that such compliance would interfere with an effort by the Secretary to investigate or secure compliance by the employer with the requirements of this subsection.

''(IV) A determination by the Secretary under this clause shall not be subject to judicial review.'';

(8) in clause (vi), as so redesignated, by striking ''An investigation'' in the first sentence and all that follows through ''the determination.'' in the second sentence and inserting ''If the Secretary of Labor, after an investigation under clause (i) or (ii), determines that a reasonable basis exists to make a finding that the employer has failed to comply with the requirements under this subsection, the Secretary shall provide interested parties with notice of such determination and an opportunity for a hearing in accordance with section 556 of title 5, United States Code, not later than 60 days after the date of such determination.''; and

(9) by adding at the end the following:

''(vii) If the Secretary of Labor, after a hearing, finds that the employer has violated a requirement under this subsection, the Secretary may impose a penalty pursuant to subparagraph (C).''.

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**SA 907.** Mr. THUNE (for Mrs. SHAHEEN) proposed an amendment to the bill S. 239, to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe; as follows:

On page 4, line 13, strike ''2020'' and insert ''2021''.

On page 5, line 6, strike ''2020'' and insert ''2021''.

On page 5, line 7, strike ''2020'' and insert ''2021''.

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**SA 908.** Mr. THUNE (for Mr. CRUZ (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 188, encouraging a swift transfer of power by the military to a civilian-led political authority in the Republic of the Sudan, and for other purposes; as follows:

Strike all after the resolving clause and insert the following:

That the Senate—

(1) supports the African Union Peace and Security Council's initial 2-week deadline urging a swift transfer of power by the military to a civilian-led political authority in Sudan that—

(A) has a civilian character and composition reflecting the will of the Declaration of Freedom and Change Forces leading negotiations on behalf of citizens; and

(B) immediately begins a transparent process leading to credible elections and security sector reforms;

(2) calls on the ruling authorities in Sudan—

(A) to respect the right to freedom of association and expression;

(B) to protect the rights of opposition political parties, journalists, human rights defenders, religious minorities, nongovernmental organizations, and civic movements to operate without interference;

(C) to lift the bureaucratic restrictions on, and facilitate access for, humanitarian relief operations;

(D) to introduce strong measures to create transparency and address the structural corruption and kleptocracy of the state;

(E) to pursue accountability for serious crimes and human rights abuses by former President al-Bashir's regime and permit international human rights monitors to deploy in Sudan to examine the allegations of atrocities committed against protesters and civilians during 2019;

(F) to release remaining political prisoners and refrain from arbitrary arrest, detention, and torture; and

(G) to immediately restore Internet access and avoid further denial of access to suppress the fundamental human right of freedom of expression and association by Sudanese citizens;

(3) urges the United States Government to lead in efforts that advance a peaceful transfer of power and a civilian-led transition period focused on creating the conditions under which timely democratic elections can be held that will meet international standards and be overseen by credible domestic and international electoral observers, and for the peaceful resolution of Sudan's conflicts;

(4) encourages the African Union and its member states to continue supporting the Sudanese people's aspirations for democracy, justice, and peace;

(5) expresses concern that the participation in the transitional government of individuals who have been implicated in possible war crimes would undermine efforts to restore peace and democracy and pursue justice and accountability in Sudan;

(6) emphasizes that until a transition to a credible civilian-led government that reflects the aspirations of the Sudanese people is established, the process to consider removing Sudan from the State Sponsor of Terrorism List, lifting any other remaining sanctions on Sudan, or normalizing relations with the Government of Sudan will continue to be suspended; and

(7) stands in solidarity with the people of Sudan and their aspirations for a democratic, participatory government.

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**SA 909.** Mr. THUNE (for Mr. CRUZ (for himself and Mr. DURBIN)) proposed an amendment to the resolution S. Res. 188, encouraging a swift transfer of power by the military to a civilian-led political authority in the Republic of the Sudan, and for other purposes; as follows:

Strike the preamble and insert the following:

Whereas the nation of Sudan has endured corrupt and brutal dictatorships for most of its post-independence period since 1956;

Whereas President Omar al-Bashir came to power through a military coup in 1989, and for the next 3 decades his government was responsible for horrendous crimes in Sudan, especially in Darfur, South Kordofan, Blue Nile, and in what is now the Republic of South Sudan;

Whereas the United States Government designated Sudan as a State Sponsor of Terrorism on August 12, 1993, for its support to international terrorist organizations and extremists, including elements of what would later be known as al Qaeda;

Whereas more than 2 decades of civil war between President al-Bashir's government and insurgents in southern Sudan resulted in more than 2,000,000 deaths and led to the eventual independence of South Sudan in 2011;

Whereas in 2003, President al-Bashir's government launched a ruthless crackdown against insurgents and civilians in Darfur, which killed at least 300,000 Sudanese and displaced 2,500,000 more people, prompting Congress and the Administration of President George W. Bush, in 2004, to describe the Government of Sudan's actions in Darfur as genocide;

Whereas in 2011, when conflict resumed in South Kordofan and Blue Nile states, President al-Bashir's government conducted indiscriminate bombings, raided villages, raped and killed civilians, and waged a campaign of forced starvation in the Nuba Mountains region of South Kordofan that displaced as many as 2,000,000 people;

Whereas, while the fighting between government forces and insurgents in Darfur has subsided since 2016, violent attacks against civilians continue and humanitarian access remains restricted in some opposition stronghold areas of Darfur, South Kordofan, and Blue Nile;

Whereas President al-Bashir remains the subject of 2 outstanding arrest warrants from the International Criminal Court based on charges that include 5 counts of crimes against humanity, 2 counts of war crimes, and 3 counts of genocide;

Whereas Sudan's economic crisis risks bringing the national economy to total collapse, further increasing the possibility of state failure and broader regional destabilization that could threaten a wide array of United States' interests in East and North Africa and the Red Sea regions;

Whereas the people of Sudan have engaged since December 2018 in a wave of peaceful protests throughout the country, demanding an end to President al-Bashir's brutal regime and pressing for a citizen-centered democratic transition;

Whereas women have played a prominent role in the protest movement and have helped to bring about the ouster of former President al-Bashir;

Whereas President al-Bashir's government unlawfully detained and tortured hundreds of Sudanese during the protests, including political leaders, journalists, doctors, unionists, and youth and women leaders, in gross violation of international civil and human rights, some of whom remain in detention;

Whereas on February 22, 2019, President al-Bashir declared a year-long nationwide state of emergency and curfew, dissolved his government, replaced state governors with senior security officers, and expanded the powers of Sudan's security forces;

Whereas when protesters in early April 2019 challenged President al-Bashir's decrees and gathered in the tens of thousands in front of Sudan's military headquarters in Khartoum to call for an end to the al-Bashir regime, some elements of the security forces tried to disperse the crowds with violence, leading to clashes between internal security forces and the military as some soldiers sought to protect the protesters;

Whereas on April 11, 2019, after 5 days of mass protests in front of their headquarters, Sudan's military removed President al-Bashir from office, and the country's First Vice President and Minister of Defense, Lt. General Awad Ibn Auf—

(1) announced that he would lead a Transitional Military Council that would rule the country for a 2-year period;

(2) suspended the Constitution;

(3) the dissolved the National Assembly; and

(4) imposed a 3-month State of Emergency and nightly curfew;

Whereas Lt. General Abdel-Fattah al-Burhan, former general inspector of the Sudanese Armed Forces, who replaced Lt. General Ibn Auf on April 12, 2019, as the chairman of the Transitional Military Council, said, on April 21, 2019, that the council was ''ready to hand over power tomorrow to a civilian government agreed by political forces'';

Whereas the Rapid Support Forces, paramilitary forces led by Lt. General Mohammed Hamdan Dagolo (also known as ''Hemmeti''), a former Janjaweed leader who currently serves as the deputy chairman of the Transitional Military Council—

(1) have been implicated by the United Nations Panel of Experts in widespread violations of international humanitarian law that human rights groups suggest may amount to war crimes; and

(2) have been accused of killing protesters during the recent uprising;

Whereas, the African Union Peace and Security Council convened on April 30, 2019, and reiterated its conviction that ''a military-led transition in Sudan will be totally unacceptable and contrary to the will and legitimate aspirations'' of the Sudanese people, expressed ''deep regret'' that the military had not stepped aside, and, noting negotiations were underway, demanded that the military hand over power to a civilian-led transitional authority within 60 days;

Whereas on June 3, 2019, the Rapid Support Forces led a brutal attack on peaceful protesters, with the aim of eradicating a large sit-in site in front of Sudan's military headquarters in Khartoum, which resulted in more than 100 deaths, hundreds of injuries, several cases of rape, indiscriminate beatings and shooting of unarmed protesters, and other human rights abuses;

Whereas, the Khartoum massacre on June 3, 2019, was followed by a nationwide crackdown led by the Rapid Support Forces against peaceful protesters and civilians that included—

(1) violent attacks on citizens in Khartoum and other major cities;

(2) the brutal detention of protesters and opposition leaders like Yasir Arman, with many disappearances of those detained;

(3) the targeting of hospitals and medical workers caring for the injured; and

(4) the overt attempts by Sudanese authorities to cover-up the scale of their atrocities by dumping bodies in the Nile river and shutting off access to the Internet; and

Whereas, the international community has widely condemned the actions of the Rapid Support Forces, with the African Union's Peace and Security Council voting on June 6, 2019, to suspend Sudan from all African Union activities until a civilian government is formed, and United Nations' experts appointed by the United Nations Human Rights Council, on June 12, 2019, calling for an independent investigation into the violence against protesters in Sudan: Now, therefore, be it

## AUTHORITY FOR COMMITTEES TO MEET

Mr. THUNE. 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 THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session

of the Senate on Tuesday, July 9, 2019, at 10 a.m., to conduct a hearing.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, July 9, 2019, at 2:30 p.m., to conduct a hearing.

SUBCOMMITTEE ON EMERGING THREATS AND CAPABILITIES

The Subcommittee on Emerging Threats and Capabilities of the Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, July 9, 2019, at 3 p.m., to conduct a hearing.

SUBCOMMITTEE ON AVIATION AND SPACE

The Subcommittee on Aviation and Space of the Committee on Commerce, Science, and Transportation is authorized to meet during the session of the Senate on Tuesday, July 9, 2019, at 3 p.m., to conduct a hearing.

SUBCOMMITTEE ON ENERGY

The Subcommittee on Energy of the Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, July 9, 2019, at 10 a.m., to conduct a hearing.

## ENCOURAGING A SWIFT TRANSFER OF POWER BY THE MILITARY TO A CIVILIAN-LED POLITICAL AUTHORITY IN THE REPUBLIC OF THE SUDAN

Mr. THUNE. Madam President, I ask unanimous consent that the Senate proceed to the consideration of Calendar No. 106, S. Res. 188.

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

The bill clerk read as follows:

A resolution (S. Res. 188) encouraging a swift transfer of power by the military to a civilian-led political authority in the Republic of the Sudan, and for other purposes.

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 in lieu thereof the following:

*Whereas the nation of Sudan has endured corrupt and brutal dictatorships for most of its post-independence period since 1956;*

*Whereas President Omar al-Bashir came to power through a military coup in 1989, and for the next three decades his government was responsible for horrendous crimes in Sudan, especially in Darfur, South Kordofan, Blue Nile, and in what is now the Republic of South Sudan;*

*Whereas the United States Government designated Sudan a State Sponsor of Terrorism on August 12, 1993, for its support to international terrorist organizations and extremists, including elements of what would later be known as al Qaeda;*

*Whereas more than two decades of civil war between President al-Bashir's government and insurgents in southern Sudan resulted in more than 2,000,000 deaths and led to the eventual independence of South Sudan in 2011;*

*Whereas in 2003, President al-Bashir's government launched a ruthless crackdown against insurgents and civilians in Darfur that killed at least 300,000 Sudanese and displaced 2,500,000 more, resulting in Congress and the Administration of President George W. Bush in 2004 describing as genocide the Government of Sudan's actions in Darfur;*

*Whereas in 2011, when conflict resumed in South Kordofan and Blue Nile states, President al-Bashir's government conducted indiscriminate bombings and raided villages, raping and killing civilians, and waged a campaign of forced starvation in the Nuba Mountains region of South Kordofan that displaced as many as 2,000,000 people;*

*Whereas, while the fighting between government forces and insurgents in Darfur has subsided since 2016, violent attacks against civilians continue and humanitarian access remains restricted in some opposition stronghold areas of Darfur, South Kordofan, and Blue Nile;*

*Whereas President al-Bashir remains the subject of two outstanding arrest warrants from the International Criminal Court based on charges including five counts of crimes against humanity, two counts of war crimes, and three counts of genocide;*

*Whereas Sudan's economic crisis risks bringing the national economy to total collapse, further increasing the possibility of state failure and broader regional destabilization that could threaten a wide array of United States interests in East and North Africa and the Red Sea regions;*

*Whereas the people of Sudan have engaged since December 2018 in a wave of peaceful protests throughout the country demanding an end to President al-Bashir's brutal regime and pressing for a citizen-centered democratic transition;*

*Whereas women have played a prominent role in the protest movement, helping bring about the ouster of former President al-Bashir;*

*Whereas President al-Bashir's government unlawfully detained and tortured hundreds of Sudanese during the protests, including political leaders, journalists, doctors, unionists, and youth and women leaders, in gross violation of international civil and human rights, and some of them remain in detention;*

*Whereas on February 22, 2019, President al-Bashir declared a year-long nationwide state of emergency and curfew, dissolved his government, replaced state governors with senior security officers, and expanded the powers of Sudan's security forces;*

*Whereas when protesters in early April challenged President al-Bashir's decrees and gathered in the tens of thousands in front of Sudan's military headquarters in Khartoum to call for an end to the regime, some elements of the security forces tried to disperse the crowds with violence, leading to clashes between internal security forces and the military as some soldiers sought to protect the protesters;*

*Whereas on April 11, 2019, after five days of mass protests in front of their headquarters, Sudan's military removed President al-Bashir from office and the country's First Vice President and Minister of Defense, Lt. General Awad Ibn Auf, announced he would lead a Transitional Military Council that would rule the country for a two-year period, suspended the Constitution, dissolved the National Assembly, and imposed a three-month State of Emergency and nightly curfew;*

*Whereas Lt. General Abdel-Fattah al-Burhan, former general inspector of the Sudanese Armed Forces, who replaced Lt. General Ibn Auf on April 12, 2019, as the chairman of the Transitional Military Council, said on April 21, 2019, that the council was ''ready to hand over power tomorrow to a civilian government agreed by political forces'';*

*Whereas the Rapid Support Forces, paramilitary forces led by Lt. General Mohammed Hamdan Dagolo, also known as ''Hemmeti'', a former Janjaweed leader who currently serves as the deputy chairman of the Transitional Military Council, have been implicated by the United Nations Panel of Experts in widespread violations of international humanitarian law that human rights groups suggest may amount to war crimes, and have also been accused of killing protesters during the recent uprising; and*

*Whereas, the African Union Peace and Security Council convened on April 30, 2019, and reiterated its conviction that ''a military-led transition in Sudan will be totally unacceptable and contrary to the will and legitimate aspirations'' of the Sudanese people, expressed ''deep regret'' that the military had not stepped aside, and, noting negotiations were underway, demanded that the military hand over power to a civilian-led transitional authority within 60 days: Now, therefore, be it*

*Resolved, That the Senate—*

*(1) supports the African Union Peace and Security Council's initial two-week deadline urging a swift transfer of power by the military to a civilian-led political authority in Sudan that—*

*(A) has a civilian character and composition reflecting the will of the Declaration of Freedom and Change Forces leading negotiations on behalf of citizens; and*

*(B) immediately begins a transparent process leading to credible elections and security sector reforms;*

*(2) calls on the ruling authorities in Sudan to—*

*(A) respect the right to freedom of association and expression;*

*(B) protect the rights of opposition political parties, journalists, human rights defenders, religious minorities, nongovernmental organizations, and civic movements to operate without interference;*

*(C) lift the bureaucratic restrictions on and facilitate access for humanitarian relief operations;*

*(D) introduce strong measures to create transparency and address the structural corruption and kleptocracy of the state;*

*(E) pursue accountability for serious crimes and human rights abuses by former President al-Bashir's regime and elements of the security forces under the control of the Transitional Military Council; and*

*(F) release remaining political prisoners and refrain from arbitrary arrest, detention, and torture;*

*(3) urges the United States Government to support efforts to advance a peaceful transfer of power and a civilian-led transition period that creates the conditions under which timely democratic elections can be held that will meet international standards and be overseen by credible domestic and international electoral observers, and for the peaceful resolution of Sudan's conflicts;*

*(4) encourages the African Union and its member states to continue supporting the Sudanese people's aspirations for democracy, justice, and peace;*

*(5) expresses concern that the participation in the transitional government of individuals who have been implicated in possible war crimes would undermine efforts to restore peace and democracy and pursue justice and accountability in Sudan;*

*(6) emphasizes that until a transition to a credible civilian-led government that reflects the aspirations of the Sudanese people is established, the process to consider removing Sudan from the State Sponsor of Terrorism List, lifting any other remaining sanctions on Sudan, or normalizing relations with the Government of Sudan will continue to be suspended; and*

*(7) stands in solidarity with the people of Sudan and their aspirations for a democratic, participatory government.*

Mr. THUNE. Madam President, I ask unanimous consent that the committee-reported amendment to the resolution be withdrawn; that the Cruz substitute amendment to the resolution at the desk be considered and

agreed to; that the resolution, as amended, be agreed to; that the committee-reported amendment to the preamble be withdrawn; that the Cruz amendment to the preamble at the desk be considered and 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 resolution, in the nature of a substitute, was withdrawn.

The amendment (No. 908), in the nature of a substitute, was agreed to as follows:

(Purpose: In the nature of a substitute)

Strike all after the resolving clause and insert the following:

That the Senate—

(1) supports the African Union Peace and Security Council's initial 2-week deadline urging a swift transfer of power by the military to a civilian-led political authority in Sudan that—

(A) has a civilian character and composition reflecting the will of the Declaration of Freedom and Change Forces leading negotiations on behalf of citizens; and

(B) immediately begins a transparent process leading to credible elections and security sector reforms;

(2) calls on the ruling authorities in Sudan—

(A) to respect the right to freedom of association and expression;

(B) to protect the rights of opposition political parties, journalists, human rights defenders, religious minorities, nongovernmental organizations, and civic movements to operate without interference;

(C) to lift the bureaucratic restrictions on, and facilitate access for, humanitarian relief operations;

(D) to introduce strong measures to create transparency and address the structural corruption and kleptocracy of the state;

(E) to pursue accountability for serious crimes and human rights abuses by former President al-Bashir's regime and permit international human rights monitors to deploy in Sudan to examine the allegations of atrocities committed against protesters and civilians during 2019;

(F) to release remaining political prisoners and refrain from arbitrary arrest, detention, and torture; and

(G) to immediately restore Internet access and avoid further denial of access to suppress the fundamental human right of freedom of expression and association by Sudanese citizens;

(3) urges the United States Government to lead in efforts that advance a peaceful transfer of power and a civilian-led transition period focused on creating the conditions under which timely democratic elections can be held that will meet international standards and be overseen by credible domestic and international electoral observers, and for the peaceful resolution of Sudan's conflicts;

(4) encourages the African Union and its member states to continue supporting the Sudanese people's aspirations for democracy, justice, and peace;

(5) expresses concern that the participation in the transitional government of individuals who have been implicated in possible war crimes would undermine efforts to restore peace and democracy and pursue justice and accountability in Sudan;

(6) emphasizes that until a transition to a credible civilian-led government that reflects the aspirations of the Sudanese people is established, the process to consider removing Sudan from the State Sponsor of Terrorism List, lifting any other remaining sanctions on Sudan, or normalizing relations with the Government of Sudan will continue to be suspended; and

(7) stands in solidarity with the people of Sudan and their aspirations for a democratic, participatory government.

The resolution (S. Res. 188), as amended, was agreed to.

The committee-reported amendment to the preamble was withdrawn.

The amendment (No. 909) to the preamble was agreed to as follows:

(Purpose: To amend the preamble)

Strike the preamble and insert the following:

Whereas the nation of Sudan has endured corrupt and brutal dictatorships for most of its post-independence period since 1956;

Whereas President Omar al-Bashir came to power through a military coup in 1989, and for the next 3 decades his government was responsible for horrendous crimes in Sudan, especially in Darfur, South Kordofan, Blue Nile, and in what is now the Republic of South Sudan;

Whereas the United States Government designated Sudan as a State Sponsor of Terrorism on August 12, 1993, for its support to international terrorist organizations and extremists, including elements of what would later be known as al Qaeda;

Whereas more than 2 decades of civil war between President al-Bashir's government and insurgents in southern Sudan resulted in more than 2,000,000 deaths and led to the eventual independence of South Sudan in 2011;

Whereas in 2003, President al-Bashir's government launched a ruthless crackdown against insurgents and civilians in Darfur, which killed at least 300,000 Sudanese and displaced 2,500,000 more people, prompting Congress and the Administration of President George W. Bush, in 2004, to describe the Government of Sudan's actions in Darfur as genocide;

Whereas in 2011, when conflict resumed in South Kordofan and Blue Nile states, President al-Bashir's government conducted indiscriminate bombings, raided villages, raped and killed civilians, and waged a campaign of forced starvation in the Nuba Mountains region of South Kordofan that displaced as many as 2,000,000 people;

Whereas, while the fighting between government forces and insurgents in Darfur has subsided since 2016, violent attacks against civilians continue and humanitarian access remains restricted in some opposition stronghold areas of Darfur, South Kordofan, and Blue Nile;

Whereas President al-Bashir remains the subject of 2 outstanding arrest warrants from the International Criminal Court based on charges that include 5 counts of crimes against humanity, 2 counts of war crimes, and 3 counts of genocide;

Whereas Sudan's economic crisis risks bringing the national economy to total collapse, further increasing the possibility of state failure and broader regional destabilization that could threaten a wide array of United States' interests in East and North Africa and the Red Sea regions;

Whereas the people of Sudan have engaged since December 2018 in a wave of peaceful protests throughout the country, demanding an end to President al-Bashir's brutal regime and pressing for a citizen-centered democratic transition;

Whereas women have played a prominent role in the protest movement and have helped to bring about the ouster of former President al-Bashir;

Whereas President al-Bashir's government unlawfully detained and tortured hundreds of Sudanese during the protests, including political leaders, journalists, doctors, unionists, and youth and women leaders, in gross violation of international civil and human rights, some of whom remain in detention;

Whereas on February 22, 2019, President al-Bashir declared a year-long nationwide state of emergency and curfew, dissolved his government, replaced state governors with senior security officers, and expanded the powers of Sudan's security forces;

Whereas when protesters in early April 2019 challenged President al-Bashir's decrees and gathered in the tens of thousands in front of Sudan's military headquarters in Khartoum to call for an end to the al-Bashir regime, some elements of the security forces tried to disperse the crowds with violence, leading to clashes between internal security forces and the military as some soldiers sought to protect the protesters;

Whereas on April 11, 2019, after 5 days of mass protests in front of their headquarters, Sudan's military removed President al-Bashir from office, and the country's First Vice President and Minister of Defense, Lt. General Awad Ibn Auf—

(1) announced that he would lead a Transitional Military Council that would rule the country for a 2-year period;

(2) suspended the Constitution;

(3) the dissolved the National Assembly; and

(4) imposed a 3-month State of Emergency and nightly curfew;

Whereas Lt. General Abdel-Fattah al-Burhan, former general inspector of the Sudanese Armed Forces, who replaced Lt. General Ibn Auf on April 12, 2019, as the chairman of the Transitional Military Council, said, on April 21, 2019, that the council was ''ready to hand over power tomorrow to a civilian government agreed by political forces'';

Whereas the Rapid Support Forces, paramilitary forces led by Lt. General Mohammed Hamdan Dagolo (also known as ''Hemmeti''), a former Janjaweed leader who currently serves as the deputy chairman of the Transitional Military Council—

(1) have been implicated by the United Nations Panel of Experts in widespread violations of international humanitarian law that human rights groups suggest may amount to war crimes; and

(2) have been accused of killing protesters during the recent uprising;

Whereas, the African Union Peace and Security Council convened on April 30, 2019, and reiterated its conviction that ''a military-led transition in Sudan will be totally unacceptable and contrary to the will and legitimate aspirations'' of the Sudanese people, expressed ''deep regret'' that the military had not stepped aside, and, noting negotiations were underway, demanded that the military hand over power to a civilian-led transitional authority within 60 days;

Whereas on June 3, 2019, the Rapid Support Forces led a brutal attack on peaceful protesters, with the aim of eradicating a large sit-in site in front of Sudan's military headquarters in Khartoum, which resulted in more than 100 deaths, hundreds of injuries, several cases of rape, indiscriminate beatings and shooting of unarmed protesters, and other human rights abuses;

Whereas, the Khartoum massacre on June 3, 2019, was followed by a nationwide crackdown led by the Rapid Support Forces against peaceful protesters and civilians that included—

(1) violent attacks on citizens in Khartoum and other major cities;

(2) the brutal detention of protesters and opposition leaders like Yasir Arman, with many disappearances of those detained;

(3) the targeting of hospitals and medical workers caring for the injured; and

(4) the overt attempts by Sudanese authorities to cover-up the scale of their atrocities by dumping bodies in the Nile river and shutting off access to the Internet; and

Whereas, the international community has widely condemned the actions of the Rapid Support Forces, with the African Union's Peace and Security Council voting on June 6, 2019, to suspend Sudan from all African Union activities until a civilian government is formed, and United Nations' experts appointed by the United Nations Human Rights Council, on June 12, 2019, calling for an independent investigation into the violence against protesters in Sudan: Now, therefore, be it

The preamble, as amended, was agreed to.

The resolution, as amended, and the preamble, as amended, reads as follows:

S. RES. 188

Whereas the nation of Sudan has endured corrupt and brutal dictatorships for most of its post-independence period since 1956;

Whereas President Omar al-Bashir came to power through a military coup in 1989, and for the next 3 decades his government was responsible for horrendous crimes in Sudan, especially in Darfur, South Kordofan, Blue Nile, and in what is now the Republic of South Sudan;

Whereas the United States Government designated Sudan as a State Sponsor of Terrorism on August 12, 1993, for its support to international terrorist organizations and extremists, including elements of what would later be known as al Qaeda;

Whereas more than 2 decades of civil war between President al-Bashir's government and insurgents in southern Sudan resulted in more than 2,000,000 deaths and led to the eventual independence of South Sudan in 2011;

Whereas in 2003, President al-Bashir's government launched a ruthless crackdown against insurgents and civilians in Darfur, which killed at least 300,000 Sudanese and displaced 2,500,000 more people, prompting Congress and the Administration of President George W. Bush, in 2004, to describe the Government of Sudan's actions in Darfur as genocide;

Whereas in 2011, when conflict resumed in South Kordofan and Blue Nile states, President al-Bashir's government conducted indiscriminate bombings, raided villages, raped and killed civilians, and waged a campaign of forced starvation in the Nuba Mountains region of South Kordofan that displaced as many as 2,000,000 people;

Whereas, while the fighting between government forces and insurgents in Darfur has subsided since 2016, violent attacks against civilians continue and humanitarian access remains restricted in some opposition stronghold areas of Darfur, South Kordofan, and Blue Nile;

Whereas President al-Bashir remains the subject of 2 outstanding arrest warrants from the International Criminal Court based on charges that include 5 counts of crimes against humanity, 2 counts of war crimes, and 3 counts of genocide;

Whereas Sudan's economic crisis risks bringing the national economy to total collapse, further increasing the possibility of state failure and broader regional destabilization that could threaten a wide array of United States' interests in East and North Africa and the Red Sea regions;

Whereas the people of Sudan have engaged since December 2018 in a wave of peaceful protests throughout the country, demanding an end to President al-Bashir's brutal regime and pressing for a citizen-centered democratic transition;

Whereas women have played a prominent role in the protest movement and have helped to bring about the ouster of former President al-Bashir;

Whereas President al-Bashir's government unlawfully detained and tortured hundreds of Sudanese during the protests, including political leaders, journalists, doctors, unionists, and youth and women leaders, in gross violation of international civil and human rights, some of whom remain in detention;

Whereas on February 22, 2019, President al-Bashir declared a year-long nationwide state of emergency and curfew, dissolved his government, replaced state governors with senior security officers, and expanded the powers of Sudan's security forces;

Whereas when protesters in early April 2019 challenged President al-Bashir's decrees and gathered in the tens of thousands in front of Sudan's military headquarters in Khartoum to call for an end to the al-Bashir regime, some elements of the security forces tried to disperse the crowds with violence, leading to clashes between internal security forces and the military as some soldiers sought to protect the protesters;

Whereas on April 11, 2019, after 5 days of mass protests in front of their headquarters, Sudan's military removed President al-Bashir from office, and the country's First Vice President and Minister of Defense, Lt. General Awad Ibn Auf—

(1) announced that he would lead a Transitional Military Council that would rule the country for a 2-year period;

(2) suspended the Constitution;

(3) the dissolved the National Assembly; and

(4) imposed a 3-month State of Emergency and nightly curfew;

Whereas Lt. General Abdel-Fattah al-Burhan, former general inspector of the Sudanese Armed Forces, who replaced Lt. General Ibn Auf on April 12, 2019, as the chairman of the Transitional Military Council, said, on April 21, 2019, that the council was ''ready to hand over power tomorrow to a civilian government agreed by political forces'';

Whereas the Rapid Support Forces, paramilitary forces led by Lt. General Mohammed Hamdan Dagolo (also known as ''Hemmeti''), a former Janjaweed leader who currently serves as the deputy chairman of the Transitional Military Council—

(1) have been implicated by the United Nations Panel of Experts in widespread violations of international humanitarian law that human rights groups suggest may amount to war crimes; and

(2) have been accused of killing protesters during the recent uprising;

Whereas, the African Union Peace and Security Council convened on April 30, 2019, and reiterated its conviction that ''a military-led transition in Sudan will be totally unacceptable and contrary to the will and legitimate aspirations'' of the Sudanese people, expressed ''deep regret'' that the military had not stepped aside, and, noting negotiations were underway, demanded that the military hand over power to a civilian-led transitional authority within 60 days;

Whereas on June 3, 2019, the Rapid Support Forces led a brutal attack on peaceful protesters, with the aim of eradicating a large sit-in site in front of Sudan's military headquarters in Khartoum, which resulted in more than 100 deaths, hundreds of injuries, several cases of rape, indiscriminate beatings and shooting of unarmed protesters, and other human rights abuses;

Whereas, the Khartoum massacre on June 3, 2019, was followed by a nationwide crackdown led by the Rapid Support Forces against peaceful protesters and civilians that included—

(1) violent attacks on citizens in Khartoum and other major cities;

(2) the brutal detention of protesters and opposition leaders like Yasir Arman, with many disappearances of those detained;

(3) the targeting of hospitals and medical workers caring for the injured; and

(4) the overt attempts by Sudanese authorities to cover-up the scale of their atrocities by dumping bodies in the Nile river and shutting off access to the Internet; and

Whereas, the international community has widely condemned the actions of the Rapid Support Forces, with the African Union's Peace and Security Council voting on June 6, 2019, to suspend Sudan from all African Union activities until a civilian government is formed, and United Nations' experts appointed by the United Nations Human Rights Council, on June 12, 2019, calling for an independent investigation into the violence against protesters in Sudan: Now, therefore, be it

*Resolved*, That the Senate—

(1) supports the African Union Peace and Security Council's initial 2-week deadline urging a swift transfer of power by the military to a civilian-led political authority in Sudan that—

(A) has a civilian character and composition reflecting the will of the Declaration of Freedom and Change Forces leading negotiations on behalf of citizens; and

(B) immediately begins a transparent process leading to credible elections and security sector reforms;

(2) calls on the ruling authorities in Sudan—

(A) to respect the right to freedom of association and expression;

(B) to protect the rights of opposition political parties, journalists, human rights defenders, religious minorities, nongovernmental organizations, and civic movements to operate without interference;

(C) to lift the bureaucratic restrictions on, and facilitate access for, humanitarian relief operations;

(D) to introduce strong measures to create transparency and address the structural corruption and kleptocracy of the state;

(E) to pursue accountability for serious crimes and human rights abuses by former President al-Bashir's regime and permit international human rights monitors to deploy in Sudan to examine the allegations of atrocities committed against protesters and civilians during 2019;

(F) to release remaining political prisoners and refrain from arbitrary arrest, detention, and torture; and

(G) to immediately restore Internet access and avoid further denial of access to suppress the fundamental human right of freedom of expression and association by Sudanese citizens;

(3) urges the United States Government to lead in efforts that advance a peaceful transfer of power and a civilian-led transition period focused on creating the conditions under which timely democratic elections can be held that will meet international standards and be overseen by credible domestic and international electoral observers, and for the peaceful resolution of Sudan's conflicts;

(4) encourages the African Union and its member states to continue supporting the Sudanese people's aspirations for democracy, justice, and peace;

(5) expresses concern that the participation in the transitional government of individuals who have been implicated in possible war crimes would undermine efforts to restore peace and democracy and pursue justice and accountability in Sudan;

(6) emphasizes that until a transition to a credible civilian-led government that reflects the aspirations of the Sudanese people is established, the process to consider removing Sudan from the State Sponsor of Terrorism List, lifting any other remaining sanctions on Sudan, or normalizing relations with the Government of Sudan will continue to be suspended; and

(7) stands in solidarity with the people of Sudan and their aspirations for a democratic, participatory government.

## CHRISTA McAULIFFE COMMEMORATIVE COIN ACT OF 2019

Mr. THUNE. Madam President, I ask unanimous consent that the Committee on Banking, Housing, and Urban Affairs be discharged from further consideration of S. 239 and that the Senate proceed to its immediate consideration.

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

The bill clerk read as follows:

A bill (S. 239) to require the Secretary of the Treasury to mint coins in recognition of Christa McAuliffe.

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

Mr. THUNE. I further ask unanimous consent that the Shaheen amendment, which is at the desk, be considered and agreed to.

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

The amendment (No. 907) was agreed to, as follows:

(Purpose: To improve the bill)

On page 4, line 13, strike ''2020'' and insert ''2021''.

On page 5, line 6, strike ''2020'' and insert ''2021''.

On page 5, line 7, strike ''2020'' and insert ''2021''.

Mr. THUNE. I ask unanimous consent that the bill be considered read a third time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

Mr. THUNE. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill, as amended, was passed, as follows:

S. 239

*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 ''Christa McAuliffe Commemorative Coin Act of 2019''.

**SEC. 2. FINDINGS.**

Congress finds the following:

(1) Christa McAuliffe was a social studies teacher at Concord High School in Concord, New Hampshire.

(2) In 1985, Christa McAuliffe was selected to be the first participant in the Teacher in Space program of the National Aeronautics and Space Administration.

(3) On January 28, 1986, Christa McAuliffe and 6 other astronauts were tragically killed during the Space Shuttle Challenger disaster.

(4) In 1989, For Inspiration and Recognition of Science and Technology (in this Act referred to as ''FIRST'') was founded to inspire young people's interest and participation in science and technology.

(5) The mission of FIRST ''is to inspire young people to be science and technology leaders, by engaging them in exciting mentor-based programs that build science, engineering, and technology skills, that inspire innovation, and that foster well-rounded life capabilities including self-confidence, communication, and leadership''.

(6) 2019 marks the 30th anniversary of the founding of FIRST.

(7) Each year, more than 1,000,000 children from the United States and more than 86 countries participate in a FIRST program.

(8) Studies have shown that alumni of FIRST programs are more likely to become scientists and engineers and to volunteer in their communities.

(9) FIRST is dedicated to carrying on the mission of Christa McAuliffe of inspiring students and creating a new generation of dreamers and innovators.

(10) 2016 marked the 30th anniversary of the Space Shuttle Challenger tragedy.

**SEC. 3. COIN SPECIFICATIONS.**

(a) DENOMINATIONS.—In commemoration of Christa McAuliffe, the Secretary of the Treasury (hereafter referred to in this Act as the ''Secretary'') shall mint and issue not more than 350,000 $1 coins, each of which shall—

(1) weigh 26.73 grams;

(2) have a diameter of 1.500 inches; and

(3) contain at least 90 percent silver.

(b) LEGAL TENDER.—The coins minted under this Act shall be legal tender, as provided in section 5103 of title 31, United States Code.

(c) NUMISMATIC ITEMS.—For purposes of sections 5134 and 5136 of title 31, United States Code, all coins minted under this Act shall be considered to be numismatic items.

**SEC. 4. DESIGN OF COINS.**

(a) DESIGN REQUIREMENTS.—

(1) IN GENERAL.—The design of the coins minted under this Act shall bear—

(A) an image of and the name of Christa McAuliffe on the obverse side; and

(B) a design on the reverse side that depicts the legacy of Christa McAuliffe as a teacher.

(2) DESIGNATION AND INSCRIPTIONS.—On each coin minted under this Act, there shall be—

(A) a designation of the value of the coin;

(B) an inscription of the year ''2021''; and

(C) inscriptions of the words ''Liberty'', ''In God We Trust'', ''United States of America'', and ''E Pluribus Unum''.

(b) SELECTION.—The design for the coins minted under this Act shall be—

(1) selected by the Secretary, after consultation with the family of Christa McAuliffe, FIRST, and the Commission of Fine Arts; and

(2) reviewed by the Citizens Coinage Advisory Committee.

**SEC. 5. ISSUANCE OF COINS.**

(a) QUALITY OF COINS.—Coins minted under this Act shall be issued in uncirculated and proof qualities.

(b) MINT FACILITY.—Only 1 facility of the United States Mint may be used to strike any particular quality of the coins minted under this Act.

(c) PERIOD FOR ISSUANCE.—The Secretary may issue coins under this Act only during the period beginning on January 1, 2021, and ending on December 31, 2021.

**SEC. 6. SALE OF COINS.**

(a) SALE PRICE.—The coins issued under this Act shall be sold by the Secretary at a price equal to the sum of—

(1) the face value of the coins;

(2) the surcharge provided under section 7(a) with respect to the coins; and

(3) the cost of designing and issuing the coins, including—

(A) labor;

(B) materials;

(C) dies;

(D) use of machinery;

(E) overhead expenses;

(F) marketing; and

(G) shipping.

(b) BULK SALES.—The Secretary shall make bulk sales of the coins issued under this Act at a reasonable discount.

(c) PREPAID ORDERS.—

(1) IN GENERAL.—The Secretary shall accept prepaid orders for the coins minted under this Act before the issuance of the coins.

(2) DISCOUNT.—Sale prices with respect to prepaid orders under paragraph (1) shall be at a reasonable discount.

**SEC. 7. SURCHARGES.**

(a) IN GENERAL.—All sales of coins issued under this Act shall include a surcharge of $10 per coin.

(b) DISTRIBUTION.—Subject to section 5134(f) of title 31, United States Code, and section 8(2), all surcharges received by the Secretary from the sale of coins issued under this Act shall be promptly paid by the Secretary to the FIRST robotics program for the purpose of engaging and inspiring young people, through mentor-based programs, to become leaders in the fields of science, technology, engineering, and mathematics.

(c) AUDITS.—The FIRST robotics program shall be subject to the audit requirements of section 5134(f)(2) of title 31, United States Code, with respect to the amounts received under subsection (b).

**SEC. 8. FINANCIAL ASSURANCES.**

The Secretary shall take such actions as may be necessary to ensure that—

(1) minting and issuing coins under this Act result in no net cost to the Federal Government; and

(2) no funds, including applicable surcharges, are disbursed to any recipient designated in section 7(b) until the total cost of designing and issuing all of the coins authorized by this Act, including labor, materials, dies, use of machinery, overhead expenses, marketing, and shipping, is recovered by the United States Treasury, consistent with sections 5112(m) and 5134(f) of title 31, United States Code.

Mr. THUNE. I further ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

## MEASURES READ THE FIRST TIME—H.R. 2740 AND H.R. 3055

Mr. THUNE. Madam President, I understand that there are two bills at the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the bills by title for the first time en bloc.

The bill clerk read as follows:

A bill (H.R. 2740) making appropriations for the Departments of Labor, Health and Human Services, and Education, and related

agencies for the fiscal year ending September 30, 2020, and for other purposes.

A bill (H.R. 3055) making appropriations for the Departments of Commerce and Justice, Science, and Related Agencies for the fiscal year ending September 30, 2020, and for other purposes.

Mr. THUNE. I now ask for a second reading, and I object to my own request, all en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will receive a second reading on the next legislative day.

## ORDERS FOR WEDNESDAY, JULY 10, 2019

Mr. THUNE. Madam President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 9:30 a.m., Wednesday, July 10; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, the time for the two leaders be reserved for their use later in the day, morning business be closed, and the Senate proceed to executive session and resume consideration of the Wetherell nomination.

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

## ORDER FOR ADJOURNMENT

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

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

The PRESIDING OFFICER. The Senator from Pennsylvania.

## NOMINATIONS

Mr. CASEY. Madam President, I rise this evening to talk about judicial nominations and, in my view, the state of play, where we are. I want to highlight some of the very real impacts these nominations have on Americans across the board.

We have had a number of opportunities this year to come together and have agreement on some judicial nominations, but, frankly, this year—the last several years—this issue has been the subject of conflict and sometimes rancor and division on the Senate floor and in the committee, the committee of jurisdiction, the Judiciary Committee.

I have raised concerns about the willingness of Senate Republicans to dismantle longstanding Senate rules but also Senate norms, all in a rush to pack the bench with nominees who are often both ideological and also, in some cases—not in all but in some cases—both too ideological and often unqualified.

Early this afternoon, the Senate voted to confirm Daniel Aaron Bress to a Ninth Circuit seat in California. I will talk about his nomination just by way of example, not by way of argument before a confirmation vote because that has passed.

I think his nomination and confirmation are another example of the decline of the Senate's once-proud traditions relating to judicial nominations.

He was opposed by both of his home State Senators. Both Senator FEINSTEIN and Senator HARRIS did not return a blue slip for Daniel Aaron Bress.

The blue slip, as many people know, is literally a single piece of paper where Senators sign their name and then check off whether they support or oppose, as a way to have consensus between Senators from their home State, and it has always been accorded respect and deference in this Chamber, but that has all changed now.

In this case, you had a California nomination—I will get to that part of it in a moment—where, as I said, both Senators did not return blue slips. In this case, in particular, I think it is particularly offensive because Senator FEINSTEIN is the ranking member of the committee.

For those who don't pay attention to all this terminology, ''ranking member'' is the top person in one party who is not the chairman or chairwoman, as the case may be.

So as the top Democrat, the ranking member of the Senate Judiciary Committee, her opposition to Judge Bress should be an important factor in his nomination and confirmation.

Prior to this administration, the Judiciary Committee had never held a hearing for a nominee from the ranking member's home State without his or her support. Again, that has all changed just recently.

Prior rules and norms have not stopped Republicans in the Senate from pushing extreme and sometimes corporate nominees through this process, especially at the circuit court level.

In a recent press release, Senator FEINSTEIN and Senator HARRIS explained that they opposed Judge Bress in part because he had so few connections to California. He lived in California for only 1 year since graduating from high school, he has not voted in California in an election for over a decade, and the California bar lists him as a Washington, DC, attorney.

I mention that because that should be relevant. When a home State Senator—in this case, two home State Senators, one of whom is the top Democrat on the Judiciary Committee—I think in that case there should be deference paid to that kind of concern that is raised. After all, they both represent their State.

As I mentioned earlier, the blue slip process is predicated on the idea that home State Senators are more familiar than anyone else with their State's legal community. I think that goes without saying. They serve an important role in nominating individuals to serve and represent the State.

Judge Bress is an example of why the blue slip process is so important. He is not part of the California legal community. Despite objections of the Senators, he will now sit on the Ninth Circuit Court of Appeals and decide cases for a State with over 39 million residents at last count.

Without blue slips, what would prevent a California judge from being nominated to a court in another State? What would happen if you had someone from a different State, who had very little ties to a State, be nominated and confirmed, for example, to serve in a State like Pennsylvania? It doesn't make a lot of sense to most people. It is a norm that should not be violated.

His nomination illustrates how the blue slip process has been eviscerated, especially for the circuit courts, which is something that I had some firsthand experience with. I did not return a blue slip on one nominee who was confirmed, and in the second case, there was a hearing scheduled over my objections by way of not returning a blue slip.

That experience that I had as a Senator whose blue slip and the deference that should be paid as part of that blue slip process—that circumstance in my case is at variance with my experience for district court judges.

Senator TOOMEY and I—my colleague from Pennsylvania—have worked together to jointly recommend experienced, consensus nominees for the Federal district courts in Pennsylvania. We have three districts—the Eastern District, the Middle District, and the Western District.

Unfortunately, this bipartisan district court process has become the exception, not the rule. It used to pertain here in the Senate, where every State had some kind of process by which nominees were presented for confirmation by their home State Senators, and the White House—the administration—in every case would pay deference to that.

That is exceedingly rare today. I am thankful we have maintained it so far in Pennsylvania with regard to the work Senator TOOMEY and I do together and our staffs do together to reach consensus. It doesn't always work, by the way, but usually no one hears about the ones who don't work out because we keep that to ourselves and move on to the next person and see if we can't reach consensus. I appreciate that. I think we are either at 19 or 20 judges confirmed since 2011, working together, and I hope we can maintain that so that at least—at least—the blue slip process can be respected for district court nominees.

I think people who elect us in our home States expect that. They expect us to work together and to try to reach consensus where we can. Sometimes it is not possible, but they do expect us to do that. If there is an expectation of consensus and bipartisan cooperation

that adheres to or is expected of Senators, then there ought to be institutional support for that here in the Senate and by the administration. As I mentioned, that is not the case today, at least as it relates to the appeals court, the circuit courts around the country.

This has relevance, of course, not just to process and norms and traditions; that is in and of itself important. It is of even greater significance when you consider the issues these courts will deal with.

Just today, for example, there was oral argument before the Fifth Circuit Court of Appeals in the Texas v. United States case—a monumental case that has the potential to cause millions of Americans to lose coverage. We know that because we know that since the Affordable Care Act was passed, more than 20 million people have gained coverage, the larger share of that being people who gained coverage through the expansion of Medicaid.

If that case were to be successful—a case brought by Republican attorneys general from around the country and then later opposed by Democratic attorneys general—if that case is successful, as it was at the district court level, 20 million people stand to lose their coverage, and a much larger number—depending on which number is on the record currently, but at least 150 million-plus Americans have protections today because of the Affordable Care Act, like the protection if you have a preexisting condition protection.

Under the old system, the old rules, the old law, you could be denied treatment or coverage because you have a preexisting condition. That was happening routinely. That is no longer the law today. The law today is that if you have a preexisting condition, you can still get coverage. As I said, that would be at risk for something north of 150 million Americans. Some of the data tells us the numbers are equally substantial when it comes to different parts of the law and those who are adversely or potentially adversely affected.

If you had to step back and summarize where we have been in the last more than—just about 2½ years now since the Trump administration came into office, working with House Republicans and Senate Republicans, you have had a campaign—really a constant campaign of what I would argue is about three things, and maybe not only three but at least three: ripping away coverage; decimating the Medicaid Program or at least attempting to over and over again; and thirdly, sabotage—sabotage mostly by the administration itself but also supported by Republicans here in the Congress. That sabotage has been, unfortunately, successful.

As of January, for example, the Gallup organization released data that said the number of Americans—I am reading from the first line of a news story from the publication Vox. The headline is ''Under Trump, the number of uninsured Americans has gone up by 7 million.'' The sub-headline is ''Even in a strong economy, Americans are losing their health coverage.'' This is an article written by Sarah Kliff—someone who spends a lot of time writing about and analyzing healthcare as an issue. It is dated January 23, 2019. I will read just the first two sentences: ''The number of Americans without health insurance has increased by 7 million since President Donald Trump took office, new Gallup data released Wednesday shows.'' Again, this is a January 2019 story. It goes on from there to say: ''The country's uninsured rate has steadily ticked upward since 2016, rising from a low of 10.9 percent in late 2016 to 13.7 percent—a four-year high.''

So at the end of 2016, at the beginning of the Trump administration, the uninsured rate was 10.9. At the end or the latter part of 2018, going into 2019, it stood at 13.7. So Gallup tells us that 7 million more people do not have healthcare who had it when the President started his administration.

A number of organizations have catalogued recent analyses of the potential threats that could impact communities if this Texas v. United States case were successful. I will mention again for the record that the litigants—the ones who were bringing the case, these Republican attorneys general—prevailed at the district court level. Now it is on appeal at the circuit court, and, in my judgment, it is probably more likely than not that they will prevail at that level too. Then, of course, the only option would be the Supreme Court, and I don't have a lot of confidence that this Supreme Court would rule against that case, which would result in chaos. That is a terrible understatement for what would happen when 20 million people potentially lose their coverage and tens and tens of millions more lose the protections they enjoy now, especially those against the denial of treatment or coverage because that individual has a preexisting condition.

Here are the numbers, just to remind folks. Everyone has heard the number nationally. One hundred thirty-three million Americans, roughly, have a preexisting condition. In my home State of Pennsylvania, that number is a little more than 5.3 million people. Those numbers are terribly high, but I think the one really making an impression on me and I hope on others—especially those in Pennsylvania—is the number of children in the Commonwealth of Pennsylvania who have a preexisting condition. Six hundred forty-two thousand seven hundred Pennsylvania children have a preexisting condition—642,700. No action by the U.S. Congress, by the administration, or by a court should ever result in any child being denied coverage or treatment because of a preexisting condition—any child but let alone numbers that are so high and so offensive to even consider that number of children or any portion of that number could be denied coverage.

The only number I will emphasize tonight is 642,700 Pennsylvania children with a preexisting condition. I won't go through all the numbers because I know we are here late tonight, but another number that jumps out at me—and this number comes from a document published by Protect Our Care telling us in a publication today that when you consider the doughnut hole coverage, meaning that the Affordable Care Act began to fill the coverage gap when older Americans were paying for prescription drugs and often paying exorbitant prices for prescription drugs—the Affordable Care Act began to chip away at that number, so much and in such a substantial fashion that the average senior, since the Affordable Care Act was passed—and this is the period of time between 2010 and 2016—that seniors gained $2,272 on average, almost $2,300 per senior to help them with their prescription drug costs by helping to fill that so-called doughnut hole, which is a very benign way to talk about a terrible coverage gap that burdens a lot of older Americans. In Pennsylvania, that number is lower, but it was still more than $1,100 per person.

All of that will be at risk if this case is successful. Just like the protections for preexisting conditions are at risk, the support that has been available up until the recent past for prescription drug coverage for seniors—that support potentially could go away completely. So seniors will again potentially be footing the bill if this lawsuit is successful.

Two more, just for the record. Access to treatment would be in jeopardy for some 800,000 people with opioid use disorder issues. We know there are a huge number of Americans who have a substance use disorder issue, often an addiction. A subcategory of that—probably the biggest subcategory—are those with an opioid addiction. That has hurt families of all kinds—rich and poor, north and south, no matter where you live—east, west, rural, urban, suburban. It knows no bounds.

A lot of that support has come from the support for quality treatment that folks need to lift themselves out of the grip of an addiction. A lot of that support comes from Medicaid expansion. Whether it is the repeal bills that were promoted on the Senate floor over and over again or whether it is the lawsuit that could have as devastating of an impact on healthcare as any repeal bill would, no matter where you turn, in terms of Republican healthcare bills and this lawsuit, you can see the adverse impact on Medicaid expansion.

Virtually every one of them not only wants to cut Medicaid expansion, in most of the Republican bills, they want to eliminate it over time—completely eliminate Medicaid expansion. Somehow it was wrong. I have to ask why.

Why was it wrong that millions of people got their healthcare through an expansion of Medicaid? Why would anyone ever doubt that someone next to you who doesn't have coverage, first and foremost, and might have an opioid addiction problem is getting coverage, and because they have insurance coverage, they can get treatment for that terrible scourge our country is going to be dealing with for decades—why is that the wrong thing to do? How would taking that coverage away from someone with an opioid problem advance the interests of the American people? The answer is, it wouldn't. The answer is, it would set back the efforts to deal with a whole host of folks out there who are getting treatment today solely, completely, because of Medicaid expansion.

The last thing I will mention is our rural areas. I represent a State that has 67 counties, and 48 of them are rural. A lot of the rural hospitals in those communities are already teetering on the edge of collapse and have been for years—not just the last several years but for many years.

One of the fastest ways to ensure that more rural hospitals would close and collapse is to cut Medicaid or to take away Medicaid expansion. That has an adverse impact, the likes of which we can't even begin to calculate because folks in rural Pennsylvania will lose coverage if you decimate Medicaid or you take away Medicaid expansion, but that doesn't end there.

A lot of folks in those communities are getting treatment for an addiction issue or something related. They will be adversely impacted; their families will; their communities will, but it doesn't stop there in a rural area.

In a lot of these rural areas in my home State—and it is true all across the country—the biggest employer, or at least the second or third biggest employer, is often a hospital. In my State, there are probably 25 counties where the top employer in those 48 rural counties—about half of them, roughly—the No. 1 and No. 2 employer is a hospital. So cutting Medicaid or eliminating Medicaid expansion or sabotaging the health insurance markets or taking away the coverage of the Affordable Care Act has healthcare consequences, has opioid addiction treatment consequences, and of course has a job consequence as well. If you cut Medicaid in a lot of rural areas, you are going to lose a lot of jobs. It is as simple as that, as devastating as it is.

So we have a long way to go to make progress on healthcare. I hope—I hope—my Republican friends will come together with us and work on lowering the cost of healthcare and lowering the cost of prescription drugs, but they don't seem to be that interested in that. Some are, intermittently, once in a while, but they don't seem to be interested because there is an obsession in the Senate, on the Republican side, with decimating the Medicaid Program, ending Medicaid expansion, and completely wiping out all the gains of the Affordable Care Act.

That would be bad enough, but it is doubly worse or it is doubly insulting, I should say, when there is no plan for replacement. So what if a court of law, what if a Federal court in the Fifth Circuit, in the next couple of months, says the moving party here, the party that wants to declare the Affordable Care Act unconstitutional—declares the moving party is the prevailing party, that they win? Let's say it doesn't go to the Supreme Court, but even if it does, let's say it loses there. What happens then to those 20 million people who got coverage? What happens to the 150 million-plus who have coverage today, protections today, who did not have it before the Affordable Care Act? They were paying their premiums for years, if not decades. They had coverage for years, if not decades. Their children were maybe covered in their employer-sponsored plan, but in many cases—maybe not in every case—they didn't have much protection from preexisting conditions. They didn't have protections against lifetime limits or caps on the treatment you can get in a year or over a lifetime.

We had the bizarre and insulting and degrading experience, where women were discriminated against by the insurance companies because they were women. Being a woman was actually, in a sense, a preexisting condition. That made no sense. Are we going to go back to those days because a group of attorneys general wanted to change the law, and they couldn't prevail on the Senate floor, or they couldn't prevail over time in the House, or by way of what the administration would do, so they went into court, and they are going to wipe out coverage for tens and tens of millions of Americans? Is that a good thing for America? I don't think so. I think that sends everything in the wrong direction.

Unfortunately, that is not just theory. Some of it is already happening. As I said before, Gallup tells us that 7 million fewer people have healthcare today, or at least as of January, than did two Januarys before that. So we have a long way to go to make progress on healthcare, but we are not going to make much progress around here if we have a continual fight. I hope some will agree to set aside the fight about repeal and lawsuits taking away coverage. Let's work together to lower costs, and let's work together to lower the costs of prescription drugs, in particular, because I have to answer to a lot of families.

One of them is Matt Stefanelli, a young man we just spoke to today talking about his children. Matt's son has type 1 diabetes. We are from the same home county. He is worried not only about his own healthcare, but he is worried about his son's healthcare. We have an answer, and the answer is to respond to families like Matt's.

I yield the floor.

## ADJOURNMENT UNTIL 9:30 A.M. TOMORROW

The PRESIDING OFFICER. Under the previous order, the Senate stands adjourned until 9:30 a.m. tomorrow.

Thereupon, the Senate, at 7:07 p.m., adjourned until Wednesday, July 10, 2019, at 9:30 a.m.

## CONFIRMATION

Executive nomination confirmed by the Senate July 9, 2019:

THE JUDICIARY

DANIEL AARON BRESS, OF CALIFORNIA, TO BE UNITED STATES CIRCUIT JUDGE FOR THE NINTH CIRCUIT.