



United States  
of America

# Congressional Record

PROCEEDINGS AND DEBATES OF THE 116<sup>th</sup> CONGRESS, FIRST SESSION

Vol. 165

WASHINGTON, THURSDAY, JULY 11, 2019

No. 116

## Senate

The Senate met at 9:30 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.

Almighty God, who has given our lawmakers diversities of talents by the same spirit, use us for Your glory.

Lord, protect our Nation from evil. Prevent the weapons formed against America from prospering, for You remain our refuge and fortress. Continue to be the strength of our lives, as we remember the many times You have preserved us in the past.

Lord, open our eyes to the unfolding of Your providence. Open our minds to Your truth. Open our lips to speak Your wisdom.

We pray in Your Holy Name. Amen.

### PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

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

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

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

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

### SWEET CORN DAYS

Mr. GRASSLEY. Mr. President, in honor of the Iowa Department of Agriculture's Sweet Corn Days yesterday, I would like to highlight the strong agricultural sector of my State of Iowa.

Many people don't know how you get from the seed to the corn on the cob you are used to seeing on your dinner table. That is one reason, particularly

for city people, that I started the hashtag "Corn Watch" series on my Instagram.

Each week I post an update with the progress of how the crop is growing on my farm in New Hartford, IA. It is a small way to show nonfarmers how Iowa feeds and fuels the world.

I yield the floor.

### RESERVATION OF LEADER TIME

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

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### ELECTION SECURITY

Mr. MCCONNELL. Mr. President, yesterday the entire Senate had the opportunity to meet in classified session for a briefing on election security. We heard from the Director of National Intelligence, the FBI Director, Acting Secretary of the Department of Homeland Security, and other key administration officials about our recent progress and ongoing work to protect our democratic process from interference.

The takeaway was perfectly clear. After 2016, this new administration kicked into high gear. Alongside our efforts in Congress, all levels of government worked proactively to make sure that 2018 was not a repeat of 2016.

Far from letting up, the executive branch is continuing to work hard in advance of next year's Presidential election. We know our adversaries will not be letting up, so we aren't letting up either.

I want to underscore my appreciation for the tremendous work that so many officials across our government have been doing to protect our democracy

and impose costs on adversaries who dare to interfere. Threats remain, but yesterday's briefing was an instructive counterpoint to the doom and gloom hyperbole we often see in the media.

Good news doesn't sell newspapers. Although I doubt it would get much coverage, I am proud of the work of our government and what they have done to shore up our defenses of American democracy and deter foreign influence and interference.

I believe our colleagues feel the same way. At one point during yesterday's briefing, applause broke out in the room for the work of one of our agencies—bipartisan applause in the briefing yesterday about what was done in 2018, after which it was largely incident free.

Many of the details of yesterday's briefing were classified and should remain so, but much of what was discussed were the specific details and the full impact of steps that are already public knowledge.

Here in Congress, we have taken legislative action to enhance interagency coordination on cybersecurity, expedite security clearances for election officials, and allocate hundreds of millions of dollars in direct aid to State election officials—direct aid to State election officials.

With the new resources that we provided, the Department of Homeland Security dramatically strengthened its information sharing and security partnerships with the State and local authorities that operate elections in the United States. Participation came from all 50 States and 1,400 localities, and the direct aid to States helped the authorities who were on the frontlines conducting elections update their systems, strengthen their defenses, and maintain vigilance.

These and other actions have been part of a coordinated, government-wide, Federal, State, and local campaign to shore up our defenses. I would anticipate that every Member who attended the classified briefing likely

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



Printed on recycled paper.

S4779

came away feeling confident that big steps forward have taken place in the last 2½ years.

Thanks in large part to these measures, the 2018 elections went more smoothly than 2016, and as we look to 2020, it is encouraging to learn how seriously the administration is taking the threat and proactively working to counter it because we know the threat is not going anywhere. Foreign adversaries are going to keep at it, so I am glad the administration is so focused on staying strong and remaining vigilant.

Of course, as I said yesterday, the roots of the issue run deeper than our elections themselves. A foreign adversary like Russia didn't just wake up one day in 2016 and decide to interfere in the American democracy. The meddling was an outgrowth of a long pattern of weakness and naivete that permeated all 8 years of the Obama administration.

Punching back against this misbehavior, and deterring future episodes like it, has also meant taking broad steps to strengthen America's posture abroad and to get more realistic about our relationship with the Russians. Obviously, nearly 30 Russians and Russian corporations have been indicted by the Special Counsel for election meddling.

More broadly, we have a new national security strategy—an improved roadmap for our global presence that takes seriously the need to check great power competitors like Russia and China.

We are recommitting to the alliances that preserve American values around the world, reforming NATO to meet 21st century threats, and equipping our allies and partners who are on the frontlines of Russia's geopolitical prospecting. Congress and the administration have worked together to restore our Armed Forces and unwind harmful funding restrictions that cut readiness and limited our commanders. So not just our efforts on election security but, really, our entire foreign policy have made strides under the leadership of this administration.

To conclude, yesterday's briefing made it clear that our work has led to huge progress—huge progress—but the work certainly isn't over. Leaders across government are continuing to explore and repair potential vulnerabilities and increase cooperation ahead of the 2020 Presidential election. Congress will certainly continue to monitor this closely while resisting any efforts to use the failures of the past to justify sweeping federalizations of election law, as some on the other side have consistently sought to do.

Let me say that again. Congress will certainly continue to monitor this closely while resisting any efforts to use the failures of the past to justify sweeping federalizations of election law, as some on the other side have consistently sought to do.

Make no mistake, many of the proposals labeled by Democrats to be

"election security" are measures, in fact, for election reform that are part of the wish list of the left called the Democrat politician protection act.

What they do is ignore the great work this administration has done and sweep under the rug the necessary measures this Chamber has passed.

But speaking broadly, I think all Americans should remember this: What Russia really set out to do was to sow division, spark doubt, and trigger a crisis of confidence in our country that would extend far beyond the actual actions that they undertook.

So as I have said before, as we continue taking action and shoring up our defenses, it is also vital that we not fall into precisely—precisely—the trap that Putin and company have laid. It is vital that Americans not take the bait on fear and division and ultimately do Russia's work for them.

Our country is strong. American democracy is strong. Our elections are already safer and more secure, and the important work continues. Our adversaries will not let up, so we are not letting up either.

#### NOMINATIONS

Mr. MCCONNELL. Mr. President, on another matter, all week the Senate has continued our productivity in overcoming partisan opposition and confirming the President's well-qualified nominees for important offices.

We have confirmed the newest judge on the Ninth Circuit. Yesterday we confirmed three district judges by overwhelming bipartisan margins—78 to 15, 80 to 14, and 85 to 10. Those are the margins on three district judges. Clearly, we are not exactly talking about radioactive, controversial nominees here, not when 78 votes for confirmation is the low end.

Nevertheless, as has become typical over the past 2½ years, our Democratic colleagues insisted on cloture votes to cut off debate before we could confirm any of them. In fact, we have yet to voice-vote a single judicial nominee this entire Congress. We haven't voice-voted a single judicial nominee this entire Congress.

It is really a shame. It is not the precedent the Senate ought to be setting for these lower tier nominations. Of course, we have confirmed them nonetheless.

Before the end of this week, the Senate will have done the same for three other lower level nominees to the executive branch.

Weeks like this were impossible before my Republican colleagues and I did the right thing for the institution a few months back and moved the Senate back toward our historic norms for nominations of this sort. We argued that Senate Democrats were mindlessly obstructing even the least controversial nominees just for obstruction's sake.

Our colleagues across the aisle insisted, no, the majority would be ram-

ming through these extreme individuals and cutting off intense debate that these extreme nominees deserve. Well, who is right? Well, one more time for good measure: 78 to 15, 80 to 14, and 85 to 10. Enough said.

It is particularly ironic that some of my friends across the aisle elect to complain that the Senate is spending too much time on nominations—the Presiding Officer has heard that—spending too much time on nominations. I am not making this up. We actually hear protestations from the Democratic side that confirming these men and women is taking too long, as though it weren't totally obvious to everyone that their own unprecedented delaying tactics are the only reason these nominees have not been quickly confirmed in big batches on a voice vote.

It is quite the two-step: Democrats systemically drag their heels for 2½ years and counting and then complain we are not moving fast enough. Well, if it weren't clear by now, the tactics are not going to work. The Senate is going to press on. We are going to do our job.

Today, we will press on despite 492 days of obstruction—492 days of obstruction—and confirm Peter Wright, the President's nominee to serve as—listen to this—an Assistant Administrator at EPA. He has been waiting for 492 days.

As it happens, we will also vote on two Kentuckians—Robert King and John Pallasch. Mr. King has been nominated to serve as Assistant Secretary for Postsecondary Education. He comes with an impressive record of experience in higher education administration and advocacy at home in the Bluegrass State and beyond. Mr. Pallasch has been tapped for Assistant Secretary of Labor. His résumé includes service as director of the Kentucky Office of Employment and Training as well as previous service with the Department as Deputy Assistant Secretary for Mine Safety and Health.

I will be proud to support each of these well-qualified nominees as their senior Senator from Kentucky but moreover as someone who believes that the American President deserves to have his team in place and that citizens ought to be governed by the government they actually voted for.

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

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Without objection, it is so ordered.

#### STUDENT LOAN DEBT

Mr. THUNE. Madam President, the Democratic Party's motto this year might as well be "Free Stuff"—free

healthcare, free college, free debt relief, free childcare, and free income. The problem, of course, is that the old adage “There is no such thing as a free lunch” is 100 percent true.

Healthcare has to be paid for by someone. College has to be paid for by someone. Democrats, of course, think they should all be paid for—and often controlled—by the government, but what they don’t like to talk about as much is that the government has to get its money from somewhere, and that somewhere is the American people.

If you ask Democrats how they are going to pay for all of this free stuff, what they will say is, they will tax the rich. The problem is, there simply aren’t enough people to even come close to paying for the Democrats’ free programs and expansive policy proposals.

Every year, *Forbes* magazine reports the combined net worth of the 400 richest people in the United States, but if you took every penny from every one of those people, it would be a tiny drop in the bucket next to the cost of the Democrats’ proposals.

Free healthcare alone—and these are my conservative estimates—would cost \$32 trillion over 10 years. Taking every penny from the richest people in the United States wouldn’t even cover 1 year of that proposal. In fact, you could take every penny from every billionaire in the entire world, and it would still only cover roughly 28 percent or less than 3 years of Democrats’ Medicare for All proposal.

That is just free healthcare. That is not the Green New Deal or guaranteed income or free childcare or anything else. What if we move away from billionaires? How about millionaires—even millionaires? What if we taxed every household in the United States making more than \$200,000 at a 100-percent rate for 10 years? Well, we would still barely have enough to cover free healthcare, much less Democrats’ other proposals.

Let’s look at one of the Democrats’, what I would say, relatively smaller proposals, and that is student loan forgiveness and free college. No one can deny that student loan debt is a problem in this country. Many graduates emerge with tens of thousands of dollars’ worth of debt that they struggle to repay, and it burdens them for years. It is a growing problem. Ways to alleviate this burden and encourage more affordable education are conversations we need to have, but the free college and debt elimination solutions offered by two leading Democratic Senators are no solutions at all.

The U.S. Government is not swimming in money. We are deeply in debt, and we already need to shore up existing programs, like Social Security and Medicare, both of which are on shaky financial footing.

Paying for a college education for millions of Americans is not something the government can easily afford. The

Senator from Vermont’s plan for free college and student loan forgiveness would cost approximately \$2.2 trillion over 10 years. That may not sound like much when compared to Democrats’ budget-busting plan for government-run healthcare, but it is still a lot of money.

The entire Federal budget for 2019 is less than \$5 trillion, and that is supposing the Senator from Vermont’s proposal comes in on budget, which seems unlikely. For one thing, when you offer something for free, demand for it generally increases.

The Senator from Vermont is making his estimate based on today’s numbers, but what happens when demand skyrockets? The Federal Government can be on the hook for far more than the Senator estimates, and these proposals would do anything but incentivize colleges and universities to lower the cost of tuition.

Both the Senators who have proposed free college and debt elimination plans this year have said they will pay for it. The Senator from Vermont would impose a financial transactions tax, while the Senator from Massachusetts would impose what she calls an ultramillionaire’s tax on the very wealthy, but as one *Wall Street Journal* editor highlights in a recent column, this is unlikely to cover the costs:

Financial-transaction taxes chronically underperform estimates of the revenue they’ll generate, and wealth taxes are so ineffective that even France scrapped its version in despair in 2017. Much heavier middle-class taxation is what feeds European social-welfare States.

It goes on to say: And “much heavier middle-class taxation” is likely to be the end result of Democratic proposals, like free college and student loan forgiveness.

Even leaving aside the cost, let’s talk about the merits of the Democrats’ proposals—for starters, the sheer unfairness of these plans. Let’s suppose one of these proposals becomes law. Now, suppose you are someone who has lived frugally for years, and you have just finished paying off \$30,000 in student loans. You are not going to get a penny back from the Democrats. Meanwhile, someone who has just incurred that \$30,000 in debt is going to get it completely wiped out. There is no need to live frugally or think about paying off the debt you have freely incurred; the debt will just be gone.

Then there is the fact that Democratic proposals for free college and debt forgiveness are not going to solve the education debt problem.

The director of the Education Policy Program at New America—not a conservative think tank, by the way—recently published a column in the *New York Times*, where he noted that the proposals for free public college from the Senator from Vermont and the Senator from Massachusetts would “not eliminate future student debt—not even close. That’s because most

student loan debt isn’t taken out to attend undergraduate programs at public colleges and universities. Most loans are used for private colleges, for-profit colleges, and most of all, graduate school.”

As the column points out, that is not something that free public undergraduate education will fix. In fact, the column notes: “The day after Senator SANDERS ‘hits the reset button,’ as he put it in the news conference, the national student debt odometer would begin rapidly spinning again.”

So what can be done to help those struggling with student loan debt? What can we do to help while still maintaining fiscal responsibility and preserving a respect for honoring the commitments you have made? One Democratic Senator and I have a proposal that could definitely help. The senior Senator from Virginia and I reintroduced our Employer Participation in Repayment Act earlier this year. Our legislation would amend the Educational Assistance Program to permit employers to make tax-free payments on their employees’ student loans. Right now, employers can contribute to their employees’ tuition if their employees are currently taking classes, but they can’t help employees with education debts they have already incurred. Our bill would allow them to help with employees’ already-existing student loan debt.

This would be a win-win situation. It would be a win for employees who would get help paying off their student loans, and it would be a win for employers which would have a new option for attracting and retaining talented workers. Our bill would not be a silver bullet, but it would certainly help ease the pain of paying back student loans for a number of young Americans.

I also look forward to seeing other efforts to help alleviate the burden of student loan debt in a feasible and fiscally responsible way. I know Republicans on the Senate Health, Education, Labor, and Pensions Committee are working on legislation to make it easier to pay back student loans.

Another big thing we can do is to make sure that graduates have access to good-paying jobs. Thanks to Republican economic policies over the past 2 years, our economy is thriving, good jobs are being created, and wages are rising at the strongest pace in a decade. All of that can go a long way toward enabling people to pay off their debt, and Republicans are committed to building on the economic success that we are experiencing and expanding opportunities even further.

“Free College” makes a great bumper sticker, but it doesn’t make very good policy. We need to address the problem of student debt without weighing down the economy or hard-working Americans with massive new government spending and massive new taxes. The Employer Participation in Repayment Act is a step in the right direction, and I hope to see it receive a vote in the very near future.

I yield the floor.

## 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 Robert L. King, of Kentucky, to be Assistant Secretary for Postsecondary Education, Department of Education.

The PRESIDING OFFICER. The Senator from Mississippi.

Mr. WICKER. Madam President, I ask unanimous consent to proceed as in morning business.

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

### CHINA

Mr. WICKER. Madam President, I call to the Senators' attention today a disturbing article in the June 29, 2019, issue of *The Economist*, on pages 36 and 37. It is about the military buildup in China and the way it affects the United States. It says:

Xi Jinping wants China's armed forces to be "world class" by 2050. He has done more to achieve this than any of his predecessors.

I will quote from the lead of this article in *The Economist*.

Over the past decade, the People's Liberation Army (PLA) has been lavished with money and arms. China's military spending rose by 83 percent in real terms between 2009 and 2018, by far the largest growth spurt in any big country. The splurge has enabled China to deploy precision missiles and anti-satellite weapons that challenge American supremacy in the western Pacific. China's leader, Xi Jinping, says his "Chinese dream" includes a "dream of a strong armed forces". That, he says, involves "modernising" the PLA by 2035 and making it "world-class"—in other words, America-beating—by mid-century. He has been making a lot of progress.

In the second column of this article, it goes on to say:

He has done more in the past three years to reform the PLA than any leader since Deng Xiaoping.

This quote is not from some advocate of defense spending but is from one of the leading publications, *The Economist*.

I say to my colleagues, we need to be mindful of the threat that is arising to the United States from around the globe—not only from China, as I have just read, but also from Vladimir Putin's Russia, from Iran, and from international terrorism. There is a deteriorating security situation in almost every sector of the globe. The fact that the United States has always been super supreme and able to defend

the free peoples of this world is being challenged. We can no longer assume that any war would never be a fair fight. That has been the goal of the United States if we have to go to war. And we want to avoid war. But the best way, in our judgment, as a national strategy down through the decades, to avoid conflict of any kind is to make sure that if America ever gets in a fight, it will not be a fair fight; it will be a fight where we have overwhelming superiority, so no one will dare challenge the sea lanes and the freedom that we stand for in the United States of America. That is being challenged today.

I would submit to you that it is a good time for the United States to point out that we passed the National Defense Authorization Act—the NDAA—on a huge bipartisan basis. It was 80-something votes to 8. It is just unbelievable, the way we came together under the leadership of Chairman INHOFE and Ranking Member REED, his Democratic counterpart, working together as professionals, as legislators, and as Americans to send a strong statement that we need to go from the \$700 billion that was spent last fiscal year to \$750 billion to give our troops the pay raise they need, to recognize the sacrifice they have made, and to give our military—the Army, Navy, Air Force, and Marines—the tools they need, the equipment they need, and the innovation and manufacturing they need to get us where we need to go.

We went through a 7- or 8-year period when—we ought to all be ashamed because our fingerprints are all on it, those of us who were in office at the time. The distinguished Presiding Officer was not a Member of the Senate at that time, but those of us who were, we got our fingerprints on it, Republicans and Democrats. Somehow, try though we might, say what we might, we were unable to prevent sequestration from happening—an unthinkable result. The military branches couldn't believe this was happening and couldn't believe Congress would be so irresponsible, but somehow we were.

We have righted the ship over the past 2 years. It would be unthinkable to me, my fellow Americans, after making the progress to get back on the right track and return to responsible defense spending and responsible stewardship of our national security, if somehow we heeded some voices we have been hearing in Washington, DC, and around the country during the past few days about a continuing resolution, perhaps—maybe a continuing resolution of an entire year. The thinking there is, well, we just do a continuing resolution, and that will amount to level spending, and we can live with that.

I just left a hearing on the confirmation of GEN Mark Milley as the next, I hope, Chairman of the Joint Chiefs of Staff, and I asked him about that. Would a continuing resolution simply

be level spending, and might we be able to live with that? And he absolutely made the point which we all know if we study the law. It is way more than level spending. It stops innovation. It stops the new starts. It stops everything that we planned in the NDAA, which we passed with an overwhelming bipartisan vote, and it makes it against the law for the shipbuilders to do anything new and for the people working on our next-generation aircraft to do anything new. It stops them in their tracks. It creates uncertainty in every branch of the military. And then we have to pay millions and billions to get back going again. It is an unthinkable result. Surely we can avoid that as Republicans and Democrats.

Let me quote now-retired Secretary Mattis. When he was asked about this very subject on a recent occasion, Secretary Mattis said this:

I cannot overstate the impact to our troops' morale from all this uncertainty. The combination of rapidly changing technology, the negative impact on military readiness resulting from the longest continuous stretch of combat in our Nation's history, and insufficient funding have created an overstretched and under-resourced military.

According to Secretary Mattis, "Under continuing resolutions, we actually lose ground."

We need a budget deal. We need a 2-year budget deal, as we have had in the past. Give our defense leaders, the Secretaries and Assistant Secretaries, as well as the ones who put on the uniform and agreed, for a career, to put themselves in harm's way—give them the certainty they need in order to defend against the threats *The Economist* talked about and the threats General Mattis talked about. Give them that certainty.

A new CR—a continuing resolution—would prevent us from having that certainty. It would delay maintenance for the *Harry S. Truman* aircraft carrier. It would prevent a guided missile frigate program we already authorized from even starting. This would happen September 30 if we go to a continuing resolution. It would cripple research and development, and it would prevent the Pentagon from aligning its funding with upcoming priorities.

We need to realize a fact of life around here. I didn't exactly get my way in the election last November. If I had my druthers, the House of Representatives would have remained in Republican hands, with a Republican Speaker and a Republican Chair. The voters, in their wisdom, decided to vote for divided government last November.

Our team was elected to continue leadership in the U.S. Senate. The Democratic team was elected to leadership in the House of Representatives. And I can assure you, if I were writing a defense appropriations bill, which is half of discretionary spending, and all of the other appropriations bills, which is so-called nondefense discretionary, it would look far different from the bill

Speaker NANCY PELOSI proposes to write. I can assure you that it would look different and that we would have less domestic spending. But the fact of life is that MITCH MCCONNELL, the Republican leader, is the one who guides legislation here in the Senate, and NANCY PELOSI, a Democrat from California, is the one who guides legislation on the floor of the House of Representatives, and if we get a bill passed, we are going to have to get a compromise bill passed. If anybody within the sound of my voice doesn't realize this, they don't understand government. They don't understand the dynamics that have taken place since Philadelphia in 1776 and Philadelphia again in 1787, where give-and-take had to occur, but we moved things along for the greater good.

We can come to an agreement, or we can show ourselves to Vladimir Putin's Russia as unable to govern adequately, and we can show ourselves to Xi Jinping's China as unable to make the tough decisions to protect Americans. We have that choice, and we have a willingness on this side of the aisle and on the other side of the aisle. I was with some of my Democratic and Republican friends from the other body just yesterday. I think there is the willingness there. We are going to have to have an agreement that the administration will sign on to because the President's signature has to be affixed to this.

Now is the time—July 11, 2019—to get this decision made, before we leave for August. I would hope we wouldn't leave for August until we get that number agreed to. We come back after Labor Day, and then it is brinksmanship, and then suddenly it is shutdown city, and that is being threatened. Russia knows this, the Iranian leadership knows this, and China knows this. Let's do it now.

So I call on the Democratic and Republican leadership in the House, I call on our leadership, and I call on our President to get down to business in the next few days. Let's go ahead and make this decision that we know will eventually have to be made, make a responsible decision and send a message to the rest of the world that we intend to take care of our security.

I yield the floor.

The PRESIDING OFFICER. The Senator from Missouri.

Mr. BLUNT. Madam President, first of all, let me say that I couldn't agree more with the Senator from Mississippi, Mr. WICKER, than I do. His points are exactly right. A democracy is finding a way forward. It is not finding your way forward necessarily. It is obviously finding as much of your way forward as you can find. But it is finding a way forward.

Clearly, a top priority of the Federal Government is to defend the country. It is my top priority. I think I would be safe in suggesting it is Senator WICKER's top priority. And it is an important priority for our friends on the other side, but it may not be quite the same priority on the other side.

For this to work, the House and the Senate have to work together and the White House has to work together to come up with just that spending number. Once we have the number that we are going to spend, having the debate on the floor is suddenly possible.

I am fully in agreement with that, but I want to talk for a few minutes today about a program that we need to extend for a short period of time to get it extended to the end of this spending year.

#### MENTAL HEALTH

Madam President, I know the minority leader, the Democratic leader, just arrived, and he has heard a lot about this program from my friend Senator STABENOW. The excellence in mental health program—something we started 2 years ago. We passed legislation in 2014. We have come to the end of the first 2 years of that trial program. I want to talk more about why we need a longer term expansion of that trial, but first of all, we need to get a 3-month extension to get us to the end of this spending year.

I am always glad to talk about this program because what it does is it really begins to close the gap between how we talk about physical health and how we talk about mental health. Somewhere between one in four and one in five adult Americans, according to the National Institutes of Health, has a mental health problem that is diagnosable and almost always treatable, but less than half of the people who have that problem actually receive the care they need. These are people who are our neighbors, our family members, and our colleagues.

There is no stigma to seeking care, and society needs to do a better job—as I believe this program is helping us to do—talking about mental health like all other health.

On the last day of October 2013, on the 50th anniversary of the Community Mental Health Act, which was the last bill President Kennedy signed into law in 1963, Senator STABENOW and I came to the floor to talk about that 1963 bill and how many things have been closed down because of that bill and how many things have not been opened to replace them when that happened.

In the decades that followed, about half of the proposed community health centers that bill anticipated just simply were never built, and the facilities used for people who had substantial mental health challenges were closed.

What really happened over these 50 years is that the emergency room and local law enforcement became the de facto mental health system for the country, and nobody has been well served by that, including law enforcement, emergency rooms, and most importantly, people with mental health challenges and their families.

The Excellence in Mental Health Act was signed into law in 2014 to try to begin to address that problem. What the bill did was it created a 2-year, eight-State pilot program that would

provide mental health care at locations that met the standards, just like any other help would be provided. These would be certified community behavioral health clinics that would have, among other things, 24/7 crisis services available, outpatient mental health and substance abuse treatment, immediate screenings, risk assessments, and diagnoses available, and care coordination, including partnerships with emergency rooms, the law enforcement community, and veterans groups. All of that would have to be done in order to be part of that eight-State pilot. Twenty-four States initially applied. Nineteen States went through the entire process. Eight States were chosen, including Missouri.

Among other things, our State participated in the Emergency Room Enhancement Project. This is a project that is designed to identify people who present themselves at the emergency room as people who really need treatment for addiction issues and mental health issues, not other health issues, and then get them to a place where that treatment is going to be much more appropriate than it is likely to be at the emergency room.

In just 6 months of working with the emergency room, law enforcement, and mental health services in our State, we think there has been a reduction in homelessness of people who came to the emergency room of about 72 percent and a reduction in emergency room visits of 72 percent. Unemployment was reduced by 14 percent among the people who have gone to the emergency room with a mental health concern, and law enforcement contact was reduced by 59 percent.

So we have 2 years of study that indicates where we have gotten in our State, and I think other States are seeing similar kinds of numbers. I have been to clinics all over our State and have talked with those who have dealt with this. I talked particularly with law enforcement people all over our State, who have seen the change in the people they are dealing with and the options they have available. Suddenly, the option is not just to go to somebody's house at a crisis moment in the middle of the night and be taken to the emergency room for one night to have that problem solved; the option is actually to go somewhere where your mental health challenge is being dealt with, just like if you had a heart attack or a kidney problem or some other problem.

That is why we have introduced legislation to extend this for another 2 years and, if money is available in the pay-for we have proposed, to see whether we can add more States to the program.

When we announced this new legislation, Laura Heebner, who is with Compass Health systems in Missouri, was one of the people who joined us. She said that in the past, before this program was able to help in our State, roughly half of the people who sought an appointment from their mental

health facility could not get scheduled for several days, sometimes several weeks, and half of the people didn't come back. If a person shows up that one time and says "I am here because I have a real problem and I need help" and the answer is "We are not going to help you today; we are not going to do an evaluation right now," more often than not or as often as not, they don't come back. So at Compass Health, as well as many of our other certified clinics in our State, we increased access. We established same day walk-ins to attempt to look at their problem and see if they needed help that day or could, in fact, come back a few days later for an extensive visit. At that facility and others, everybody is being seen when they come in. The suicide care path they established has reduced suicides by 70 percent since last year.

I will make two quick points as I conclude.

No. 1, the goal of this program is not for the Federal Government to take over the behavioral health costs of the country; the goal of this program is to look at mental health and keep track of 24 or 25 other healthcare markers and decide how much other healthcare is impacted in a positive and, in fact, a cost-saving way if you are dealing with mental health at the same time.

The second point I would make is that we need to see Congress step up in the next few days and extend the current program through the end of this spending year, and then let's have a debate about why 2 more years of putting all that information together gives States and communities the information they need to find out. As a result, I believe everybody will understand that it is not only the right thing to do, but fiscally it is the smart thing to do. By dealing with mental health like all other health, the overall healthcare cost of that big mental health community goes down dramatically if you are seeing your doctor, showing up for your appointments, and taking your medicine. Our other problems are much more easily managed when adding the cost of mental healthcare to all our other healthcare priorities. It isn't just the right thing to do, it is the smart thing to do.

Hopefully the Congress will deal with that and the Senate can take a leadership role in dealing with that. The House has already sent us a bill. We need to respond to that by doing the two things I just mentioned. Let's treat mental health like we treat all other health.

I yield the floor.

RECOGNITION OF THE MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader.

Mr. SCHUMER. Madam President, first, let me thank my friend from Missouri for what he and Senator STABENOW are trying to do on mental health. I know some States were included and other States were not, so I support that aspect of what he was talking about.

2020 CENSUS

Madam President, later today, President Trump will give a news conference in the Rose Garden about his attempts to create an Executive order to add citizenship questions to the 2020 census. That is outrageous. It is outrageous substantively, and it is outrageous because this President has so little respect for the rule of law. He thinks he can just issue Executive orders and go around the Congress, go around established law, and try to bully the courts. I believe he will be thwarted by the courts, and this will be a real test of John Roberts and the Supreme Court, whether they stand for the rule of law or are always looking for an excuse to move the country rightward. We will see.

Today, the Trump administration has provided no legitimate legal rationale for adding this question to the census. Just yesterday, the New York Times reported that Justice Department lawyers "resigned from the lawsuit out of ethical concerns and a belief that the suit was unwinnable."

Well, we all know what is going on. The Trump administration doesn't have a legitimate legal rationale. The true motivation was even clear before the papers of that deceased designer of this question came to light. The true rationale is blatantly political and self-serving. President Trump wants to include the citizenship question to intimidate minorities—particularly Latinos—from answering the census so that it undercuts those communities and Republicans can redraw congressional districts to their advantage.

The Census Bureau itself determined weeks ago that including such a question would result in a significant undercount. That alone is enough for disqualification. That is not what the Constitution says—manipulate the census so you don't get an accurate count. The President knows this. Yet he continues to pursue a cynical idea—typical of the President—cynical and against minorities, with no respect for the rule of law, mores, and values that made this country great. Day by day, he destroys them. Day by day.

The President's action is nothing more than a naked political power grab, which is one of the few things he is good at as President. It shows once again just how little respect the President has for our democracy. It is also one prong in the Trump administration's multifaceted attack on communities of color. They are doing another one today in addition to this, which I will speak about in a minute.

Let's not forget that the census is a constitutional mandate. It has been conducted impartially by Democratic and Republican administrations alike since 1790. It should be beyond the reach of partisan politics. But this President has such disdain for constitutional law norms and the rule of law that he will try anything to set the rules to his advantage, even if it means circumventing Congress and circum-

venting the courts. This is what dictators do in banana republics. They try to change the rules to consolidate political power no matter what their constitutions and rule of law say. The President is moving us in that direction, and our Republican colleagues are supine. They say nothing. Many of them know what he is doing is wrong, and knees clatter because they are too afraid to tell the President he is wrong.

The American people should be outraged about this. Republican Senators should be outraged about this, but, like so many other instances in which the President subverts our Democratic norms, the silence from Republicans in Congress has been deafening and degrading to the very fabric of this wonderful democracy that the President day by day tries—usually unsuccessfully, thank God—to undo.

IMMIGRATION AND CUSTOMS ENFORCEMENT

Madam President, on the ICE raids, last night the New York Times reported another thing President Trump was trying to do—ordering ICE to resume plans to carry out nasty deportation raids over the weekend. His plan will tear families apart and disrupt immigrant communities across America, including immigrants here legally and those in the process of legally applying for asylum. Cruelty. Cruelty seems to be the point of these raids. This is not an effort to root out dangerous individuals. This is an act of brutish force designed to spread fear in the immigrant community. Steve Miller whispers in the President's ear: Treat them cruelly. Make them afraid, and maybe they will not come.

They are going to come. The dangers in their home countries are much worse. What would any citizen do in America or any other place in the world if a gang came to you and said: I am going to rape your daughter unless you do what I want; I am going to kill your son; I am going to burn your House—you would flee.

These are not criminals. They are people trying to preserve their families, their children, their lives. Yet the President—egged on by some of the rightwing news media—tries to make Americans believe they are all criminals. Sure, if one of these folks is a bank robber or a burglar or hurts somebody, they should be out—one, two, three.

If they are simply trying to escape brutality, we still should have rule of law, but they should be treated with some decency, honor, and humanity. That has been the American tradition for some 200-odd years.

The President's policy is not only cruel—that is the worst of it—but it is brainless. When it comes to intelligently using our immigration resources, the administration should focus on the small minority that are actually criminals, not families and not 10-year-olds.

These raids will not make America safer. They will not solve our immigration challenges for the reasons I mentioned. They will, instead, terrorize innocent families and rip children away from their parents. I warn President Trump, the pictures of these raids aren't going to be pretty. Average Americans who may agree with him on many issues will be appalled.

President Trump, you are going to have to back off from this cruel policy because the American people are a lot better than you. They will see the pictures. What are they going to do with a father driving his child to school? Will they stop the car, pull the father out? They have done that. Will they let the 8-year-old sit in the car traumatized? They have done that.

President Trump, mark my words, there will be a huge backlash against this. The American people are not cruel like you in this regard.

I would plead with the President to call off these raids. We Democrats have proposed real solutions to the same migration problems that will stop the influx or greatly reduce the influx at the border. We would simply say: Let these would-be immigrants from Nicaragua and El Salvador and Honduras apply for asylum and beef up the number of immigration judges so they can get an adjudication quickly. If they are turned down, they can't come. Tough luck. If they get asylum, they should be welcomed here as America has always welcomed people, as that great Lady in the Harbor of the city I come from has done for centuries. That is the solution.

We should also help these countries go after the gangs that are making the people flee. Go after MS-13 down there. Go after the drug dealers. Go after the coyotes. It was working in the last few months of the Obama administration and even the first few months of the Trump administration, until the President rescinded the policy because he got mad at somebody, which is typical of how he operates. That is what we should do.

Until then, when these folks get to the border, I call on the President to work with us to put an end to the cruelty that the migrants are being shown when they come into U.S. custody. They are a small percentage of the people in this country. It is not a large number in terms of our total population.

Another round of reports this week describes the horrid conditions endured by migrant children at our border. Facilities built for no more than 100 people are now housing up to 700 children. Many have nothing to sleep on, no change of clothes, and sometimes not enough food. These are reports from the President's own executive agencies, not from someone outside. In Arizona, these kids are reportedly being abused. CBP agents use racist slurs, deprive them of sleeping mats and, in one case, according to the report, potentially assaulted a 15-year-old girl. It is barbaric. It is not American.

We need to put an end to this behavior now. We have just passed a supplemental appropriations bill to provide more resources to improve conditions and speed the asylum process, but it didn't go far enough. That is why, later today, I will join with my colleagues Senators MERKLEY and FEINSTEIN to introduce the Stop Cruelty to Migrant Children Act. This new legislation would establish mandatory standards for the appropriate and humane treatment of children. It would make it easier for children to be connected with sponsors and legal counsel, and it would, once and for all, end the inhumane practice of separating families, pulling children—even little children—away from their parents. Democrats have been fighting for these provisions for months. We were able to secure some of them in the last border supplemental, but unfortunately our Republican colleagues blocked many additional provisions from going into the bill. This new legislation marks a clear bright line of what is left to be done. Now the only question that looms is, Will Leader MCCONNELL finally stand up for the children and work with us to pass these new standards into law?

I want to thank Senators MERKLEY and FEINSTEIN for working on this very important bill. It is a necessary step to restoring America's moral credibility. A nation as powerful as ours has no need or right to treat the weak and suffering this way. We can deal with our immigration issues with dignity, common sense, and rule of law. The bill is how we get that done.

CHINA

Madam President, yesterday it was reported that President Trump told President Xi of China that the United States would tone down its criticism of Beijing's approach to Hong Kong in order to revive our trade negotiations.

If these reports are true, once again, President Trump has made another error when it comes to China, for two reasons. First, it is crucial always for the United States to stand up for democracy, human rights, and civil liberties everywhere—to be the "shining city upon a hill" that John Winthrop talked about 375 years ago. From Tiananmen Square to Tibet, from the brutal suppression of the Muslim minority Uighurs to the recent protests in Hong Kong, China's human rights record has been an abomination. They want to join the family of nations and be treated equally, but in some ways they are like a Third World dictatorship.

America used to champion religious rights, minority rights, and democratic values abroad. It helped us in immeasurable ways, not just morally but economically and politically. It gave us strength. It gave us the moral high ground that the Scriptures have always said was important in human dealings. Unfortunately, under this President, that doesn't happen.

Second, the idea that going easy on China's human rights record will ease

trade talks is exactly backward. I know China. They respond to strength, not flattery or capitulation. Every time the President gives in to President Xi, President Xi smells weakness and says: I can get more out of the Americans.

I generally am supportive of the President on a tough policy toward China on trade. China has ripped us off over and over again, but the way to win is to show strength. On some days, the President does, and a week later he backs off. There is no consistency. The Chinese smell that they can outfox the President. Backing off from fully telling Huawei they can't operate was a huge mistake. Huawei, with these exceptions, if they are given broadly, will gain economic strength. Huawei is a national security problem, but it is also a trade problem. When China steals our intellectual property, as Huawei has done, why do we then allow them to come into this country when they don't allow our best tech companies to go into theirs? It is ridiculous.

The President's instincts are right, but he is never consistent about them. The way to speed successful trade talks, where America secures real and enduring concessions, is to keep the full-court press on Beijing, on human rights, on foreign policy, and certainly on trade. President Trump must not be weak on China for the sake of America's role as a champion of democracy and for the sake of driving China to accept meaningful reforms to its predatory trade policies.

I yield the floor.

THE PRESIDING OFFICER (Mr. SCOTT of Florida).

The Senator from Illinois.

BORDER SECURITY

Mr. DURBIN. I want to thank my colleague and friend, the Democratic leader, Senator SCHUMER, for raising the issues of immigration.

We are at a moment in the history of this country that I am sure will be reviewed and reflected upon for many generations to come. Decisions that are being made in the White House today in the area of immigration will be criticized, analyzed, and in many cases repudiated in years to come. It is time for us, at this moment, to have a sober reflection on what this administration has done in 2½ years with the issue of immigration and where we stand at this very moment.

This President came to the White House promising he was going to get tough on immigration—immigration. Probably at the heart of America, more than anything, has been the issue of immigration. We are a nation of immigrants. My mother was an immigrant to this country.

I believe the diversity of our Nation is one of our core strengths because we have attracted people from all over the world. This President doesn't understand it. If he does, he is not pushing policies that show any reflection on that reality and that historic background.



Think of how this administration started. Within hours after this President was elected, he announced the Muslim travel ban; that he would single out countries with Muslim-majority populations and say that their people were not welcome in the United States. The reaction was immediate across the United States. In the city of Chicago, I can remember the supporters of those coming from other countries heading out to O'Hare and attorneys volunteering to give them counsel. There was an outpouring of support for these people, realizing that fundamentally innocent people were traveling to this country. Yet the President, with his travel ban, made it clear from the very start of his administration his view on these immigrants.

What followed from there was a decision by this administration to eliminate temporary protective status. Three hundred thousand immigrants in this country came here because of natural disasters and political upheaval and got protection in the United States. The President wanted to turn them away. Was there any measurement as to which ones might be dangerous? No. All would be turned away.

Then, of course, there was the President's decision to eliminate the DACA Program. The DACA Program was created by President Obama. These people were brought to the United States as children because of decisions by their parents. They grew up in this country, and every day in classrooms they pledged allegiance to that flag, believing it was their flag too. At some point in their lives, they learned they were undocumented. They didn't have legal status in America. President Obama felt—and I, as a sponsor of the Dream Act, agreed with and encouraged the creation by Executive order of the DACA Program. So 790,000 of these young people came forward, paid a filing fee, went through a criminal background check, and after they were approved, they were given 2 years to stay in the United States, renewable, where they couldn't be deported, and they could work legally in this country. That program, as I said, attracted 790,000 successful applicants, many of them outstanding students and amazing young people. I told their stories on the floor of the Senate. President Trump decided to abolish that program and to end the protection for these young people—790,000 of them.

That wasn't the end of it. The President continued with policies such as zero tolerance. Do you remember that one? Last year, the Attorney General of the United States stood up and quoted from the Bible as to how it was the right thing to do to separate 2,880 infants, toddlers, and children from their parents at our borders. Zero tolerance; treat the parents like criminals and separate the kids.

What was worse was that no effort was made to track those children as to where they were placed and what happened to their parents. It wasn't until

a Federal judge in Southern California came forward and forced this administration to finally match up the children with their parents that the effort was undertaken, and still more than 100 of them were never matched—lost in the bureaucratic sea of the Trump administration. That wasn't the end of it by far.

What we have seen at the border in the last several months has been shocking and unprecedented in American history. This "get tough" President, who says he is going to cut off foreign aid to countries in Central America and get tough at the border with his almighty wall, has ended up attracting larger numbers of people who are presenting themselves for asylum status at the border of the United States than we have ever seen—dramatic increases we haven't seen for decades with regard to the number of people at the border. The President's immigration policy has backfired.

The PRESIDING OFFICER. The Senator's time has expired.

Mr. DURBIN. Mr. President, I ask unanimous consent to speak for an additional 2 minutes.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. DURBIN. The net result of this has been the announcement by the administration that, come Sunday, we will see mass arrests and deportations in this country. Reports from the New York Times are that thousands will be rounded up, arrested, and deported. When possible, they say, family members will be arrested together and will be held in family detention centers.

Have these people committed crimes since they have been in the United States? There is no evidence of it. It is simply the fact that they are undocumented at this moment, and many of them may have lived here for years. These arrests and mass deportations are going to create fear in communities across the United States, including in the city of Chicago, which I am honored to represent. For what? It will not make America safer for us if we deport these people. Sadly, it is going to mean that their families will be torn apart and that there will be more children and families in detention.

We were told there was a humanitarian crisis and that we needed to apply ourselves and make certain that we had billions of dollars to deal with it, and we did. Now the administration has turned around and announced a new wave of splitting up families and deporting them from the United States. This is not what America is all about. There is a way for us to deal with immigration in a sensible, thoughtful, rational way. Cruelty has no place in the history of this country, and it has no place when it comes to the treatment of those who are in the United States today.

I yield the floor.

VOTE ON ROBERT L. KING NOMINATION

The PRESIDING OFFICER. Under the previous order, the question is, Will

the Senate advise and consent to the King nomination?

Mr. BARRASSO. Mr. President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The senior assistant legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 56, nays 37, as follows:

[Rollcall Vote No. 200 Ex.]

#### YEAS—56

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

#### NAYS—37

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

#### NOT VOTING—7

Bennet	Harris	Warren
Booker	Heinrich	
Gillibrand	Sanders	

The nomination was confirmed.

#### EXECUTIVE CALENDAR

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

The senior assistant legislative clerk read the nomination of John P. Pallasch, of Kentucky, to be an Assistant Secretary of Labor.

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

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

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.



The clerk will call the roll.

The legislative clerk called the roll.

Mr. DURBIN. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 54, nays 39, as follows:

[Rollcall Vote No. 201 Ex.]

#### YEAS—54

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

#### NAYS—39

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

#### NOT VOTING—7

Bennet	Harris	Warren
Booker	Heinrich	
Gillibrand	Sanders	

The nomination was confirmed.

The PRESIDING OFFICER. Under the previous order, the motions to reconsider are considered made and laid upon the table, and the President will be immediately notified of the Senate's 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 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 Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

Mitch McConnell, Steve Daines, John Thune, John Cornyn, James M. Inhofe, Pat Roberts, Mike Crapo, Chuck Grassley, Richard Burr, John Barrasso, Jerry Moran, Roy Blunt, Shelley

Moore Capito, John Boozman, Johnny Isakson, Thom Tillis, 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 the nomination of Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The senior assistant bill clerk called the roll.

Mr. SCHUMER. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from Illinois (Mr. DURBIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from New Mexico (Mr. HEINRICH), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The yeas and nays resulted—yeas 53, nays 39, as follows:

[Rollcall Vote No. 202 Ex.]

#### YEAS—53

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

#### NAYS—39

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

#### NOT VOTING—8

Bennet	Gillibrand	Sanders
Booker	Harris	Warren
Durbin	Heinrich	

The PRESIDING OFFICER. On this vote, the yeas are 53, the nays are 39.

The motion is agreed to.

#### EXECUTIVE CALENDAR

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

The PRESIDING OFFICER. The Senator from Texas.

#### MISSING PERSONS AND UNIDENTIFIED REMAINS ACT

Mr. CORNYN. Madam President, tomorrow I will join some of my colleagues from the Senate Judiciary Committee, as well as the Vice President, for a trip to McAllen, TX. It is a beautiful city, nestled in the heart of the Rio Grande Valley.

This region is home to a lot of history, a vibrant culture, and people whose generosity has made national headlines over the last period of time as they have worked to manage the humanitarian crisis that has ended up on their doorstep.

For each of the past 4 months, more than 100,000 migrants have crossed our southern border and presented themselves to the Border Patrol. This has placed an unbelievable strain on Federal, State, and local law enforcement, as well as the cities, the counties, and nongovernmental organizations that have tried to step in to help.

After 10 weeks from the point when it was requested by the President, Congress finally passed a bipartisan bill to provide funding for the Federal departments and agencies working to manage this crisis and make \$30 million available as reimbursement to local governments for paying bills that legitimately and fairly should be those of the Federal Government. This is an important step to help manage this humanitarian crisis, but it is far from a permanent solution. You can say we are really dealing with the effects and not the causes. The truth is, we need to pass legislation in Congress that makes lasting changes to our immigration system, particularly our system whereby people apply for and receive asylum, so we can prevent this humanitarian crisis from becoming the norm.

We can run, but we cannot hide from the fact that only Congress can solve this problem. To that end, I have introduced bipartisan legislation called the HUMANE Act, with my friend and colleague in the House, HENRY CUELLAR, that would make significant progress in doing exactly that. This is the only bipartisan, bicameral bill that I believe would help staunch the flow of humanity across the border and deal with the underlying causes. Our bill would close a major loophole that is being exploited by the human smugglers that serves as a pull factor for those who want to come to the United States illegally. It would also ensure that migrants in our custody receive the proper care and streamline the processing of those who cross our border. It is an important step to address this crisis at its source as well as to provide relief for folks along the entire U.S.-Mexico border who have been impacted. We need to pass this bill and pass it quickly and get it to the President's desk for his signature.

While the compassionate response of our local communities has become national news in recent months, Texans

have long known they have been the ones left alone to step up to assist migrants who arrived in poor health, many times with nothing but the clothing on their back. They provide warm meals, a safe place to sleep, and some of the basic necessities of life before these individuals head off to communities across the United States where they await their court dates with immigration judges.

Sadly, those of us who live in border States have also seen the toll this treacherous journey takes on migrants, and we have had to face the dark reality that many don't survive the journey from Central America across Mexico into the United States. Migrants travel with human smugglers known as "coyotes," who are all too willing to leave their customers for dead if they become sick or injured. I have seen photos and, of course, heard heart-breaking stories from the Border Patrol, as well as local officials and ranchers, about finding the remains on ranches or open terrain along the border of those who died in the desert trying to make their way to the United States.

I have been to Sacred Heart Cemetery in Brooks County, TX, near the Falfurrias checkpoint, where I saw graves of these unknown who are labeled with terms like "skull case," "bones," and "unknown female."

Here is a chart of a photograph depicting one of those graves. As you can see, it is marked "unknown male." Literally, the remains are identified not by the name but, in this case, by the sex, obviously listing the fact that they are unknown.

This is not a rare occurrence. While exact figures are hard to find, there is no question that thousands of migrants have died while attempting to enter the United States illegally. It is one of the toughest parts of the job for Border Patrol, and it takes a toll on communities as well that are obligated to do what is right to ensure the dignity of the deceased.

The process of identifying these remains is expensive, and it also often falls on local taxpayers, like the taxpayers of Brooks County, TX. Frankly, they don't have the tax base and can't afford to deal with this without our help. We know they have limited staff and budgets, and it puts serious strain on local resources. It is an issue I have worked on for a number of years.

I will soon be reintroducing a bill I authored last year to provide some relief. It is called the Missing Persons and Unidentified Remains Act. It will provide local jurisdictions with the resources they need to identify the remains of those who died along the border and solve missing persons cases. This bill will expand the eligibility for jurisdictions to receive grants through Jennifer's Law and make desperately needed funds available. With this expansion, State and local governments, forensic labs, medical examiners, non-profits, and others will be eligible to

receive funding to support their work. They will be able to use these grant funds to support transportation, processing, identification, and reporting.

These funds can also be used to hire additional analysts, technicians, and examiners to support identification as well as purchase the necessary state-of-the-art equipment.

This legislation would take steps to improve the recording and reporting of missing persons and unidentified remains, which is a major challenge, particularly when it comes to notifying family members.

I have the great honor of representing more than 28 million Texans. I know that in order to do my job—as all of us attempt to do—we need to listen to our constituents and act on suggestions they make to us. The Missing Persons and Unidentified Remains Act is a prime example of that. Border communities have borne the brunt of the humanitarian and security crisis at the border, and they are often forced to do the job of the Federal Government without any help from the Federal Government.

This bill would go a long way helping to defray some of those costs. It would provide additional resources to local communities working to identify those who have gone missing as well as process unidentified remains and invest in the forensic equipment needed to provide closure to families in the United States and abroad.

I appreciate the feedback of the folks who live and work in our border communities, and I look forward to heading to the Rio Grande Valley tomorrow with the Vice President and a number of my colleagues on the Judiciary Committee to hear more about the challenges they are facing.

I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mrs. BLACKBURN. Madam President, as I begin my remarks, I would like to thank the Senator from Texas for the work he has done on arranging our travel to the border tomorrow. I am one of those committee members who will make that trip.

How wonderful it is that he is working with Chairman GRAHAM to make certain that we are going to be able to visit with the Border Patrol to see and hear firsthand what is going on, making certain that we all focus on the security of this great Nation and provide the resources that are needed. I thank him for that good work.

#### ONLINE PREDATORS

Madam President, I want to talk about another issue that is related to what is happening when it comes to trafficking. This has to do with our children.

In 2017, ICE agents arrested Francisco Javier Soledad on charges of producing child pornography using the popular social media app Snapchat. He assumed a variety of false identities—first a teenage boy, later an adult woman—and coerced at least six under-

age children into sending him sexually explicit pictures and videos. When one victim realized this was wrong and attempted to block Soledad's account, Soledad turned around and threatened this child—threatened him—with posting this video on social media unless—guess what—he sent more videos. He did that on Snapchat.

Imagine this happening to a frightened child. Imagine this happening to a child who is close to you. Unfortunately, it is not an isolated incident.

Matthew Murphy, of Massachusetts, was recently charged with the sexual exploitation of children after he posed as a teenage girl in order to extort nude photos from a middle school-aged boy. Again, it was via Snapchat. Federal investigators found evidence that Murphy used his fake account to victimize other children in the area.

Before I continue, let's talk about exactly what is happening here, which is horrific. Pedophiles are using popular social media apps to trick underage children into creating and distributing homemade pornography. If we are going to talk about these things, we have to be focused and direct on what is happening here and on the distribution methods that are being used.

By its very nature, Snapchat is a child predator's dream. Its auto-delete feature allows individuals to ensure their pictures and videos will erase themselves after only a few seconds. Its public location-sharing feature allows anyone, even underage children, to share their locations in real time. If left in public mode, the Snap Map will reveal their locations and their Snap video feed to complete strangers. Even if underage users haven't fallen prey, they are still exposed to provocative and age-inappropriate material via the app's Discover feature—recommendations generated by Snapchat itself that are free from parental control or monitoring.

If you have guessed that some of these channels specialize in porn and suggestive content, you would be right. It is not small business. The 2018 revenue for Snapchat was \$1.18 billion. How many teen users has it attracted? There have been 16.4 million children exposed to what I have just laid out. That is why, this week, I sent a letter to Snap executives and asked how they plan to fight this predatory behavior and if they will give parents more control over the content to which their children are being exposed. To their credit, Snap executives have already reached out and responded, and it is my hope that they will take these questions seriously and do something about this—do something about their ratings, do something about the Discover section, do something about how it leads children to these pornographic sites.

As we talk about social media, I think it is also important to note that Snapchat is not the only offender.

Last month, I and my friend and colleague Senator BLUMENTHAL sent a letter to YouTube and asked why the

video service's recommendation mechanism continues to push content that involves children being in suggestive or exploitative situations. By "suggestive or exploitative," I mean content that features partially clothed children—children in bathing suits and children dressing and undressing themselves.

YouTube's recommendation system works by promoting similar videos to the one the user is already watching, which means that, by design, one vile video can lead to another and another and another until the user is buried in smut that shouldn't even exist. The comments on these videos have turned into a predator's chat room that allows users to share time stamps that mark the most explicit moments in a video.

YouTube did disable comments in videos that involve children, but its algorithms continue to push this content via the recommendation feature. YouTube needs to stop this. It needs to fix this.

The point of describing these things is not to throw individual companies and their technologies under the bus, but it is crucial that we understand that even at home or at school, our children are very vulnerable and exposed. Even benign technology that doesn't necessarily expose children to pornography can pose a risk.

In 2015, the Electronic Frontier Foundation filed a complaint with the Federal Trade Commission against Google. It alleged that the tech giant's Google for Education program was exploiting minors' personal information and potentially exposing it to third parties. Think about that. It was exposing their information to third parties.

The Chromebooks that were issued to students were loaded with Google Sync, which allowed for the collection and storage of students' browsing history, information, and passwords. Program administrators were given complete access to a cloud system, which allowed them to alter settings. This exposed students' data—educational data and personal data—including physical location data. This was exposed to Google's development team and to third-party websites. One wrong click would expose students' "virtual you"—their presence, all of their information—online.

In Tuesday's Judiciary Committee hearing, I asked the founder and CEO of Protect Young Eyes, Christopher McKenna, what steps he would take, what he would recommend, to protect our children from online predators. His answer was really simple: Give parents the option to control content access, and don't hide the tools that are necessary to do this. Give them to the parents. Make certain that they have them.

Now, I am not suggesting a takeover or a ban of these social media apps, and I am not suggesting we drop a regulatory anvil on these companies. What I am suggesting is that we should not have to ask the makers of popular dig-

ital services to stop catering to child predators. They should choose to recognize that predators lurk in every corner of society, and they should change the age ratings on these apps. They should issue the warnings to parents. They should choose to make parents aware of what a simple click or a tap on a screen might unlock right before their children's eyes. They should choose to stop this horrific cycle of dehumanization and exploitation before it begins. They should choose to work with us to make certain that consumers have all of the information they need.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Hampshire.

#### AFFORDABLE CARE ACT

Mrs. SHAHEEN. Madam President, on Tuesday, the Fifth Circuit Court of Appeals heard oral arguments in the Texas v. United States case to overturn the Affordable Care Act. Unfortunately, although the Affordable Care Act is currently the law of the land, the Department of Justice—our Nation's highest law enforcement authority—was not there to defend the law of the land, the Affordable Care Act. The DOJ was not there because it had been instructed by this President and this administration to join the effort to overturn the Affordable Care Act.

Sadly, the stakes of the Texas v. United States litigation are profound. This year in New Hampshire alone, approximately 90,000 Granite Staters obtained health insurance coverage through the Affordable Care Act's Medicaid expansion or through the ACA's health insurance marketplaces. Across the country, more than 17 million Medicaid expansion enrollees and 11 million people in the marketplaces' health plans depend on the Affordable Care Act for their coverage. Yet the Department of Justice refuses to defend them. It refuses to defend the law of the land in court.

In this case, if the courts side with the Trump administration and the Republican attorneys general, millions of these people will return to the days when they were one cancer diagnosis, one medical complication, or one car accident away from medical bankruptcy.

The Affordable Care Act's coverage expansion is also our most powerful tool in combating the opioid epidemic. This is critically important in New Hampshire as we have the third highest overdose death rate from opioids of any State in the country. In New Hampshire, more than 11,000 people receive substance use disorder treatment thanks to the Affordable Care Act's Medicaid expansion, and many more Granite Staters are able to get substance use disorder treatment thanks to coverage obtained through the ACA's health insurance marketplaces.

Just think. Without the expansion of Medicaid, which is a bipartisan effort in New Hampshire, and without the ACA's health insurance marketplaces,

we would have thousands of people affected by substance use disorders who would not be able to get treatment. There is no plan B if the Affordable Care Act is overturned.

In 2017, a mother named Nansie, from Concord, wrote to my office. I will not use her last name.

I ask unanimous consent to have printed in the RECORD Nansie's 2017 letter.

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

DEAR SENATOR SHAHEEN: Thank you for giving me the opportunity to share my story about ACA. It saved my son's life.

Benjamin went to Keene State College with the same hopes and dreams many have when building their American dream. While there he tried heroin. Addiction overcame him but did not stop him from graduating. After graduation he suffered a long road of near death existence. After a couple of episodes where he had to be revived (fentanyl) he chose recovery. It was due to Obamacare that we were able to get him insured so that he could get the proper help he needed and a suboxone program that assisted him with staying "clean". In April it will be a year for Ben in his recovery. Without Obamacare this would not have been possible. In early 2016 we had very long waiting lists for rehab and then the ones with the means to pay were the first accepted.

I can't find the words to define my gratitude to President Obama. I believe my son would not be alive today if it were not for this plan that provided the means he needed to get the help he needed at the time he needed it. Ben still has a long road ahead of him but I will see to it that he never walks it alone.

It is one of my greatest wishes that one day I could shake President Obama's hand and thank him for providing the tools that saved my son's life.

Sincerely,

NANSIE J. GARNHAM FEENY.

Mrs. SHAHEEN. Madam President, in Nansie's letter, she writes:

The ACA saved my son's life. It was due to ObamaCare that we were able to get him insured so that he could get the proper help he needed and get into a Suboxone program that assisted him. Now, if the courts side with the Trump administration, this critical source for treatment and recovery could be ripped away.

We don't have enough time for me to go through the whole list of all of the benefits under the Affordable Care Act that will be lost if the ACA gets overturned. One of the benefits, though, that would be thrown out yet is critically important to the people of New Hampshire and across this country is that of the consumer protections against skyrocketing prescription drug costs. They will be gone.

A couple of weeks ago, I was at a hearing in the Committee on Aging, and we had someone from the FDA who was testifying. She talked about the fact that the major driver in prescription drug costs under Medicare and Medicaid was the cost of biologic drugs and that what was bringing down that cost was the pathway for biosimilars to create alternatives of those biologic drugs for those people. What she failed to point out was that this provision

was in the Affordable Care Act and that if the Affordable Care Act gets struck down, this provision will get struck down. Those increased costs that we have been seeing of those biologic drugs are going to continue going up.

What is probably even more important for most people in New Hampshire is that the Affordable Care Act includes a very important program that has closed the Medicare Part D coverage gap—what is called the doughnut hole—for prescription drug coverage. This program has saved New Hampshire's seniors an average of \$1,100 a year in Medicare prescription drug costs. These savings help to ensure that Granite Staters who have fixed incomes can pay their utility bills or put food on the table.

The court's decision could wipe out these critical Medicare savings for seniors, just as it could wipe out coverage for preexisting conditions, coverage to keep young people on their parents' insurance up until they are the age of 26, and coverage for essential health benefits, which means that mental health care and coverage for substance use disorder treatment are required by insurance companies to be covered.

So given what is at stake, at this point I want to offer a unanimous consent request that the Senate proceed to the consideration of S. Res. 134, which is a resolution I introduced to express a sense of the Senate that the Department of Justice should reverse its position in the *Texas v. United States* case and defend the Affordable Care Act.

UNANIMOUS CONSENT REQUEST—S. RES. 134

Mr. President, I ask unanimous consent that as in legislative session, the Judiciary Committee be discharged from further consideration of S. Res. 134 and the Senate proceed to its immediate consideration; further, that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

The PRESIDING OFFICER (Mr. YOUNG). Is there objection?

The Senator from Wyoming.

Mr. BARRASSO. Mr. President, reserving the right to object, whether you support the ObamaCare law or oppose it—and let me be clear, I oppose it—it remains the law.

This week, a Federal appellate court heard arguments related to the case of *Texas v. United States*, and I expect it will eventually end up before the U.S. Supreme Court.

Regardless of the outcome, our commitment remains to protect people with preexisting conditions. As a doctor, as a husband of a breast cancer survivor, I know the importance of making sure patients can have access to high-quality healthcare at an affordable cost.

Since the Obama healthcare law passed, this has not happened for many families to whom I speak at home in Wyoming. They keep telling me that

ObamaCare made their insurance unaffordable, and it has made it more difficult for them to get the care they need. Simply put, they know that the Obama healthcare law has failed because they have personally experienced the law's sky-high premiums and fewer choices.

It has taken Washington Democrats a little longer to figure that out. Now they are clamoring for a one-size-fits-all healthcare plan. They want a healthcare system controlled by Washington bureaucrats, and as a doctor, my focus is on making healthcare better for patients, period.

Republicans in the Trump administration are taking on the tough issues facing patients across the country. We eliminated the individual mandate so that patients aren't punished for refusing to buy insurance they cannot afford. We support more insurance choices, such as association health plans, so folks can find the best coverage for themselves and their families. We are taking on the drug companies. Congress has already eliminated gag clauses, and more reforms are on the way. Finally, with the President's support, we are going to end surprise medical bills. Simply put, Republicans want patients to pay less for the coverage they already have.

Democrats want to take away people's health insurance, especially the coverage they get through their work. It is simply wrong. The question is whether Washington Democrats are interested in actually solving the problem or playing politics.

Therefore, I object.

The PRESIDING OFFICER. Objection is heard.

The Senator from New Hampshire.

Mrs. SHAHEEN. Mr. President, I knew my colleague from Wyoming was going to object. I am disappointed in his objection, and I know he is a doctor. I believe he cares about his former patients. I believe he cares about providing healthcare to his constituents, as I believe all of my colleagues care about that.

That is why I am so puzzled by why there has been a 9-year effort to try and undermine the Affordable Care Act and the healthcare that it provides to people in this country.

As I said earlier, there is no followup plan that will provide coverage for people with preexisting conditions if the Affordable Care Act is overturned. There is no followup plan that will provide coverage for people with substance abuse disorders, for mental health coverage. That is all going to go out the window.

By failing to send a clear message to the Justice Department that they should defend the Affordable Care Act, we are putting access to care at risk for millions of Americans across this country.

What we should be doing—and we should have done it as soon as the effort to overturn the Affordable Care Act was defeated in 2017—is working

together to put in place changes that make the Affordable Care Act work better. We should be looking for ways to provide coverage to people that is affordable, that provides quality healthcare, that is accessible to every American. Instead of that, we have no plan B. There is no bill that would provide coverage if this administration is successful in overturning the Affordable Care Act.

I am very disappointed, though not surprised, by the reaction from my colleague from Wyoming.

I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

NOMINATION OF PETER C. WRIGHT

Mr. CARPER. Mr. President, I rise in opposition today to the nomination of Peter Wright to serve as the Assistant Administrator for EPA's Office of Land and Emergency Management.

I take little joy in opposing the nomination but do so for three reasons. Before I say those three reasons—I stood on this floor right up until the end of the last Congress, trying to get Peter Wright confirmed with a unanimous consent approach, and we failed at the very end.

The irony of it is, having stood here and tried to get him confirmed at the end of the last Congress and today being in a position in which I am asking for us to postpone, at least for today, his nomination—there is an irony there, and I don't have the time to go into all of the reasons, but I will mention a few of them.

In the last Congress, I worked with the EPA to negotiate a set of significant policy concessions that I believe would have allowed the Senate minority to agree to a more expeditious confirmation process for Mr. Wright.

I worked diligently until the closing of the last Congress—right until the bitter end, if you will—to achieve that objective, as I have done in good faith for other EPA nominees.

In fact, the very last nominee confirmed in the last Congress was an EPA nominee to head the Agency's Tribal Office, Chad McIntosh. My staff and I and others were very much involved in getting him confirmed.

In this Congress, EPA has refused to reengage with my office, with our committee staff, or with me on this nomination. The Agency no longer agrees to the policy concessions that I previously secured and to which they had previously committed in the last Congress. While this has been a real disappointment for me, unfortunately, it is hardly a surprise, given the increasingly extreme policy and tone of this EPA.

Second, EPA, under Mr. Wright's leadership for the past year, has failed to advance an area of policy that is critical to me and to many other Senators, and that is the regulation of PFAS chemicals known as permanent chemicals. Per- and polyfluorinated alkyl substances, known as PFAS, are a class of manmade chemicals that includes something called PFOA, PFOS,

GenX, and many other chemicals. Developed in the 1940s, PFAS can be found across industries in many products, including food packaging, nonstick pans, clothing, furniture, and firefighting foam used by the military.

Just this week, Donald Trump said: “We have the cleanest water we have ever had.” The President has often made this statement while asserting his commitment to ensure that our drinking water is safe.

In his confirmation hearing, EPA Administrator Andrew Wheeler said:

It is these Americans that President Trump and his Administration are focused on, Americans without access to safe drinking water or Americans living on or near hazardous sites, often unaware of the health risks that they and their families face. Many of these sites have languished for years, even decades. How can these Americans prosper if they cannot live, learn, or work in healthy environments? The answer is simple. They cannot. President Trump understands this and that is why he is focused on putting Americans first.

That is from Andrew Wheeler, now our EPA Administrator.

Yet under Peter Wright’s leadership for the past year, EPA’s Office of Land and Management has failed to heed these words. Peter Wright serves on a temporary basis without confirmation.

I think we have a poster here that is relevant.

A study released today by the Environmental Working Group identified 712 locations in 49 States that are contaminated with PFAS—712 locations in 49 States that are contaminated with PFAS—from coast to coast, from our Canadian border to the Gulf Stream waters.

Just last year, the town of Blades in the southern part of Delaware alerted its 1,250 residents to stop using public water for drinking and cooking because of PFAS contamination at nearly twice the Federal health advisory level.

Just an hour from Blades, up north on Route 13, officials at the Dover Air Force Base found that 36 of the 37 sampled ground water wells showed dangerously high levels of PFOS and PFOA, related to, we believe, the use of chemicals in firefighting foam at the base.

It is not just Delaware. PFAS contamination is widespread, in red States, in blue States, in small water systems and large ones, on military sites and in residential areas, from Maine to Alaska.

While industrial manufacturers and users of these chemicals are responsible for much of the contamination, it turns out that a principal user of PFAS was our military.

I speak as a retired Navy Captain speaking here to a Presiding Officer who is a marine, and for us it is personal and part of our history in the military.

But it turns out that a principal user of PFAS was the military, which used it as a firefighting foam, as I said earlier.

In 1973, I was a young naval flight officer stationed at Moffett Field naval

air station in California, and on a sunny April day, as I was driving into work from my home in Palo Alto, I saw a big, black plume of smoke rising above my base after, as it turned out, a massive NASA Convair jet descended on runway. We had parallel runways, and air traffic control had directed two aircraft to land on the same runway at the same time. As a result, the large NASA Convair jet descended on a runway where a P-3 aircraft—my sister squadron’s aircraft—had already landed and was taxiing, and the larger aircraft literally landed on top of the smaller aircraft.

It took over an hour for firefighters to control the blaze. Sixteen people died, and only one crewman on the P-3 survived. These were my brothers and sisters. These were my sister squadron mates.

I understand that PFAS-containing foam has supported our military readiness and saved lives better than most, but the cruel irony is that when PFAS winds up in a glass on the kitchen table, these same chemicals endanger lives.

The Environmental Working Group—that is the name of a group—has identified 117 military sites, including 77 airfields, with PFAS contamination because of the use of PFAS-containing foam to both train for and fight fires involving highly flammable jet fuels.

Yet in many States, cleanup of these sites has been stalled, and the military has shockingly been part of the problem.

In May of last year, 2018, then-EPA Administrator Scott Pruitt held a PFAS National Leadership Summit and proudly announced four “concrete steps” that EPA would take to address PFAS contamination. The second of these four steps was that EPA would propose designating PFOA and PFOS—two of the most dangerous, troubling elements in this class of chemicals—as hazardous substances under the Superfund law. That was more than a year ago.

Making that designation would compel the Defense Department to stop fighting cleanups in States all across the country. Indeed, in some cases, the Defense Department has justified its refusal to clean up PFAS contamination on grounds that the Superfund designation has not yet been made.

Designating these substances as hazardous would also unleash EPA resources to address cleanups of orphan sites where there is no identified liable polluter.

Despite Scott Pruitt’s commitment to move forward with the designation of PFAS as a hazardous substance under the Superfund law, under Peter Wright’s watch, EPA hasn’t even proposed—has not even proposed—to do that, let alone finalize the action. At this rate, it will be at least another year, maybe longer, before this vital step will be taken. Americans deserve better than this, and they deserve greater urgency on this issue.

Last month, the U.S. Senate, right here, passed its National Defense Authorization Act, which included several important bipartisan provisions to address PFAS contamination. Notably, I could not even secure an agreement to allow a vote on my amendment that would designate PFAS as hazardous substances under the Superfund law. I did not get a vote on my amendment, despite the fact that 35 Democratic and Republican cosponsors on bipartisan legislation clearly signaled their support for this policy. Meanwhile, EPA continues to drag its heels, acting with far more urgency to repeal environmental regulations than to clean up the water our government’s own activities have inadvertently contaminated. Mr. Wright will have the ability to make this hazardous substances designation for PFAS if he is confirmed. Let me say that again. Mr. Wright will have the ability to make this hazardous substance designation for PFAS if he is confirmed. He should hear strongly from this Senate our collective desire that he urgently do so.

It was my hope that, despite the many disagreements my colleagues and I have had with the Trump EPA on their views on climate change and some environmental rollbacks, there could at least be some commonsense agreement on the need to clean up widespread PFAS contamination. That has not been the case, at least thus far.

Third, and finally, a late-breaking matter came to the committee’s attention this week regarding an ethics investigation into Mr. Wright’s financial disclosures. Chairman BARRASSO and I received news from the White House Office of Government Ethics, known as OGE, that Mr. Wright, despite numerous written assurances to the contrary, held stock in DowDuPont at the time he filed his nominee financial disclosure report and continued to do so until this March 12, a couple of months ago. Although EPA believes that Mr. Wright has complied with all applicable ethics laws during that period of time, OGE, the Office of Government Ethics, asserts that it currently lacks the information necessary to make such a determination or to send a completed amendment to his ethics agreement and financial disclosure report to our committee.

OGE, Office of Government Ethics, felt compelled to share this information with the EPW Committee because of its direct relevance to the Senate’s consideration of Mr. Wright’s nomination today.

In light of the ongoing OGE investigation, I would implore my colleagues to delay the Senate’s consideration of Mr. Wright’s nomination for the time being. I don’t suggest delaying consideration of this nominee lightly. Again, I was one of the key people standing in this Chamber back at the end of December trying to get this man confirmed. In fact, any delay in the Senate’s confirmation and the Senate’s consideration of Mr. Wright’s

nomination would not prevent him from continuing to serve in his current capacity, as he has done since he first arrived at EPA in an acting capacity on July 9, 2018.

I strongly believe we must afford OGE—Office of Government Ethics—and EPA the opportunity to complete their investigations into this matter and fully share all relevant information, for both the sake of Mr. Wright and for the Agency. If the facts are as described by EPA, then a completed investigation would be to Mr. Wright's benefit. Let me say that again. If the facts are as described by EPA, then a completed investigation would be to Mr. Wright's benefit.

Let me close by saying, if, however, OGE and EPA reach a different conclusion, such information would be directly relevant to every Senator's deliberation when voting whether to confirm Peter Wright to the position of Assistant Administrator in the Office of Land and Emergency Management at EPA.

From conversations I had with EPA yesterday, it is my understanding that EPA is working to get the relevant information to OGE to provide to the Senate. Proceeding with the consideration of this nomination while resolution of this ethics matter between EPA and OGE is pending I think deprives the Senate of important and relevant information. I have urged delaying this vote today. I would do so again. In the absence of that delay, along with the other reasons I mentioned, I will vote no on the motion to proceed to the nomination of Peter Wright. I urge my colleagues to do the same.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Mexico.

Mr. UDALL. Mr. President, let me, at the beginning, thank Senator CARPER for his incredible leadership on the Environment and Public Works Committee. He has a very good bill on cleaning up PFAS. I have signed on to it, and I am going to talk about some of the damage in New Mexico. As Senator CARPER knows, this is a nationwide problem that the Department of Defense has major responsibility for.

This is a photograph of Art Schaap at his dairy farm in New Mexico, where he owns 4,000 head of cattle. Art's farm is located outside of Clovis, in the central part of the State, adjacent to Cannon Air Force Base.

Art is a second-generation dairy farmer. He and his family worked hard to build this dairy, keep his cows healthy, and provide nutritious milk to New Mexico and the Nation's consumers, but today Art will dump 15,000 gallons of milk. That is enough milk to give 240,000 children a carton of milk with their school lunch. He will dump another 15,000 gallons tomorrow and the next day and the next day.

Why is Art dumping all of this milk? Because highly toxic contaminants from Cannon Air Force Base have polluted the groundwater he uses to water

his cows. The groundwater Art uses for his cows and for his family's drinking water is polluted by a group of toxic chemicals collectively known as PFAS.

We know PFAS are dangerous to humans. They are associated with increased risk of liver, testicular, kidney, and pancreatic cancer. They are linked to altered puberty, endocrine disruption, pregnancy disorders, and lowered fertility.

Art's dairy is ruined. He can't sell his milk. He can't sell his cows. He can't sell his property. He is spending thousands of dollars to maintain his cows and dump milk. In fact, the PFAS levels in Art's groundwater are 371 times greater than what the Environmental Protection Agency says is safe.

The Air Force knows it is responsible for this environmental disaster, but it claims it doesn't have the legal authority to provide clean water for Art's cows or to reimburse Art for his lost livelihood.

Art is not alone. There are other New Mexico dairies located near Cannon Air Force Base that are threatened. Those dairies have spent hundreds of thousands of their own dollars to install water filters to prevent them from losing their livelihoods.

The Department of Defense has identified over 400 military sites where PFAS were used. There are over 100 military sites nationwide with known PFAS contamination. This is a national problem of immense proportion. Yet this President's EPA refuses to issue drinking water standards for PFAS. It has issued only an advisory that does not have the force of law. This President's EPA has failed to even list these chemicals as hazardous substances eligible for Superfund cleanup. Our farmers and rural America deserve better—much better.

Although the Air Force claimed it had no authority to provide relief, the then-head of the Air Force, Secretary Heather Wilson, assured me in a hearing, under oath, the Air Force would work with me on legislation to secure that authority for the Air Force. Contrary to that assurance, the Air Force did not work with us on that legislation. They made it clear they don't even want the authority to help farmers like Art. So, in March, I introduced the PFAS Damages Act—along with Senator HEINRICH and Representatives LUJÁN, TORRES SMALL, and HAALAND—to ensure compensation for those hurt and to make sure those contaminated sites were cleaned up.

I also joined Senator CARPER's bipartisan PFAS Action Act of 2019 that requires EPA to establish PFAS as hazardous substances eligible for Superfund cleanup funds.

Clean water is not and should not be a partisan issue. New Mexico is a patriotic State and honors its military bases, but the Department of Defense caused this contamination and needs to make it right.

Senator HEINRICH was able to include our bill as an amendment to the Na-

tional Defense Authorization Act that the Senate passed by an overwhelming margin of 86 to 8 in June. It looked like relief—relief owed to Art and others unfairly hurt—would be on the way, but 2 days ago, on Tuesday, the President threatened to veto the entire Defense bill if it gets to his desk with provisions to help farmers like Art and to clean up PFAS contamination.

That is a \$750 billion bill for national security and defense he is threatening to veto because it requires cleanup of a known pollutant. Without a doubt, this is one of the most outrageous veto threats I have ever witnessed in 30 years in Congress—vetoing the Defense bill over help for farmers facing ruin? It is shameful. Republican leadership in the Senate and the House should join us and make it clear to the President that this is one veto that will be overridden.

On top of all of this, the President is asking the Senate to confirm Peter Wright, a top lawyer from Dow Chemical—one of the largest chemical companies in the world and the one that manufactured PFAS—to run the EPA toxic cleanup office. This nomination is more filling the swamp by this administration, more foxes guarding the henhouse.

EPA has slow-walked designating PFAS as hazardous substances under the Superfund Program Mr. Wright wants to oversee. Mr. Wright has recused himself from matters relating to Dow Chemical and therefore will provide no leadership on this pressing issue.

The American people deserve a nominee who will clean up current PFAS contamination and prevent future contamination. Mr. Wright can give no such assurance, and I will be voting no on his nomination.

I call upon the President to nominate someone who will commit to tackling this issue with the urgency it deserves and to withdraw his shocking veto threat so innocent farmers like Art can save their families' livelihoods.

I yield the floor.

The PRESIDING OFFICER. The Senator from New Jersey.

Mr. MENENDEZ. Mr. President, I rise to oppose the nomination of Peter Wright as Assistant Administrator for the Environmental Protection Agency's Office of Land and Emergency Management.

This position is of enormous consequence to the people of New Jersey, and I refuse to stay silent as the Trump administration stacks Federal agencies charged with protecting our health and our environmental safety with industry insiders and corporate hacks.

Mr. Wright is a former chemical industry lawyer. If confirmed, he will be charged with overseeing the cleanup of the most toxic waste sites in America through what is known as the Superfund Program.

New Jersey is home to more Superfund sites than any other State in the Nation.



For many years, a lack of strong environmental protections and oversight left our communities vulnerable to unsafe, unchecked, unregulated pollution. I am talking about the days before we had an Environmental Protection Agency, before we passed landmark environmental laws, and before we had regulations to protect public health. Back then, big polluters had a blank check to contaminate our air, soil, and water with toxic chemicals. People across America were exposed to pesticides, lead, asbestos, and other toxins through the air they breathed, the rivers they fished, the soil they farmed, and the land they built. It was unhealthy, it was unsustainable, and in many cases, it was downright dangerous.

Indeed, it was 1980—the same year a chemical waste facility in Elizabeth, NJ, burst into flames and forced an entire community to stay indoors—that Congress passed a law creating the Superfund Program. Today, Superfund is our primary tool for cleaning up the hazardous waste across America. It requires polluters to pay to clean up the sites they have contaminated, and it also funds the cleanup of orphan sites for which the polluters responsible no longer exist.

The Superfund Program is a promise to our communities—a promise to hold polluters accountable for the damage they have done; a promise to rid our soil and water of toxic chemicals; a promise to transform toxic brownfields into safe, livable, usable land; and a promise to protect the health of today's families and of future generations.

That promise cannot be kept on its own. We the people must keep that promise. The one way we can do so is by ensuring that leaders who oversee the Superfund Program are willing to stand up to polluters, listen to the best science, and hold big corporations accountable. Nothing in Peter Wright's records suggest he will be that kind of leader. He spent nearly two decades as a lawyer for Dow Chemical—one of the primary polluters for many Superfund sites across the Nation.

For all the President's talk of draining the swamp, it is just that—talk.

Mr. Wright could have been a force for good at Dow. He could have stood up for science and raised standards. He could have pushed for more efficient, thorough cleanups of toxic waste. Instead, he did just the opposite.

Consider Dow's Midland site in Michigan, where more than a century of producing things like Styrofoam, Agent Orange, and mustard gas left rivers contaminated for more than 50 miles. As Dow's self-styled "Dioxin Lawyer," Mr. Wright points to the Midland site as one of his greatest achievements. But a New York Times investigation from last year tells us a different story. It found that under Mr. Wright's watch, Dow was accused of "submitting disputed data, misrepresenting scientific evidence and delaying cleanup."

These accusations were leveled by Federal regulators and whistleblowers alike. One independent lab found Dow used incomplete contamination data, leaving the risk of toxins going undetected. An internal whistleblower revealed Dow intentionally designed its data so that it couldn't be properly vetted by independent third parties.

In 2007, an EPA memo concluded that Dow had "documented history of impeding the efforts of the Michigan Department of Environmental Quality" at the Midland site. It wasn't only regulators that Mr. Wright misled; the EPA also found that Dow "frequently provided information to the public that contradicts agency positions and generally accepted scientific information." That included mailing out a newsletter to local residents downplaying the risks of dioxin to human health, which, according to the EPA, is highly toxic, can cause cancer, reproductive and developmental problems, and damage the immune system. The newsletter even included the false claim that dioxin-contaminated wild game was safe to eat. That is appalling.

Mr. Wright also participated in Dow's funding of a study claiming that people living on dioxin-contaminated soil were not at risk for personal exposure.

Simply put, Peter Wright made his mark at Dow Chemical by misrepresenting science, downplaying threats to public health, and undermining cleanups. These practices run counter to the very mission of the EPA. Yet Wright's past indicates that, if confirmed, he will continue to mislead communities, continue to delay cleanups, and continue to sacrifice the health of our people for the bottom line of corporate polluters.

Finally, as if it weren't enough to mislead the public, we now know that Mr. Wright misled Congress when he lied to the Environment and Public Works Committee about continuing to own stock in Dow after his nomination.

When I hear that Mr. Wright proudly called himself the "Dioxin Lawyer," when I hear that he misled families about threats to their health, and when I hear that he sought to distort scientific evidence and get his company off the hook for their toxic legacy, I worry about the damage he could do across the Nation, including in New Jersey.

New Jersey is home to 114 Superfund sites. That is more than California—a State with 4½ times our population. That is more than double the total sites in Texas—a State with 30 times our land mass. Millions of people live within a few miles of these sites, in North Jersey and South Jersey, in bustling cities and rural towns, in every corner of our State. Among them is one of the largest Superfund cleanups in the country. Like the site in Michigan, New Jersey's Diamond Alkali Superfund site is contaminated with dioxin from the making of Agent Orange. Like the site in Michigan, we have warnings about dioxin-contaminated food, such as seafood from the Passaic River.

Like those in Michigan, the New Jerseyans who reside by the Passaic are depending on the Superfund Program to clean up the river and limit their exposure to toxic chemicals. These families and millions of Americans nationwide are depending on the EPA to protect the water they drink, the air they breathe, and the soil on which they farm and build. They are depending on their government to put their health ahead of corporate polluter profits. Today they are depending on us to reject the nomination of Peter Wright.

The EPA has a simple mission: to protect human health and the environment. The American people deserve an Assistant Administrator who believes in that mission, not someone who has spent decades fighting it. I urge my colleagues to vote no on Mr. Wright's nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I ask to be recognized for 7 minutes.

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

Mr. MARKEY. Mr. President, I rise in opposition to the nomination of Peter Wright for the position of Assistant Administrator of the Office of Land and Emergency Management at the Environmental Protection Agency. If confirmed to this position, Mr. Wright would be in charge of the office that cleans up hazardous waste, contaminated lands, oil spills, and environmental disasters. He would be at the helm of the Nation's Superfund Program, which is critical to keeping our communities and families safe from dangerous chemicals and other toxic substances.

As a former counsel for Dow Chemical Company, Peter Wright's résumé looks eerily similar to the listing of parties responsible for contaminated Superfund sites across our country. For 19 years at Dow, he was known as the company's dioxin lawyer. He headed negotiations for a massive cleanup of this cancerous chemical at a time when the company was accused of delaying cleanup efforts and misrepresenting scientific evidence.

For the past year, Peter Wright worked in an unconfirmed capacity as "special counsel to the EPA Administrator." Despite promising to divest all his equity interests in DowDuPont, it was recently revealed that he held on to those stocks until just 4 months ago. Continuing to profit off of a chemical company while working for the primary Federal Agency responsible for regulating that company is unacceptable behavior.

Just as our lands need protection from toxic chemicals, our government needs to be kept safe from ethical dangers and toxic nominees—two things that have continually contaminated the Trump administration.

Early in my career, I worked with a mother in Woburn, MA, named Anne



Anderson. Anne worked tirelessly to expose the link between the industrial chemical TCE and the development of leukemia in Woburn, MA, and the children of Woburn, MA. Her work and the work of other Woburn families helped spur Congress to pass the Superfund law. I was a champion of that bill in the House, and I am proud to continue to defend and strengthen the Superfund Program today in the Senate.

Anne Anderson's son Jimmy died from exposure to TCE and other chemicals. She had to do the job because the Federal Government was not doing the job. She had to be the one to put together all the other mothers who had children who were also going to die.

You may have seen the movie or read the book "A Civil Action." It is a very good movie, but it is about her. It is about what happens when the Federal Government turns a blind eye to the impact that large chemical companies and others have upon the lives of ordinary citizens if there aren't proper protections.

Those sites are cleaned up. Her son Jimmy has passed. The site now has a transportation facility on it. It is named the "Jimmy Anderson Transportation Center," in his name. He died. Superfund is meant to make sure there are no more Jimmy Andersons.

Right now, there are tens of millions of acres of contaminated land in America and in places with long industrial histories, like Massachusetts, and we have nearly a century's worth of toxic materials that have accumulated across our State and across the country. That is why we need an Assistant Administrator who will fight to protect American communities from these toxic exposures and make sure polluters pay for that cleanup.

Recently, Congress has been debating how to handle a class of chemicals known collectively as PFAS, which are everything from Teflon to firefighting foams and are often called forever chemicals because of how long they stay in the environment, cycling through soil, water, and air, until they build up in our food and in our bodies. Certain PFAS chemicals are associated with a host of dreaded diseases: cancer, thyroid hormone disruption, low infant birth rates, and immune system problems. PFAS should really be "poisonous for all species" because it poisons fish and it poisons cows. It poisons the water. Ultimately, it begins to affect human beings as well. PFAS—"poisonous for all species."

Massachusetts has documented PFAS contamination in Ayer, Barnstable, Mashpee, Shirley, Middleton—all across our Commonwealth. Polluters should pay to clean up their messes, but right now, it is the public that pays. This could change if the EPA would follow up on a promise made by Scott Pruitt to designate PFAS as a hazardous substance under the Superfund law. More than a year later, we are still waiting.

We need a champion at the head of the Superfund office. There are many

Anne Andersons around this country trying to keep their little Jimmys protected. Mr. Wright hasn't committed to giving our communities the weapons they need to fight back against chemical contamination. That is why today I will oppose his nomination on this floor.

Mr. President, with that, I yield back.

The PRESIDING OFFICER. The Senator from Wyoming.

Mr. BARRASSO. Mr. President, I ask unanimous consent to complete my remarks on this nominee before the vote.

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

Mr. BARRASSO. Mr. President, today the Senate is considering the nomination of Peter Wright to serve as the Assistant Administrator of the Environmental Protection Agency for the Office of Land and Emergency Management. If confirmed, Mr. Wright will lead this critical EPA office that provides policy, provides guidance, and provides direction for the EPA's emergency response and waste programs. Mr. Wright will play a crucial role in helping the Agency respond to disasters and cleanups.

The Office of Land and Emergency Management oversees the Superfund Program, which is a priority for this administration.

There are currently about 1,300 listed Superfund sites across America. On top of those, there are roughly 450,000 brownfield sites that need to be addressed. The EPA needs an Assistant Administrator in place to prioritize those cleanups. Peter Wright is ready for the task. He currently serves as a special counsel at the EPA. Previously, Mr. Wright worked as managing counsel to Dow Chemical Company for nearly 20 years. His nomination has been endorsed by 18 current and former chairs of the American Bar Association's Section of Environment, Energy, and Resources, including John Cruden, former Assistant Attorney General in President Obama's administration.

John Milner, the current chair of the section, writing on behalf of the former chair, said this of Mr. Wright: "Peter's career, his selfless commitment to the American Bar Association's Section of Environment, Energy, and Resources and the members it serves, and his well-recognized personal integrity exemplify the high standards of the legal profession." He goes on to say: "We enthusiastically and without reservation support the consideration of Peter as Assistant Administrator for OLEM, and believe Peter will serve the office with distinction and honor."

He is ready to take on this responsibility, and he has been ready for well over a year. President Trump originally nominated Peter Wright to serve in this important role on March 6, 2018. That was 493 days ago. What is the reason for so long of a delay? Obstruction by Senate Democrats. We have seen it before. For over a year, this important EPA office has been without confirmed

leadership because of political games being played by Senate Democrats. Now the games have ended, and it is time to get serious.

Senate Democrats are now saying they would delay this vote further because of an error Mr. Wright included on his disclosures. According to career EPA ethics officials, Mr. Wright made an inadvertent error and immediately corrected it. EPA ethics officials found that he did not violate any Federal ethics laws or regulations.

Justina Fugh, who is a career ethics official at the EPA, concluded in her memo reviewing Mr. Wright's action:

In my opinion, Mr. Wright adhered to the federal ethics laws and regulations. When he became aware of the inadvertent error, he notified me immediately and corrected that error.

The delays must end. Superfund sites need to be cleaned up, emergencies must be responded to, and this important office needs its Senate-confirmed leader in place. It is time to confirm Peter Wright to be Assistant Administrator of the EPA for the Office of Land and Emergency Management, and I strongly encourage Senators to support this nomination.

Thank you.

I yield the floor.

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

Mr. ROUNDS. I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The clerk will call the roll.

The bill clerk called the roll.

Mr. THUNE. The following Senator is necessarily absent: the Senator from Kansas (Mr. MORAN).

Mr. SCHUMER. I announce that the Senator from Colorado (Mr. BENNET), the Senator from New Jersey (Mr. BOOKER), the Senator from Illinois (Mr. DURBIN), the Senator from New York (Mrs. GILLIBRAND), the Senator from California (Ms. HARRIS), the Senator from New Mexico (Mr. HEINRICH), the Senator from West Virginia (Mr. MANCHIN), the Senator from Vermont (Mr. SANDERS), and the Senator from Massachusetts (Ms. WARREN) are necessarily absent.

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

The result was announced—yeas 52, nays 38, as follows:

[Rollcall Vote No. 203 Ex.]

YEAS—52

Alexander	Crapo	Isakson
Barrasso	Cruz	Johnson
Blackburn	Daines	Kennedy
Blunt	Enzi	Lankford
Boozman	Ernst	Lee
Braun	Fischer	McConnell
Burr	Gardner	McSally
Capito	Graham	Murkowski
Cassidy	Grassley	Paul
Collins	Hawley	Perdue
Cornyn	Hoeven	Portman
Cotton	Hyde-Smith	Risch
Cramer	Inhofe	Roberts

Romney  
Rounds  
Rubio  
Sasse  
Scott (FL)

Scott (SC)  
Shelby  
Sullivan  
Thune  
Tillis

Toomey  
Wicker  
Young

Isakson, Shelley Moore Capito, Pat  
Roberts, John Cornyn, John Hoeven,  
Steve Daines, John Boozman, Thom  
Tillis, Kevin Cramer, Richard Burr.

## NAYS—38

Baldwin  
Blumenthal  
Brown  
Cantwell  
Cardin  
Carper  
Casey  
Coons  
Cortez Masto  
Duckworth  
Feinstein  
Hassan  
Hirono

Jones  
Kaine  
King  
Klobuchar  
Leahy  
Markey  
Menendez  
Merkley  
Murphy  
Murray  
Peters  
Reed  
Rosen

Schatz  
Schumer  
Shaheen  
Sinema  
Smith  
Stabenow  
Tester  
Udall  
Van Hollen  
Warner  
Whitehouse  
Wyden

## NOT VOTING—10

Bennet  
Booker  
Durbin  
Gillibrand

Harris  
Heinrich  
Manchin  
Moran  
Sanders  
Warren

The nomination was confirmed.

The PRESIDING OFFICER. The majority leader.

Mr. MCCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table and the President be immediately notified of the Senate's action.

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

## LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. MCCONNELL. I move to proceed to executive session to consider Calendar No. 362.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Peter Joseph Phipps, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

## CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Peter Joseph Phipps, of Pennsylvania, to be United States Circuit Judge for the Third Circuit.

Mitch McConnell, Roger F. Wicker, John Barrasso, David Perdue, James E. Risch, Mike Crapo, Roy Blunt, Johnny

## LEGISLATIVE SESSION

Mr. MCCONNELL. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

## THE PROTOCOL AMENDING THE TAX CONVENTION WITH SPAIN

Mr. MCCONNELL. I move to proceed to executive session to consider Calendar No. 1, treaty document No. 113-4.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The treaty will be stated.

The senior assistant legislative clerk read as follows:

Treaty document No. 113-4, The Protocol Amending the Tax Convention with Spain.

## AMENDMENT NO. 910

Mr. MCCONNELL. I have an amendment at the desk, and I ask the clerk to report it.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 910 to treaty document No. 113-4.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

The amendment (No. 910) is as follows:

At the end add the following.  
"This Treaty shall be effective 1 day after ratification"

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

## AMENDMENT NO. 911 TO AMENDMENT NO. 910

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 911 to amendment No. 910.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

The amendment (No. 911) is as follows:

Strike "1 day" and insert "2 days"

## CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Treaties Calendar No. 1, Treaty Document No. 113-4, The Protocol Amending the Tax Convention with Spain.

Mitch McConnell, Mike Crapo, John Thune, Pat Roberts, Thom Tillis, Roger F. Wicker, Mike Rounds, Roy Blunt, Shelley Moore Capito, Steve Daines, Johnny Isakson, Kevin Cramer, John Boozman, Richard Burr, John Hoeven, John Cornyn, Lindsey Graham.

## LEGISLATIVE SESSION

Mr. MCCONNELL. I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

## EXECUTIVE SESSION

## PROTOCOL AMENDING TAX CONVENTION WITH SWISS FEDERATION

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 2, treaty document No. 112-1.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The treaty will be stated.

The senior assistant legislative clerk read as follows:

Treaty document No. 112-1, Protocol Amending Tax Convention with Swiss Confederation.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

## AMENDMENT NO. 912

Mr. MCCONNELL. I have an amendment at the desk, and I ask the clerk to report it.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. McConnell] proposes an amendment numbered 912 to treaty document No. 112-1.

The amendment (No. 912) is as follows:

At the end add the following.

"This Treaty shall be effective 1 day after ratification"

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 913 TO AMENDMENT NO. 912

Mr. MCCONNELL. Mr. President, I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 913 to amendment No. 912.

The amendment (No. 913) is as follows:

Strike "1 day" and insert "2 days"

CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Treaties Calendar No. 2, Treaty Document No. 112-1, Protocol Amending Tax Convention with Swiss Confederation.

Mitch McConnell, Mike Crapo, John Thune, Pat Roberts, Thom Tillis, Roger F. Wicker, Mike Rounds, Roy Blunt, Shelley Moore Capito, Steve Daines, Johnny Isakson, Kevin Cramer, John Boozman, Richard Burr, John Hoeven, John Cornyn, Lindsey Graham.

#### LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

##### PROTOCOL AMENDING THE TAX CONVENTION WITH JAPAN

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 3, treaty document No. 114-1.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The treaty will be stated.

The senior assistant legislative clerk read as follows:

Treaty document No. 114-1, Protocol Amending the Tax Convention with Japan.

AMENDMENT NO. 914

Mr. MCCONNELL. I have an amendment at the desk, and I ask the clerk to report it.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 914 to treaty document No. 114-1.

The amendment (No. 914) is as follows:

At the end add the following.

"This Treaty shall be effective 1 day after ratification"

Mr. MCCONNELL. I ask for the yeas and nays on my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 915 TO AMENDMENT NO. 914

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 915 to amendment No. 914.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

The amendment (No. 915) is as follows:

Strike "1 day" and insert "2 days"

CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Treaties Calendar No. 3, Treaty Document No. 114-1, Protocol Amending the Tax Convention with Japan.

Mitch McConnell, Mike Crapo, John Thune, Pat Roberts, Thom Tillis, Roger F. Wicker, Mike Rounds, Roy Blunt, Shelley Moore Capito, Steve Daines, Johnny Isakson, Kevin Cramer, John Boozman, Richard Burr, John Hoeven, John Cornyn, Lindsey Graham.

#### LEGISLATIVE SESSION

Mr. MCCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

##### PROTOCOL AMENDING TAX CONVENTION WITH LUXEMBOURG

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 4, treaty document No. 111-8.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The treaty will be stated.

The senior assistant legislative clerk read as follows:

Treaty document No. 111-8, Protocol Amending Tax Convention with Luxembourg.

Mr. MCCONNELL. I ask that the reading be dispensed with.

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

AMENDMENT NO. 916

Mr. MCCONNELL. I have an amendment at the desk, and I ask the clerk to report it.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 916 to treaty document No. 111-8.

The amendment (No. 916) is as follows:

At the end add the following.

"This Treaty shall be effective 1 day after ratification"

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

Mr. MCCONNELL. I ask for the yeas and nays to my amendment.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The yeas and nays were ordered.

AMENDMENT NO. 917 TO AMENDMENT NO. 916

Mr. MCCONNELL. I have a second-degree amendment at the desk.

The PRESIDING OFFICER. The clerk will report the amendment.

The senior assistant legislative clerk read as follows:

The Senator from Kentucky [Mr. MCCONNELL] proposes an amendment numbered 917 to amendment No. 916.

Mr. MCCONNELL. I ask unanimous consent that the reading be dispensed with.

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

The amendment (No. 917) is as follows:

Strike "1 day" and insert "2 days"

CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on Treaties Calendar No. 4, Treaty Document No. 111-8, Protocol Amending Tax Convention with Luxembourg.

Mitch McConnell, Mike Crapo, John Thune, Pat Roberts, Thom Tillis, Roger F. Wicker, Mike Rounds, Roy Blunt, Shelley Moore Capito, Steve Daines, Johnny Isakson, Kevin Cramer, John Boozman, Richard Burr, John

Hoeven, John Cornyn, Lindsey Graham.

#### LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session. The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 54.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Clifton L. Corker, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

#### CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Clifton L. Corker, of Tennessee, to be United States District Judge for the Eastern District of Tennessee.

Mitch McConnell, Roger F. Wicker, Pat Roberts, Chuck Grassley, John Cornyn, Tom Cotton, David Perdue, Ron Johnson, Joni Ernst, Mike Braun, Martha McSally, John Boozman, Richard Burr, Lindsey Graham, Shelley Moore Capito, Johnny Isakson, Thom Tillis.

#### LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 175.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will read the nomination.

The senior assistant legislative clerk read the nomination of Lynda Blanchard, of Alabama, to be Ambassador Extraordinary and Plenipotentiary of

the United States of America to the Republic of Slovenia.

#### CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Lynda Blanchard, of Alabama, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Republic of Slovenia.

Mitch McConnell, Ron Johnson, Steve Daines, John Kennedy, James E. Risch, Roy Blunt, Thom Tillis, Cory Gardner, Johnny Isakson, Pat Roberts, John Thune, John Hoeven, Tim Scott, Mike Crapo, John Cornyn, John Barrasso, Bill Cassidy.

#### LEGISLATIVE SESSION

Mr. McCONNELL. Mr. President, I move to proceed to legislative session.

The PRESIDING OFFICER. The question is on agreeing to the motion. The motion was agreed to.

#### EXECUTIVE SESSION

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 183.

The PRESIDING OFFICER. The question is on agreeing to the motion.

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The senior assistant legislative clerk read the nomination of Donald R. Tapia, of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

#### CLOTURE MOTION

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

The PRESIDING OFFICER. The cloture motion having been presented under rule XXII, the Chair directs the clerk to read the motion.

The senior assistant legislative clerk read as follows:

#### CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Donald R. Tapia, of Arizona, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to Jamaica.

Mitch McConnell, Martha McSally, Pat Roberts, Mike Crapo, James E. Risch, John Barrasso, Tom Cotton, Roger F. Wicker, John Cornyn, Jerry Moran, Shelley Moore Capito, Deb Fischer, Cindy Hyde-Smith, Richard Burr, Thom Tillis, John Boozman, Chuck Grassley.

Mr. McCONNELL. I ask unanimous consent that the mandatory quorum calls for the cloture motions be waived.

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

The PRESIDING OFFICER. The Senator from Texas.

#### BORDER SECURITY

Mr. CRUZ. Mr. President, I rise to address one of the most pressing crises the American people are facing today. Our refusal to address the border crisis is inexcusable.

Right now, Texas and other border States are being overwhelmed by thousands upon thousands of illegal immigrants who are flooding into small communities monthly. The inaction of the U.S. Congress leaves these communities responsible for paying for where these illegal immigrants will stay, for how they will receive medical care, and for where they will go when they are released.

From Brownsville to McAllen, to Laredo to Eagle Pass, to Del Rio, to El Paso, and beyond, Texas communities are at their breaking point in terms of resources and manpower in dealing with this crisis. I am hearing from elected officials throughout South Texas—Democrats and Republicans—that the crisis has reached a breaking point.

Our hard-working Border Patrol agents are also struggling with the enormous influx of illegal immigrants. It has been reported that there are now more illegal immigrants in custody than Border Patrol agents on the southern border and thousands more being apprehended daily.

Since last October, over half a million illegal immigrants have been apprehended at our southern border, many of them having traveled through Mexico from El Salvador, Honduras, and Guatemala. Over 200,000 of these illegal immigrants were single adults, and over 56,000 of them were unaccompanied children.

During this time, the Border Patrol also apprehended nearly 700 gang members trying to illegally enter the United States. In the month of May alone, the Border Patrol apprehended over 144,000 people coming through the southern border—144,000 in a single month. If that pace were to continue for a year, we would be looking at nearly 2 million apprehensions in just 1 year. That is a staggering number of illegal immigrants for Texas and other border States to take in.

Instead of acknowledging that this crisis exists, instead of doing the responsible thing and taking action, congressional Democrats instead have stubbornly clung to open-border fantasies. Speaker PELOSI has called the hundreds of thousands of illegal immigrants coming through our border a “manufactured crisis.” Some of our colleagues on the Presidential trail have called it a “fake crisis” and “fearmongering of the worst kind” or have said that climate change is a more serious crisis. All I can tell them

is to go to the border. The crisis at the border is very real, despite what the Democratic talking points say.

Last week, I visited the Rio Grande Valley, as I have done many times in representing the State of Texas in the Senate. I have toured the Rio Grande Valley Centralized Processing Center, the largest immigration processing center in the United States. I also traveled to Rincon Village, which is ground zero for illegal border crossings near Mission, TX. What I saw there was staggering. When I was in the Rio Grande Valley, the RGV Sector Chief told me that in 2014, just 5 years ago, roughly 2 percent of single adult men crossing illegally into the Rio Grande Valley had a child with them. Today that number is roughly 50 percent. It went from 2 percent all the way up to 50 percent. The word is out among traffickers, among smugglers, among others seeking to illegally enter the United States that coming with a child is a get-out-of-jail-free pass. According to the Border Patrol, family unit apprehensions have increased by 463 percent since last year, with increases of 2,100 percent in El Paso and 1,034 percent in Del Rio.

I also learned of a recent pilot program that used rapid DNA tests to discover whether these family units were real. Nearly 30 percent were found to be fraudulent in the Rio Grande Valley. In other words, the adults bringing kids into the United States illegally weren't related to the children.

One of the most tragic elements of the crisis is the number of children who are being trafficked, who are being physically abused, sexually abused, and neglected. Often they are being used as pawns.

That is not all. In the Rio Grande Valley, 60 percent of Border Patrol Agents are now helping to process and care for children and family units. That means only 40 percent are dedicated to border security. More than half the Border Patrol agents in our Nation's busiest crossing point for illegal immigrants are not on the border stopping narcotics traffickers and stopping human traffickers because they are instead changing diapers. Instead, they are caring for children because the volume is so massive.

Just recently, the Rio Grande Valley Sector canceled their horseback patrol because they lacked the manpower because they are instead caring for the massive influx of illegal immigrants. On average, they make 30 trips to the hospital a day. On average, in the Rio Grande Valley Sector, one child is born each day to an illegal immigrant who has come over. Last week, 12 people died.

This is a crisis. By refusing to address our border crisis, we invite child smuggling and child abuse. That is shameful, and that is a tragedy. We know how many illegal immigrants are being apprehended. We know more and more illegal immigrants are trying to get into our country, and we know Bor-

der Patrol doesn't have the manpower or the resources to handle a humanitarian crisis of this scale. It is a fact, and it is a reality that our Democratic colleagues need to face.

Nobody who is compassionate, nobody who wants to be virtuous, nobody who cares about other human beings would want to perpetuate what is happening at the border for even a single day. We should be angry. We should be angry at politicians who say this is a made-up crisis. We should be angry at politicians who keep the loopholes in place that ensure that more and more children—more and more little boys and girls—will be abused at the hands of human smugglers.

While the passage of the \$4.5 billion border supplemental bill a few weeks ago was a good first step, Democrats in Congress need to finally do their job and work with Republicans and work with President Trump to secure our border. We need to build a wall. We need to enforce immigration laws already on the books. We need to reform our amnesty laws to prevent asylum abuse, and we need to support the brave men and women of the Border Patrol with all the resources they need to effectively secure the border.

I have introduced legislation to secure the border using the billions from El Chapo's criminal fortune that the Department of Justice is seeking to have criminally forfeited and use El Chapo's ill-gotten goods and those of other drug lords to build the wall. The EL CHAPO Act would reserve any amounts criminally forfeited to the Federal Government as a result of criminal prosecution of El Chapo or other drug kingpins for the building of a border wall and other border security assets.

I am also a cosponsor of the WALL Act, which would fully fund the border wall by closing existing loopholes that provide illegal immigrants with Federal benefits and tax credits, all without affecting the benefits and tax credits used by American citizens.

These bills are just two commonsense ways to secure the border. Everyone should support taking money away from murderers, from drug smugglers, and from human traffickers such as El Chapo and using it to prevent murder, drug smuggling, and human trafficking—all without costing American taxpayers even a dime or adding anything to the Federal deficit.

We also need more judges. We need to close the loopholes in our asylum system. Right now, immigration courts have a backlog of about 900,000 pending cases—nearly a million. Increasing the number of immigration judges and providing an expedited process for asylum claims is necessary so migrants who don't qualify for asylum can be quickly returned to their home countries rather than released into the United States.

These reforms are necessary, and they need to happen. We know how to solve this problem. We don't have to

ask theoretically because we have seen it happen specifically. In the first 6 months of 2017, right after President Trump was elected and sworn into office, illegal immigration dropped nearly 70 percent. It plummeted. I remember going back down to the valley in early 2017 and asking the Border Patrol agents: Why did the illegal crossings drop? We hadn't built a wall yet. We hadn't hired new Border Patrol agents. What changed? What those Border Patrol agents told me was the only thing that changed is the human smugglers, the traffickers, now believed there was an administration in office that would enforce the law that would deport them if they came here illegally. That one change—the traffickers believing the administration would send them home—dropped illegal immigration 70 percent.

Then what happened? Why did we see this enormous deluge we are seeing right now? Well, the answer is the Congress put loopholes in the law that mandate the release of children. In a short timeframe, and under a court decision called the Flores decision, adults with a child get released as well. That process is what is known as catch and release. It means someone who is apprehended is given a court date some months or years into the future and then are let go on the hope that they will magically show up. Far too many of them don't show up.

What happened in the summer of 2017 was illegal immigrants would pick up the phone and call their friends or family back home and say: The policy hasn't changed. They still let us go. We still get to stay. There are still no consequences. Come on over.

Even worse than that, smugglers learned that bringing a child is the ticket to crossing illegally into this country. There was a portion of the detention facility I saw in the valley that the officers refer to as "daddy daycare" because it was simply filled with young single men who had little kids with them. Five years ago, 2 percent of single men had kids. Today, 50 percent of single men have kids because if you grab a little boy or a little girl, you can come over. I will tell you because of the loopholes Congress has put in place, Border Patrol has been forced to release people who are convicted murderers, forced to release people who are convicted pedophiles, forced to release adults with sexual assault convictions and children in their custody. Why? Because it is so expedited that by the time they find out about the convictions, they have been forced to release them already.

This is cruel. It is inhumane. When the rapid DNA testing is showing that nearly 30 percent of the adults are not related to the kids, it explains why we are hearing more and more reports of children being rented or sold by the cartels.

This has to stop—the political posturing from the Democrats who are running for President and the Democrats in Congress who are refusing to

solve this problem. It is past time for those games. It is time to solve this crisis.

I yield the floor.

The PRESIDING OFFICER. The Senator from Maryland.

#### HUMAN RIGHTS

Mr. CARDIN. Mr. President, America's strength is in our values. In that vein, I rise to talk about human rights and America's historic role as a defender of universal human rights for all peoples.

I have been a member of the U.S. Commission on Security and Cooperation in Europe for many years. It is also known as the Helsinki Commission. The Helsinki Commission is an independent entity that brings together lawmakers and members of the executive branch to represent the United States at the OSCE, the Organization for Security and Cooperation in Europe, which was created to explicitly promote human rights, democracy, and economic, environmental, and military cooperation among its 57 member nations, including the United States and Canada, all the countries of Europe, and the former Soviet Union countries.

When the Helsinki Final Act was signed in Finland in 1975, it enshrined among its 10 Principles Guiding Relations between Participating States a commitment to "respect human rights and fundamental freedoms, including the freedom of thought, conscience, religion or belief, for all without distinction as to race, sex, language or religion."

Few people have predicted the sweeping, largely unforeseen consequences of the adoption of this document. From this one provision, among the 10 that focus on human rights and fundamental freedoms, there were movements sprung that embraced the Helsinki process as a sword and as a shield. Independent civil societies coalesced around this basic principle and used the followup processes that were set in motion by the Helsinki Final Act to hold their governments' feet to the fire.

In 1976, Congress established the Helsinki Commission with the mandate to monitor and report on compliance with the Helsinki Final Act and, most importantly, to press successive administrations to make human rights and democracy priorities in the conduct of U.S. foreign policy.

In the subsequent years, Charter 77 in Czechoslovakia, Solidarity in Poland, and Watch Groups in Moscow, in Kyiv, and in Vilnius sprang up to push for the release of political prisoners and to defend the rights of those who wanted nothing more than to worship and to have the freedom to advocate for reformers and others who sought to reunite with their families across borders.

Through what became known as the Helsinki process, Congress and previous administrations supported the rights of Lech Walesa, Vaclav Havel, Natan Sharansky, and countless others

who emerged as leaders in their supporting of the historic transitions to freedom 30 years ago with the fall of the Iron Curtain, the end of communism, the unification of Germany, and as President Bush proclaimed, a "Europe whole and free." The Helsinki process of monitoring, reporting, advocating, urging, meeting, and witnessing was a catalyst for these historic changes.

Most importantly, at a time of historic transition, the countries participating in the Helsinki process all acknowledge that democracy was the only form of government that we could accept and that issues related to human rights and democracy were never matters of internal interference but were matters of direct and legitimate concern to all participating states. This means, quite frankly, that we have, under the Helsinki Accords, the legitimate right—I would say the obligation—to challenge the failure of any one of those 57 states in its meeting of its Helsinki commitments. That is why it is right that we in the U.S. Senate speak out against Russia or speak out against Turkey or speak out against any member state in the OSCE when it violates these basic principles.

Over the July 4 work period, I was proud to participate in the largest delegation we have ever had to the annual session of the OSCE Parliamentary Assembly. The Parliamentary Assembly—facilitating lawmaker-to-lawmaker interactions and discussions—was established to complement the intergovernmental work being done. One of the OSCE's strengths is that there is a parliamentary dimension. It is not just government officials; it is also parliamentarians who meet to implement these commitments to human rights and good governance.

The OSCE and its Parliamentary Assembly have been used to advance U.S. interests, including their support for human rights, free elections, combating anti-Semitism and human trafficking, and other initiatives that have come from the U.S. Congress that have then served as the foundation for U.S. positions and, ultimately, agreements that have been adopted by all 57 states that have participated in the OSCE.

I remember discussions in the Congress that dealt with fighting modern-day slavery and trafficking and fighting anti-Semitism. We initiated them in the Congress. Through the Helsinki Commission, we raised them in the Parliamentary Assembly. They then got raised in Vienna, which is where the Ambassadors who represent all of the states meet, and they were adopted as policy in all 57 states. We have had a very positive impact.

During this recent Parliamentary Assembly, I hosted an event called "Countering Hate: Lessons from the Past, Leadership for the Future." As I stated during the event—and I will underscore now—we have observed an uptick in hate-based instances across the OSCE region and beyond—from Pitts-

burgh and Poway to Christ Church. When we fail to act, we endanger not only the most vulnerable within our societies but the very foundations of our democracies.

Given how much has been accomplished by the United States and others through the OSCE over the past 30 years, it is deeply concerning to see our own American President embrace a drawback of universal human rights in our own country and embrace dictators around the world, who rule by promulgating fear and hate.

President Trump has called Turkish President Erdogan a "friend" and has shared love letters with the very brutal Kim Jong Un after calling him "very talented." Turkey, which has been a member of the OSCE since its inception and a member of NATO, has witnessed a dramatic acceleration in President Erdogan's efforts to consolidate power and hobble his political opposition.

His unrelenting pressure on the judiciary and purges of its ranks of judges and prosecutors have left respect for the rule of law and due process in crisis. Tens of thousands have been detained in sweeping dragnets following the failed coup, including independent voices from virtually every sector of society—opposition politicians, civil society activists, journalists, academics, and many more. These vast purges have had a chilling effect on the free press and the freedom of expression.

The Committee to Protect Journalists considers Turkey the world's worst jailer of journalists, with 68 documented cases, although a local Turkish press freedom organization lists more than 130 who have been detained. Reporters Without Borders ranks Turkey as the 157th out of 180 countries for press freedom—its lowest ranking ever. Under emergency powers assumed by President Erdogan after the coup attempt, the Turkish Government closed around 200 media outlets.

As for North Korea, Kim Jong Un has one of the most deplorable human rights records in the world.

According to Human Rights Watch:

Kim Jong Un—who serves as chairman of the States Affairs Commission and head of the ruling Workers' Party of Korea—continues to exercise almost total political control. The government restricts all civil and political liberties, including freedom of expression, assembly, association, and religion. It also prohibits all organized political opposition, independent media, civil society, and trade unions.

President Trump has been repeatedly willing to take the word of former KGB agent Vladimir Putin over his own intelligence services.

On March 3, 2018, in speaking about Chinese President Xi during a private fundraising speech at Mar-a-Lago, he said:

Xi is a great gentleman. He's now president for life—president for life. No, he's great. And look, he was able to do that. I think it's great. Maybe we'll have to give that a shot someday.



That is not who the President of the United States should be embracing.

He has repeatedly praised Rodrigo Duterte of the Philippines. This is the same leader who independent press, civil society groups, foreign governments, and international organizations have all confirmed is engaged in the extrajudicial killing of his own citizens—work that President Trump praised as doing an “unbelievable job on the drug problem.”

Mr. Duterte himself, as a former mayor, has admitted to murdering people. That Mr. Trump would laud Mr. Duterte for his barbaric atrocities is outrageous and is another indication that instead of standing up for America's values, President Trump continues to endorse leaders around the world who violate the very principles that America's Founding Fathers enshrined in our Constitution.

I mention our Founding Fathers not in passing, but as we recently celebrated our Independence Day on July 4, I quote from the Declaration of Independence, which set our Nation on a path with the ideal that we hold these truths to be self-evident; that all men are created equal; that they are endowed by their Creator with certain unalienable Rights; and that among these are life, liberty and the pursuit of happiness.

So I was particularly troubled that within days of July 4, the Trump administration, through Secretary of State Mike Pompeo, unveiled what he referred to as a Commission on Unalienable Rights. In his announcement, Secretary Pompeo called this new Commission “one of the most profound reexaminations of the unalienable rights in the world since the 1948 Universal Declaration.”

I, along with many colleagues in the U.S. Congress, fear that this Commission, whose purpose it is to advise the Secretary of State based on the principles of natural law and natural rights, will undermine or curtail State Department advocacy in critical human rights arenas, including women's health as well as LGBT rights.

For 243 years, with all of her imperfections, America has been a beacon for peoples around the world. Those who have embraced natural law have not been welcoming. They peddle in hate and division. The ACLU notes that references to “natural law and natural rights” are code words often used to undermine the rights of women and the LGBT community. This is just the latest in a string of attacks on women and the LGBT community by this administration. If the President and the Secretary of State want to build on protecting human rights, they will work within the framework that the United States helped to establish, not question the definition or universality of human rights.

#### IMMIGRATION

Mr. President, on immigration, during his first days in office, the President began his administration by sign-

ing an Executive order that attempts to impose travel bans on Muslims and to ban refugees. He signed an Executive order that greatly expanded the number of people who were subject to detention and deportation, and practically speaking, he eliminated the focus on the most dangerous, violent criminals in our communities.

The President has tried to deny sanctuary and asylum to those refugees who legally seek protection in our country as they flee violence and persecution in their homelands.

He rescinded protections for the Dreamers and those with temporary protective status, which cast a cloud of uncertainty over the futures of these individuals and their families. It basically put an expiration date on their backs.

In our communities, I think we all know that the Dreamers and those with temporary protected status now have a fear as to whether their futures will be here in the United States. They have been here for a long time, and as we all know, they are part of our communities. The American values of empathy and compassion seemingly no longer find a champion in the White House.

#### VOTING RIGHTS

Mr. President, on voting rights, the Trump administration has rolled back the clock by creating a so-called Presidential Advisory Commission on Election Integrity—designed to suppress the vote—under the guise of trying to prove the problem of nonexistent voter fraud.

The Justice Department changed its position and supported the use of voter ID laws. It backtracked from its earlier position that such laws were intentionally racially discriminatory and designed to suppress minority votes. One of the principles of a democratic state is to get the maximum participation in elections.

The Department of Justice has tried to make it easier for States to purge voters from their rolls, as well as to make it easier for States to make voting changes that could disenfranchise minority voters without there being the proper Federal review or oversight.

#### CRIMINAL JUSTICE

Mr. President, on criminal justice, the Department of Justice has aggressively rolled back its use of consent decrees, like the one put in place in Baltimore under the Obama administration after Freddie Gray died in police custody.

It is interesting. Since that episode, we have had Members of Congress, along with city officials, ask the Federal Government to do a pattern-or-practice investigation on what led to the consent order because we knew we had a problem in Baltimore's policing.

The Baltimore consent decree is a perfect example of a joint local-Federal partnership that will help overhaul the police department and provide long-overdue constitutional policing to the citizens of Baltimore.

This Federal civil rights role is critically important—especially after a series of officer-involved shootings of African-American residents—as we try to rebuild trust between the police and the communities they serve.

In terms of free press, President Trump has consistently attacked the free press, notwithstanding the First Amendment's protections, and particularly has labeled critical news stories as “fake news” in an effort to undermine any critical coverage of his administration. He has shown callous disregard for protecting journalists and the free press both at home and abroad.

As Thomas Jefferson famously wrote, “The basis of our governments being the opinion of the people, the very first object should be to keep that right; and were it left to me to decide whether we should have a government without newspapers or newspapers without a government, I should not hesitate a moment to prefer the latter.”

In terms of LGBTQ rights, the Trump administration has consistently argued that businesses and government contractors have a right to discriminate against customers based on their sexual orientation or gender identity. He has nominated judges who want to turn back the clock on equality and force transgender individuals from the ranks of our military.

Our Nation and form of government are founded on “We the People of the United States.” Yet this President is doing all he can to lessen the power and squelch the voices of perceived opposition.

As we approach the second anniversary of the deadly protests in Charlottesville, VA, I will never forget how President Trump used his bully pulpit to further divide our Nation by equating those who espoused White supremacy with those who were protesting against such White supremacist views.

Let us remember the great civil rights leaders in our history who have struggled to help our Nation form a more perfect union, establish justice, and secure the blessings of liberty, as promised by our Constitution. The deadly violence that occurred nearly 2 years ago must never be permitted to happen again.

I strongly condemn all acts of intolerance and remain certain that the moral arc of history, although long, bends toward justice. What is good and just in America is stronger than hate and will prevail.

The Trump administration's attack on women's healthcare is unconscionable. Women's rights are human rights.

The President has taken action to undermine the Patient Protection and Affordable Care Act, the ACA, finalized administrative rules that allow discriminatory practices to domestic and global family planning providers, as well as women seeking reproductive healthcare.

One of the first actions President Trump took in office was to impose an expansion of the global gag rule, which



forces global health providers eligible for U.S. assistance to choose between receiving U.S. funds and providing comprehensive healthcare and family planning services to their patients. What a horrible choice. You need the money, but you have to provide the services.

Trump's global gag rule restricts virtually all global health assistance provided by the U.S. Federal Government, including from the Department of State, USAID, and the Department of Defense, impacting \$8.8 billion in financial support for global health programs. Where is the U.S. leadership on global health? The rule has eliminated access to contraceptive services and supplies for almost 26 million women and girls around the world. This hurt women in conflict zones and rural areas, as well as refugees, women with disabilities, and indigenous women.

President Trump has also imposed the domestic gag rule, which restricts physicians from providing complete information to patients about their healthcare options and providing appropriate referrals for care.

The new rule guts title X, the Nation's only Federal grant program dedicated solely to providing individuals with comprehensive family and related preventive health services.

Women make up more than half the population of this Nation. It is outrageous that President Trump continuously implements policies that discriminate against women's healthcare. We cannot allow women to be treated this way here in the United States or anywhere around the world.

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness." This has been the American ideal and a guiding principle for our Nation since our founding. All men and women are created equal. Each one of us on this Earth deserves freedom, respect, and dignity.

For generations, the United States has stood as the sentinel, defending these universal rights. I would think Republicans and Democrats alike agree with that statement. The outlier is President Trump. This President has done everything in his power within the borders of our Nation and overseas to diminish human rights and disregard the rule of law. He continues to embrace dictators, opening the doors of the Oval Office to men who deserve prosecution more than a welcome embrace by the leader of the free world.

I urge my colleagues on both sides of the aisle to uphold their oath to defend and protect the Constitution of the United States and to work together to restore America's role as the defender of universal human rights.

I yield the floor.

THE PRESIDING OFFICER (Mr. BRAUN). The Senator from Ohio.

50TH ANNIVERSARY OF THE MOON LANDING

Mr. PORTMAN. Mr. President, I am here on the floor this afternoon to talk

about a landmark moment in human history that occurred 50 years ago next week—the Apollo 11 mission that landed the first person on the Moon.

Today, 50 years after that incredible feat, we sometimes take for granted that we explored the Moon. But think for a moment about the generations of men and women from the beginning of time until July 20, 1969, who looked up at the Moon's pale light in wonder at what secrets and insights may lay on its surface. Think about the countless paintings and poems depicting the Moon as an unchanging and unknowable presence in the sky. Think about how, after hundreds of thousands of years of such mystery and reverence, we actually went there.

On July 20, 1969, the world watched in breathless awe as grainy footage came in from the Moon landing. It was beamed in from the lunar surface 239,000 miles away to millions of TV screens all around the globe. As a 13-year-old teenager, I saw two figures clad in bulky spacesuits bounce across the screen against the stark black-and-white landscape.

As anyone who witnessed it can remember and tell you about, there was a great sense of pride as Americans—Americans who broke the earthly bonds that had tethered our ancestors for eons, to set foot on the surface of a body we only saw in the distant night sky. I also felt pride as our pristine American flag was unfurled and planted on the Moon's surface, forever marking our country's trailblazing spirit. I felt pride in being from Ohio, as my fellow Buckeye, Neil Armstrong, was the very first man to step onto the Moon, continuing our legacy in the State of Ohio as a pioneer in flight and in aerospace.

In 2003, actually, Congress officially designated Ohio the "Birthplace of Flight" due to the Wright brothers. They were born and raised in Dayton, OH, and it was in their bicycle shop that they dreamed up and researched the first fixed-wing aircraft anywhere. But for such a lofty title, Ohio has played an even greater role in the story of mankind's progress in the skies and beyond—even beyond the Wright brothers. In fact, one of my predecessors in this seat here in the Senate was John Glenn, the first American to orbit the Earth. In all, two dozen astronauts to date are natives of Ohio—more than any other State—and I am proud to say that many more call it home today.

Our legacy of flight in Ohio continues today. In Dayton, OH, we have the National Air Force Museum, which houses more than 300 historic aircraft. Wright-Patterson Air Force Base—one of the largest in the country—trains not only our pilots in our Air Force, but those of our allies all around the world.

Just last month, I had the honor of announcing, with Neil Armstrong's widow, Carol Armstrong, that the Smithsonian will be bringing a special exhibit on the Apollo 11 mission entitled "Destination Moon" to Cincinnati's own Museum Center.

On that day in 1969, Neil Armstrong became all of our heroes, and it was at a time when our country was deeply divided over the war in Vietnam and other social and cultural issues. At a time when we were yearning for heroes, Neil Armstrong inspired us and brought us together as a country.

I have one story I would like to share that I thought about while walking over this afternoon. It is about how Neil Armstrong inspired a particularly important group of Americans.

In 2011, the year before Neil Armstrong died, he came here to the U.S. Capitol at my request to join my wife Jane and me at our swearing-in ceremony. I was elected in 2010, and the swearing-in was early in 2011. As we walked into the Capitol, we looked up on the left and saw a mural, and it is a mural that is still down on the first floor of this Capitol on the Senate side, and it is of Neil Armstrong on the face of the Moon. I pointed it out to Neil and his wife Carol—his wonderful wife Carol who was with us. Neil's comment was, that is interesting. The 30 or 40 people who were with us walking into the Capitol that day—they didn't think it was interesting; they thought it was amazing.

I later found out that Neil Armstrong was the only American living to have a mural painted of him in the U.S. Capitol.

That night at dinner, one of my other friends, Col. Tom Moe, came to me and asked if he could speak with Neil Armstrong and whether I would introduce him to Neil. I said: Of course.

Col. Tom Moe is a hero in his own right, an Air Force pilot who was shot down over North Vietnam. He spent many years in the prison called the Hanoi Hilton with our former colleague John McCain—a true hero.

When we went over to see Neil Armstrong, Col. Tom Moe shared a story with him. He said that the prison guards in the North Vietnamese prison were intent upon telling the prisoners that America was falling apart, that there were protests on the streets, which was true, that the country was deeply divided, and that America was going backward. He said in particular they didn't want the prisoners to know that America had accomplished what President Jack Kennedy had laid out as an ambitious vow, which was to go to the Moon by the end of the decade. They had kept that from them. Then one day, the prison guards somehow let a letter go to one of the prisoners from his mom, and that letter included a postage stamp, of course. Guess what was on the postage stamp. A photograph of Neil Armstrong stepping onto the Moon.

Colonel Moe told Neil Armstrong that it was incredibly inspiring. It lifted the spirits of all the prisoners. Immediately they went to the pipes and they tapped out what had happened, which was the way they communicated with one another in the Hanoi Hilton. Through the pipes and the tapping, he

said you could just feel the momentum building and the morale improve.

Neil Armstrong was not a very emotional guy, but when he heard that story, he became very emotional, as did Colonel Moe.

That is just one more example of where Neil Armstrong inspired all of us—in this case, a group of Americans who richly deserved and badly needed that inspiration.

Over the years, my family and I have come to know the Armstrong family. Carol Armstrong is still in Cincinnati, a dear friend. We were his neighbors in Cincinnati.

As we have shared stories in the lead-in to the 50th anniversary of the Moon landing, I have been reminded of how extraordinary it was that this towering figure had truly been such a modest, unassuming man despite all the notoriety.

In my view, how he handled the spotlight into which he was thrust said as much about Neil Armstrong as the time he spent on the Moon a half century ago. He was a true hero, but even before he blazed trails through the cosmos, Neil was already contributing to Ohio's rich legacy of pushing the boundaries of flight. He had already served his Nation with bravery and skill on Gemini 8. As a test pilot pushing the envelope, he had strapped himself into terrifying-looking contraptions with gigantic flame-belching engines tied onto huge fuel tanks.

Before he was a test pilot, he distinguished himself through his service to his country as a naval aviator—among other things, flying 78 combat missions over the Korean Peninsula. In one such mission, in fact, he was forced to eject from his plane into enemy territory, holding out long enough, thank God, for the U.S. Marines to locate him and escort him to safety.

For all of these accomplishments, this son of Ohio received the highest honors a grateful nation could bestow: the Presidential Medal of Freedom, the Congressional Gold Medal, and the Congressional Space Medal of Honor.

God smiled upon Neil Armstrong throughout his extraordinary life. Neil returned the favor by living his life with honor and dignity.

In 2012, Neil returned to the heavens above, this time venturing into the Kingdom of Heaven. I had the honor of being among those who delivered the eulogy at his funeral. Then, as today, I remembered him as a hero and as a friend. He was a humble Midwesterner and a proud Ohioan who believed that the honor of serving his country and meeting great challenges in his own stoic way was all the reward he deserved. He was a refreshing counterweight to the celebrity culture we too often embrace today.

The Apollo mission was many things to many people. To the world, it was mankind's greatest journey to date, a daring sojourn to the crown jewels in the night sky. For Americans, it was an affirmation of America's

exceptionalism, that we could beat the Soviets and respond to their Sputnik Program by following through on President Kennedy's bold vow to land a man on the Moon by the end of the 1960s.

For me, and for thousands of other young boys and girls across Ohio, it was simply the next act in our State's leadership in aviation, done with that quintessential Midwestern resolve and humility.

As Neil once so eloquently said, "The important achievement of Apollo was demonstrating that humanity is not forever chained to this planet and our visions go rather further than that, and our opportunities are unlimited."

Fifty years on, as we look ahead to chart our next voyage to the stars, let us always remember the bravery and patriotism and the humility of Neil, also of his other astronauts—Michael Collins, Buzz Aldrin—and the thousands of men and women who supported them on Earth, and the many courageous astronauts who preceded and followed them. Let the Apollo 11 mission be an example of what our great country can do when we come together to achieve the seemingly impossible.

Let us commit to come together into the future, into the distant horizons. Like the Apollo 11 exhibit exhibiting American leadership and benefiting all of mankind, there is more for us to do. I yield the floor.

The PRESIDING OFFICER. The majority leader is recognized.

## LEGISLATIVE SESSION

### MORNING BUSINESS

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

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

### VOTE EXPLANATION

Mr. DURBIN. Mr. President, I was necessarily absent for votes Nos. 202 and 203. Had I been present, I would have voted nay on the motion to invoke cloture on the nomination of Peter C. Wright to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency. I would have also voted nay on confirmation of the Wright nomination.

## ADDITIONAL STATEMENTS

### REMEMBERING MARIAN SPENCER

• Mr. BROWN. Mr. President, I rise today to honor a great Ohioan and transformational civil rights leader, Marian Spencer. Born in Gallipolis, OH, as the granddaughter of a slave,

Spencer honored her grandfather by dedicating her life to fighting for a more equal and inclusive country. Spencer became a member of the NAACP at the young age of 13 and is best known for leading the fight to integrate Coney Island and its swimming pools in the 1950s.

After graduating from high school, Spencer attended the University of Cincinnati, where she made Cincinnati her adopted home and campaigned to integrate the university's Whites-only college prom. From there, she chaired the education committee of her local NAACP branch and helped raise \$30,000 to desegregate Cincinnati Public Schools, before becoming the chapter's first female president in 1981.

Spencer believed in the power of activism as a means of social change, and her efforts led her to becoming the first African-American woman elected to Cincinnati City Council. Spencer gave a voice to the disenfranchised and underrepresented, and she will be remembered as trailblazer for civil rights, women's rights, LGBTQ rights, and the environment.

We lost Marian Spencer this July, but her legacy will live on for generations. Her leadership and progressive ideas had a profound effect on our city, our State, and our Nation, and her work will remain a source of great pride for Ohioans. I am proud to honor Marian Spencer for her contributions to making our country a little freer and a little more just.●

### TRIBUTE TO MIKE AND TARI CONROY

• Mr. DAINES. Mr. President, this week I rise to recognize Mike and Tari Conroy for their impact on Ravalli County and the surrounding areas. Through their work as bluegrass musicians, the Conroys have brought delight to the hearts of their Montanan listeners.

The Conroys' devotion to bluegrass extends beyond their respective playing of the banjo, guitar, and other traditional bluegrass instruments. The events the Conroys take part in, such as celebrating the birthday of a 90-year-old U.S. Army veteran or the closing of an essential Missoula landmark, represent the very best of Montana. It is no surprise that Mr. Conroy is the president of the Montana Bluegrass Association.

Additionally, the Conroys have worked tirelessly to share their love of bluegrass music with their fellow Montanans by organizing the annual Hardtimes Bluegrass Festival, which takes place just south of Hamilton, MT. This festival brings numerous bluegrass bands from the Northwestern United States to perform in Montana. Despite the financial and logistical hurdles, the Conroys are committed to sharing their passion with their fellow Montanans. As the festival enters its 11th year, it has truly become a cultural staple of the Bitterroot.

I applaud Mike and Tari Conroy for their work promoting and spreading the joy of bluegrass music across the State of Montana. As the Conroys prepare for the next festival, I wish them all the best.●

#### IOWA SAFE SCHOOLS

● Ms. ERNST. Mr. President, I would like to recognize Iowa Safe Schools as they get set to begin their annual Pride Camp on July 15 in Des Moines. This summer program is designed to serve as an opportunity for LGBTQ students from around the state of Iowa to learn, to network, and to have lots of fun.

Thank you to Iowa Safe Schools for pursuing your mission of providing a safe environment and community for Iowa's LGBTQ youth to learn and grow. I am sending my best wishes to all of this year's attendees! Please, have a wonderful and productive time.●

#### REMEMBERING LIEUTENANT COLONEL MICHAEL HEALEY

● Mr. INHOFE. Mr. President, today I wish in tribute to Lieutenant Colonel Michael Healey of the British Royal Artillery Regiment, a great gunner, an officer of the highest quality, a British patriot, and a beloved friend of Oklahoma and America.

On June 29, we lost Mike Healey at the age of 67 after a 4-year battle with cancer. Just as in life, he faced his last fight with courage and vigor, without complaint, and with that famous British stiff upper lip. Mike was taken from us too soon, but his memory will be with us always, and his service will live on as a testament to the bonds of affection and friendship that still animate the special relationship between the United States and the United Kingdom.

Mike spent a lot of time in my State during the 1980s, 1990s, and early 2000s at a little place called Fort Sill, in Lawton, OK. Many of you know that Fort Sill is the home of the U.S. Army Field Artillery and Air Defense Artillery.

Major Mike Healey first came to Fort Sill in January 1988 to replace Major Ian Dowdswell as the British exchange instructor in the field artillery advanced course, which is now called the captains career course.

Mike was already very experienced as a major in the British Artillery and brought that tactical and technical knowledge to share with U.S. students and faculty. He made it through the instructor "murder boards" in record time, as he had been an instructor in his own Army. He very quickly grasped the American acronyms and organization for combat. Mike did a fantastic job as an instructor and was respected by his students and colleagues.

Mike came back to Fort Sill in 1997, after a promotion to lieutenant colonel, and became the British liaison officer to the U.S. Field Artillery. He represented the British Army excep-

tionally well in all aspects of the new position. One of the main reasons he was promoted and was allowed to return to America so soon was that he spoke "American" so well.

Lieutenant Colonel Healey returned for a third time to Oklahoma in 2005 to be, once again, the British LNO to the U.S. Field Artillery School but with the added responsibility of also serving as the British air defense artillery liaison officer. LTG Dave Valcourt was the commanding general of Fort Sill at the time, and specifically requested that the British Army send Mike back to Fort Sill for yet another tour to help guide the base through a critical period as it absorbed the U.S. Army ADA School from Fort Bliss.

Lieutenant Colonel Healey's combat theater service gave him immediate credibility with his American comrades in arms. Mike served in the Falklands War with British forces in 1984 and in Iraq alongside American units in 1991. In addition to his combat credentials, he coordinated joint/combined Cold War exercises and security procedures, working with Americans in Germany in 1979 and 1990 and in Turkey in 1996.

As a truly solemn and high-visibility assignment, Mike commanded the Queen's Guard at Edinburgh Castle in Scotland, marching the men down the Royal Mile to Holyrood Castle, followed by dinner with the Queen in 1983.

Mike was a graduate of Sandhurst Military Academy, the Royal Field Artillery School at Larkhill, and earned a master's degree at Schrivenham. He also had a BA in economics from Manchester University.

His military awards include the U.S. Army Field Artillery Association St. Barbara's Medal, the U.S. Army Meritorious Service Medal, the British Gulf War Medal, and the Queen Elizabeth Golden Jubilee Medal for special recognition during the commemoration of the Queen's 50th year on the throne.

Lieutenant Colonel Healey's greatest satisfaction and proudest moment, by his own admission, was when he authored, staffed, and presented a new Ministry of Defense Command policy to House of Commons on ensuring military members were not forgotten once they left the military and that their sacrifices were acknowledged in the civilian world with special accommodations.

He and his wife, Mo, were the consummate hosts at numerous official functions they personally planned and catered at Fort Sill, to include their memorable farewell bash in 2007 at the Polo Field.

Mike Healey loved America, Oklahoma, and the U.S. Army Field Artillery. He was constantly amazed by the wide-open spaces in the American West, the 300-plus sunny days per year, and how friendly the people were.

Mike unabashedly adopted the United States as his second home and voluntarily spent nearly a third of his military career in Oklahoma.

In fact, he thought so much of this great land that he specifically requested Old Glory be draped across his casket next to the Union Jack at his military funeral, which will be on July 19 in Thirsk, England. I am personally requesting that an American flag be flown over the Capitol in honor of Mike Healey and his service, not just to his own country but also for his service to our country. That flag will then be transported to England for the burial by Lieutenant General Valcourt, Retired, who will also deliver a portion of Mike's eulogy.

With this extraordinary request, Mike performed one last act of service by reminding his British compatriots and his American friends of our proud history and all that we still have to achieve together.

In January 1941, President Franklin Roosevelt sent Harry Hopkins as his personal envoy to meet Prime Minister Winston Churchill. At dinner one night, Hopkins rose and quoted from the Book of Ruth: "Whither thou goest I will go, and whither thou lodgest I will lodge. Thy people shall be my people, and thy God my God." He then added, "even to the end." Mike Healey lived those words. He saw firsthand why Americans love their country, and he became a true "forward observer" of the American dream. We are all better off for knowing Mike, and we will never forget all he has done for the U.S. Army, the Field Artillery School, the State of Oklahoma, and the United States of America.●

#### TRIBUTE TO LIEUTENANT COLONEL MICHELLE HEATH

● Mr. INHOFE. Mr. President, today I wish to recognize the service of an Oklahoma native and proud Marine officer upon completing 22 years of dedicated service to our great Nation. Lt. Col. Michelle Heath was commissioned a second lieutenant in the U.S. Marine Corps in April 1997 and has dedicated her career to the selfless service of our country.

Throughout the course of her career, Lieutenant Colonel Heath supported numerous operations both stateside and overseas. During her first tour at Camp Lejeune with 8th Motor Transport Battalion, Lieutenant Colonel Heath deployed as the motor transport detachment commander. After completion of this deployment, in May 2000, she was assigned as the assistant logistics officer to Marine Aircraft Group-14, Marine Corps Air Station Cherry Point.

Follow-on assignments included duty as the 2d Marine Aircraft Wing Antiterrorism Officer, Marine Corps Air Station Cherry Point followed by time with Mobilization Plans and Policy, Manpower and Reserve Affairs, Marine Corps Base Quantico. During this time she was directly involved with the mobilization of Marine Corps Reserve units in support of operations in Iraq and Afghanistan. In June 2006,

Lieutenant Colonel Heath deployed to Iraq to serve with Marine Wing Support Squadron-473 as a logistics officer.

In 2013, Lieutenant Colonel Heath attended the Naval Command and Staff course at the Naval War College. Upon graduation, she served as the operational sponsor for Marine for Life, Manpower and Reserve Affairs in Quantico, VA. In this capacity, she sought to ensure that all Marines maintained a connection to the Corps, regardless of their stage in life. Lieutenant Colonel Heath continued her service to the Nation when she joined the operational sponsor for the Readiness Support Program, Marine Corps Individual Reserve Support Activity, Marine Forces Reserve, New Orleans, LA.

Since 2016, Lieutenant Colonel Heath has served in the Office of Legislative Affairs, Headquarters, Marine Corps, Pentagon. In this capacity, she has worked tirelessly while balancing military, political, and budgetary priorities for the Congress.

Upon retirement, Lieutenant Colonel Heath will return to the great State of Oklahoma and will reside in Norman, OK. On behalf of my colleagues and the entire U.S. Senate, I want to personally thank Lieutenant Colonel Heath for her more than two decades of service to the Marine Corps and our Nation, and I wish her well in her future endeavors.●

#### TRIBUTE TO KATHY HADLEY

● Mr. TESTER. Mr. President, I rise today to honor a longtime advocate for sustainable living and conservation who has worked tirelessly to make the world around her a better, healthier place.

Kathy Hadley is retiring from her position as the executive director of the National Center for Appropriate Technology in Butte, MT. For over 30 years, Kathy has devoted her life to NCAT's mission: championing small-scale, local, and sustainable solutions to reduce poverty, promote healthy communities, and protect natural resources.

Kathy has had a hand in some of the most important conservation movements of the past 30 years, and programs at NCAT under her direction have ranged from developing energy-saving strategies for low-income communities to helping out farmers looking to adopt more sustainable farming practices, as well as AmeriCorps program that gives young people an opportunity to serve the public while working towards clean air and clean water.

I am particularly fond of the Armed-to-Farm Program, which teaches veterans the ins and outs of farming.

Her career has also led her to distinguished service with the National Wildlife Federation, where she fought to ensure wildlife continues to thrive in our rapidly changing world.

I am thankful for Kathy's commitment to the environment, to sustainability, and to building a better future

for our children and grandchildren. She has left an indelible mark on Montana and on the world, and I wish her and her husband Wayne and their two sons, Erik and Liam, the best.

Enjoy your retirement, and job well done.●

#### TRIBUTE TO JOHN FALKENBURY

● Mr. TILLIS. Mr. President, today I wish to pay tribute to Mr. John Falkenbury, the president and chief operating officer for the United Service Organizations, USO, of North Carolina, on his decades of service to the great State of North Carolina.

For over a decade, since his initial appointment as president and COO for the USO of North Carolina in 2009, John has been integral in coordinating, planning, and leading the operations of the USO State headquarters, five USO fixed centers, and mobile centers in locations spanning the entire State. John's leadership skills were prominently displayed in his ability to mobilize thousands of volunteers over the years to support countless Active-Duty servicemembers, veterans, and their families. John's extensive resume is a testament to his lifelong commitment to public service, which includes his past role as president and CEO of Five Oaks Nursing Center in Concord, NC, serving as the managing partner of the Falkenbury Family LLC, and as the president of the Stephen D. Falkenbury Jr. Foundation in Charlotte, NC. Prior to his work for the USO, John served in the U.S. Army for 20 years, which included numerous assignments across the United States and in Germany.

The USO centers across the State of North Carolina provide critical resources and support to our men and women in uniform and their families. These services include transition assistance, financial literacy, child educational programs, deployment, and homecoming operations, military and civilian outreach programs, Fallen and Wounded Warrior escort services, and a focus on providing the entire community with support and assistance. Through his leadership, dedication, and passion for service, John Falkenbury has been a champion in ensuring these programs are readily available for anyone who needs them.

The North Carolina USO has a strong track record of dedicated support of servicemembers at military installations, including Fort Bragg, Camp Lejeune, and Seymour Johnson Air Force Base. In 2016, when the devastating Hurricane Matthew flooded large portions of Eastern North Carolina, John assisted in the delivery of 1,000 care packages via Blackhawk helicopter to soldiers and civilians in afflicted areas. A USO mobile center deployed near Lumberton, NC, for 5 days to provide basic necessity items, a BBQ dinner, satellite access, and internet service to over 400 servicemembers.

As a Senator, a member of the USO Congressional Caucus, and a North Car-

olinian, I am pleased to congratulate John Falkenbury on his retirement and for his impressive career of public service and steadfast commitment to our country.●

#### MESSAGE FROM THE HOUSE

At 10:20 a.m., a message from the House of Representatives, delivered by Mrs. Cole, one of its reading clerks, announced that the House has passed the following bills, without amendment:

S. 744. An act to amend section 175b of title 18, United States Code, to correct a scrivener's error.

S. 998. An act to amend the Omnibus Crime Control and Safe Streets Act of 1968 to expand support for police officer family services, stress reduction, and suicide prevention, and for other purposes.

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

H.R. 677. An act to amend gendered terms in Federal law relating to the President and the President's spouse.

H.R. 1044. An act 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.

H.R. 1569. An act to amend title 28, United States Code, to add Flagstaff and Yuma to the list of locations in which court shall be held in the judicial district for the State of Arizona.

#### MEASURES REFERRED

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

H.R. 677. An act to amend gendered terms in Federal law relating to the President and the President's spouse; to the Committee on the Judiciary.

H.R. 1044. An act 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; to the Committee on the Judiciary.

#### 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-1916. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Iran-Related Multilateral Sanctions Regime Efforts" covering the period August 7, 2018 to February 6, 2019; to the Committees on Foreign Relations; Banking, Housing, and Urban Affairs; and Finance.

EC-1917. A communication from the Assistant Secretary, Legislative Affairs, Department of State, transmitting, pursuant to law, a report entitled "Operation of the Tropical Forest Conservation Act and the Enterprise for the Americas Initiative Calendar Year 2018 Annual Report to Congress"; to the Committee on Foreign Relations.

EC-1918. A communication from the Assistant Attorney General, Office of Legislative Affairs, Department of Justice, transmitting, pursuant to law, the Office of Community Oriented Policing Services (COPS) Annual Report for fiscal year 2018; to the Committee on the Judiciary.

EC-1919. A communication from the Regulation Policy Development Coordinator, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Case Management Services Grant Program" (RIN2900-AQ15) received in the Office of the President of the Senate on July 8, 2019; to the Committee on Veterans' Affairs.

## PETITIONS AND MEMORIALS

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

POM-110. A resolution adopted by the Senate of the Commonwealth of Puerto Rico requesting the United States Congress pass H.R. 2360 which seeks to establish a Renewable Energy Grant Program within the United States Department of Agriculture (USDA) for the purpose of promoting renewable energy in Puerto Rico and the Virgin Islands of the United States; to the Committee on Energy and Natural Resources.

### SENATE RESOLUTION No. 1084

Congressman Ted W. Lieu, the Resident Commissioner of Puerto Rico in Washington D.C., the Hon. Jenniffer González-Colón, and Congresswoman Stacey Plaskett introduced H.R. 2360 on April 25, 2019, which directs the Secretary of Agriculture to establish a Renewable Energy Grant Program for the purpose of awarding funds to not-for-profit entities so they may develop and use renewable energy systems.

This legislation, which shall be known as the "Renewable Energy for Puerto Rico and the U.S. Virgin Islands Act," seeks to promote investment in renewable energy, energy efficiency, energy storage, and microgrid and smart grid projects. The organizations that are awarded these grants may receive technical assistance from the Department of Energy national laboratories. Furthermore, the measure appropriates funds for the Comptroller General of the United States to conduct a study regarding renewable energy and energy efficiency in Puerto Rico and the Virgin Islands of the United States not later than one hundred and eighty (180) days after the date of enactment of the Act. The study shall consider the potential to modify existing electric power systems, use renewable energy sources, expand the use of microgrids, and improve energy resiliency.

It is worth noting that H.R. 2360 is consistent with the recently approved Act No. 17-2019, known as the "Puerto Rico Energy Public Policy Act," which seeks to transform our electrical system into one that is robust, resilient, reliable, eco-friendly, and affordable, and that serves as the basis for the Island's economic development. Act No. 17, supra, directs the elimination of electric power generation from fossil fuels in Puerto Rico and, for such purpose, establishes a new and ambitious Renewable Portfolio Standard that requires that forty percent (40%) energy generation from renewable sources by 2025; sixty percent (60%) by 2040; and one hundred percent (100%) by 2050. In addition, it encourages the use of energy storage technology for all consumer levels, promotes the integration of distributed generation and microgrids, and seeks to attain thirty percent (30%) energy efficiency by 2040.

However, it is a fact that Puerto Rico and the Virgin Islands are exposed to suffering the consequences of catastrophic hurricanes such as Irma and Maria which left millions of U.S. citizens without electric power service for a long period of time. The passage of these two hurricanes in 2017 and the reality of climate change has once again raised awareness of the importance of having an electrical system that is resilient to weather events that have become stronger and more frequent.

H.R. 2360 complements the efforts made by the Government of Puerto Rico to transform our electrical system and contributes towards achieving one hundred percent (100%) energy generation from renewable sources by 2050, therefore, the Senate of Puerto Rico supports this important initiative.

*Be it resolved by the Senate of Puerto Rico:*

Section 1.—To express the support of the Senate of Puerto Rico to, and request the United States Congress to pass H.R. 2360 which seeks to establish a Renewable Energy Grant Program within the United States Department of Agriculture (USDA) for the purpose of promoting renewable energy in Puerto Rico and the Virgin Islands of the United States of America.

Section 2.—Upon its approval, a copy of this Resolution translated into English shall be delivered to the leadership of the United States Congress, congress members Ted W. Lieu and Stacey Plaskett, and the Resident Commissioner of Puerto Rico in Washington D.C., Jenniffer González-Colón.

Section 3.—This Resolution shall take effect upon its approval.

POM-111. 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 decision-making 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 policy-making 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*, that 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.

POM-112. A resolution adopted by the Senate of the State of Texas urging the United States Congress to enact legislation to consolidate disaster recovery housing funding into a single Disaster Housing Response and Recovery Block Grant; to the Committee on Homeland Security and Governmental Affairs.

### SENATE RESOLUTION No. 816

Whereas, Hurricane Harvey struck the Texas coast on August 25, 2017, causing an estimated \$125 billion in damage; and

Whereas, The second most destructive storm in American history, the hurricane impacted approximately 30 percent of the population of Texas, destroying homes, damaging infrastructure, and displacing thousands of families along the coast; and

Whereas, The Federal Emergency Management Agency received nearly 800,000 applications from affected Texans for some form of assistance; as many as 83 percent of the people whose homes flooded did not have flood

insurance, creating unprecedented demand for state and federal disaster recovery assistance; and

Whereas, The FEMA application process is so duplicative and confusing, and the United States Department of Housing and Urban Development regulations are so complex, that many survivors give up trying to navigate the system and, therefore, receive no assistance; and

Whereas, Consolidating funding for recovery housing programs into a single Disaster Housing Response and Recovery Block Grant would increase efficiency, save taxpayer dollars, and speed the recovery process by combining FEMA's short-term programs and HUD's long-term programs: Now, therefore, be it

*Resolved*, That the Senate of the State of Texas, 86th Legislature, hereby respectfully urge the United States Congress to enact legislation to consolidate disaster recovery housing funding into a single Disaster Housing Response and Recovery Block Grant; and, be it further

*Resolved*, That the secretary of the senate forward official copies of this resolution to the president of the United States, to the president of the Senate and the speaker of the House of Representatives of the United States Congress, and to all the members of the Texas delegation to Congress with the request that this resolution be entered in the Congressional Record as a memorial to the Congress of the United States of America.

POM-113. A resolution adopted by the Senate of the State of Hawaii urging the United States Congress to amend federal law to ensure that victims of sexual harassment and sexual assault who might otherwise be forced into arbitration and silence instead have access to the courts; to the Committee on the Judiciary.

#### SENATE RESOLUTION NO. 11

Whereas, access to the judicial system, whether federal or state, is a fundamental right of all Americans that should extend fully to persons who have been subjected to sexual harassment and sexual assault; and

Whereas, many employers require their employees, as a condition of employment, to sign arbitration agreements mandating that sexual harassment claims be resolved through arbitration instead of judicial proceedings; and

Whereas, arbitration requirements are often set forth in clauses found within the fine print of lengthy employment contracts, and that these clauses are typically presented in boilerplate "take-it-or-leave-it" fashion by employers; and

Whereas, additional concerns arise from the secrecy requirements of arbitration clauses, which disserve the public interest by keeping both the harassment complaints and any settlements confidential; and

Whereas, the prevalence of mandatory arbitration clauses and the associated secrecy requirements create a culture of silence that protects serial perpetrators at the cost of their victims; and

Whereas, the United States Senate and House of Representatives are considering legislation to address the issue of forced arbitration and secrecy in sexual harassment and sexual assault cases, and enable the victims of such egregious misconduct to seek redress in the courts; and

Whereas, the Hawaii Women's Legislative Caucus applauds the female members of the United States Senate and House of Representatives who are working in a bipartisan fashion to craft and advance this important legislation: Now, therefore, be it

*Resolved*, By the Senate of the Thirtieth Legislature of the State of Hawaii, Regular

Session of 2019, that members of the United States Congress are respectfully requested to amend federal law to ensure that victims of sexual harassment and sexual assault who might otherwise be forced into arbitration and silenced instead have access to the courts; and be it further

*Resolved*, That certified copies of this Resolution be transmitted to the Speaker of the United States House of Representatives, President Pro Tempore of the United States Senate, members of each state's congressional delegation, and Governor.

POM-114. 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; 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.

POM-115. A petition from a citizen of the State of Texas relative to prohibiting any potential employer from requiring disclosure of an employment applicant's Social Security number until a conditional or firm offer

of employment is formally made to that candidate; to the Committee on Health, Education, Labor, and Pensions.

POM-116. A resolution adopted by the Township Council of the Township of Mahwah, New Jersey, recognizing June 7, 2019, as National Gun Violence Awareness Day; to the Committee on the Judiciary.

#### REPORTS OF COMMITTEES

The following reports of committees were submitted:

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

S. 1309. A bill to identify and combat corruption in countries, to establish a tiered system of countries with respect to levels of corruption by their governments and their efforts to combat such corruption, and to assess United States assistance to designated countries in order to advance anti-corruption efforts in those countries and better serve United States taxpayers.

#### EXECUTIVE REPORT OF COMMITTEE

The following executive report of a nomination was submitted:

By Mr. GRAHAM for the Committee on the Judiciary.

Monica David Morris, of Florida, to be a Commissioner of the United States Parole Commission for a term of six years.

(Nominations without an asterisk were reported with the recommendation that they be confirmed.)

#### INTRODUCTION OF BILLS AND JOINT RESOLUTIONS

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

By Ms. DUCKWORTH (for herself and Mr. WHITEHOUSE):

S. 2086. A bill to amend the Safe Drinking Water Act to improve transparency under the national primary drinking water regulations for lead and copper, and for other purposes; to the Committee on Environment and Public Works.

By Ms. DUCKWORTH (for herself, Mr. YOUNG, Ms. STABENOW, and Mr. DURBIN):

S. 2087. A bill to improve the removal of lead from drinking water in public housing; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. SCOTT of South Carolina (for himself and Mr. SCHATZ):

S. 2088. A bill to amend the National Flood Insurance Act of 1968 to ensure community accountability for areas repetitively damaged by floods, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. MANCHIN (for himself and Mr. BRAUN):

S. 2089. A bill to prohibit the labeling of certain opioid drugs recommending use for long-term chronic pain; to the Committee on Health, Education, Labor, and Pensions.

By Ms. CORTEZ MASTO (for herself, Mr. BLUMENTHAL, Mr. CASEY, Mr. VAN HOLLEN, and Ms. HIRONO):

S. 2090. A bill to direct the Attorney General to submit to Congress investigative materials in the event of certain pardons granted by the President, and for other purposes; to the Committee on the Judiciary.



By Mr. PAUL:

S. 2091. A bill to reduce the backlog of foreign nationals seeking employment-based visas, and for other purposes; to the Committee on the Judiciary.

By Mr. RISCH (for himself, Mr. JONES, Mr. COTTON, Mr. HEINRICH, Mr. ALEXANDER, Mr. MANCHIN, Mrs. FISCHER, Mr. KING, and Mr. BOOZMAN):

S. 2092. A bill to amend the Pittman-Robertson Wildlife Restoration Act to modernize the funding of wildlife conservation, and for other purposes; to the Committee on Environment and Public Works.

By Mr. RUBIO:

S. 2093. A bill to provide for the establishment of the Thorium-Bearing Rare Earth Refinery Cooperative, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 2094. A bill to amend the Energy Policy and Conservation Act to provide Federal financial assistance to States to implement State energy security plans, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. GARDNER (for himself and Mr. BENNET):

S. 2095. A bill to provide for certain programs and developments in the Department of Energy concerning the cybersecurity and vulnerabilities of, and physical threat to, the electric grid, and for other purposes; to the Committee on Energy and Natural Resources.

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

S. 2096. A bill to amend title 38, United States Code, to authorize States and tribal organizations that receive grants from the National Cemetery Administration for establishment, expansion, or improvement of a veterans' cemeteries to use amounts of such grants for State and tribal organization cemetery personnel to train at the training center of the National Cemetery Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BLUMENTHAL (for himself, Ms. HIRONO, Ms. HARRIS, Mr. MARKEY, Mr. WYDEN, Ms. DUCKWORTH, Mr. SCHATZ, Ms. KLOBUCHAR, Mrs. MURRAY, Ms. WARREN, Mr. KAINE, Mr. MURPHY, Mr. MERKLEY, Mrs. GILLIBRAND, Ms. CORTEZ MASTO, and Mr. BENNET):

S. 2097. A bill to amend section 287 of the Immigration and Nationality Act to limit immigration enforcement actions at sensitive locations, to clarify the powers of immigration officers at such locations, and for other purposes; to the Committee on the Judiciary.

By Mr. SCHUMER (for Ms. HARRIS (for herself, Ms. HIRONO, Mr. BLUMENTHAL, Mrs. FEINSTEIN, Ms. WARREN, Mrs. GILLIBRAND, and Mr. MERKLEY)):

S. 2098. A bill to amend the Revised Statutes to grant State attorneys general the ability to issue subpoenas to investigate suspected violations of State laws that are applicable to national banks; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRAMER (for himself and Mr. HOEVEN):

S. 2099. A bill to redesignate the Sullys Hill National Game Preserve in the State of North Dakota as the White Horse Hill National Game Preserve; to the Committee on Environment and Public Works.

By Ms. ROSEN (for herself, Mr. MORAN, Mr. CRAMER, and Mr. JONES):

S. 2100. A bill to amend the Internal Revenue Code of 1986 to establish a small business start-up tax credit for veterans creating

businesses in underserved communities; to the Committee on Finance.

By Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. CANTWELL, Mr. CARDIN, Mr. CASEY, Ms. DUCKWORTH, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mr. PETERS, Mr. SANDERS, Mr. SCHATZ, Ms. SMITH, Ms. STABENOW, Mr. VAN HOLLEN, Ms. WARREN, and Mr. WYDEN):

S. 2101. A bill to amend the Fair Labor Standards Act of 1938 and the Portal-to-Portal Act of 1947 to prevent wage theft and assist in the recovery of stolen wages, to authorize the Secretary of Labor to administer grants to prevent wage and hour violations, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mrs. SHAHEEN:

S. 2102. A bill to provide funding for programs and activities under the SUPPORT for Patients and Communities Act; to the Committee on Health, Education, Labor, and Pensions.

By Mr. DURBIN (for himself, Mr. CRAMER, and Ms. SMITH):

S. 2103. A bill to improve access to affordable insulin; to the Committee on Health, Education, Labor, and Pensions.

By Mr. PAUL:

S. 2104. A bill to amend the Clean Air Act to exclude energy efficiency projects, pollution control projects, and reliability projects from the definition of a modification; to the Committee on Environment and Public Works.

By Mr. PAUL:

S. 2105. A bill to amend the Clean Air Act to clarify when a physical change in, or change in the method of operation of, a stationary source constitutes a modification, and for other purposes; to the Committee on Environment and Public Works.

By Mr. DURBIN (for himself, Ms. COLLINS, Mr. BROWN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. WYDEN, Mr. REED, Mrs. MURRAY, Mr. CARPER, Mr. MERKLEY, Ms. HIRONO, and Mr. KAINE):

S. 2106. A bill to amend title 38, United States Code, to prohibit smoking on the premises of any facility of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. PETERS (for himself, Mr. ROBERTS, Mr. CORNYN, and Ms. STABENOW):

S. 2107. A bill to increase the number of CBP Agriculture Specialists and support staff in the Office of Field Operations of U.S. Customs and Border Protection, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. DAINES (for himself, Ms. MURKOWSKI, and Mr. GARDNER):

S. 2108. A bill to amend section 6903 of title 31, United States Code, to provide for additional population tiers, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. ROUNDS (for himself and Mrs. GILLIBRAND):

S. 2109. A bill to modify the proof of concept commercialization program of the Department of Defense, and for other purposes; to the Committee on Armed Services.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. MENENDEZ (for himself, Mr. MORAN, Mr. LEAHY, Mr. TILLIS, Mr. COONS, Mr. BROWN, Ms. BALDWIN, Mr. MARKEY, Mr. CASEY, Mr. RUBIO, Mr. CRUZ, Mr. KING, Mr. BOOZMAN, Mr. REED, Mr. COTTON, and Mr. CASSIDY):

S. Res. 274. A resolution expressing solidarity with Falun Gong practitioners who have lost lives, freedoms, and other rights for adhering to their beliefs and practices, and condemning the practice of non-consenting organ harvesting, and for other purposes; to the Committee on Foreign Relations.

## ADDITIONAL COSPONSORS

S. 73

At the request of Mrs. SHAHEEN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 73, a bill to amend the Internal Revenue Code of 1986 to deny the deduction for advertising and promotional expenses for prescription drugs.

S. 133

At the request of Ms. MURKOWSKI, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Maine (Ms. COLLINS), and the Senator from New Jersey (Mr. MENENDEZ) were added as cosponsors of S. 133, a bill to award a Congressional Gold Medal, collectively, to the United States merchant mariners of World War II, in recognition of their dedicated and vital service during World War II.

S. 192

At the request of Mr. ALEXANDER, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 192, a bill to provide extensions for community health centers, the National Health Service Corps, teaching health centers that operate GME programs, and the special diabetes programs.

S. 265

At the request of Mr. RUBIO, the name of the Senator from Florida (Mr. SCOTT) was added as a cosponsor of S. 265, a bill to develop a national strategy to prevent targeted violence through behavioral threat assessment and management, and for other purposes.

S. 286

At the request of Mr. BARRASSO, the names of the Senator from Nevada (Ms. ROSEN) and the Senator from Massachusetts (Mr. MARKEY) were added as cosponsors of S. 286, a bill to amend title XVIII of the Social Security Act to provide for the coverage of marriage and family therapist services and mental health counselor services under part B of the Medicare program, and for other purposes.

S. 402

At the request of Mrs. MURRAY, the name of the Senator from Maryland (Mr. VAN HOLLEN) was added as a cosponsor of S. 402, a bill to plan, develop, and make recommendations to increase access to sexual assault examinations for survivors by holding hospitals accountable and supporting the providers that serve them.



S. 460

At the request of Mr. WARNER, the name of the Senator from Mississippi (Mr. WICKER) was added as a cosponsor of S. 460, a bill to amend the Internal Revenue Code of 1986 to extend the exclusion for employer-provided education assistance to employer payments of student loans.

S. 689

At the request of Mr. TESTER, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 689, a bill to amend the Animal Health Protection Act to support State and Tribal efforts to develop and implement management strategies to address chronic wasting disease among deer, elk, and moose populations, to support research regarding the causes of chronic wasting disease and methods to control the further spread of the disease, and for other purposes.

S. 803

At the request of Mr. TOOMEY, the name of the Senator from Idaho (Mr. CRAPO) 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. 1013

At the request of Ms. STABENOW, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1013, a bill to amend the Public Health Service Act to reauthorize school-based health centers, and for other purposes.

S. 1032

At the request of Mr. PORTMAN, the name of the Senator from Maine (Mr. KING) was added as a cosponsor of S. 1032, a bill to amend the Internal Revenue Code of 1986 to modify the definition of income for purposes of determining the tax-exempt status of certain corporations.

S. 1102

At the request of Mr. RUBIO, the name of the Senator from Mississippi (Mr. WICKER) 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. 1247

At the request of Mr. BLUMENTHAL, the name of the Senator from New Jersey (Mr. MENENDEZ) was added as a cosponsor of S. 1247, a bill to amend the Federal Election Campaign Act of 1971 to require reporting to the Federal Election Commission and the Federal Bureau of Investigation of offers by foreign nationals to make prohibited contributions, donations, expenditures, or disbursements, and for other purposes.

S. 1360

At the request of Mr. PETERS, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1360, a bill to amend title 10, United States Code, to ensure that the final pay and certificate of discharge or release for a reserve member

of the Armed Forces is ready upon discharge or release of that member from active status.

S. 1365

At the request of Ms. KLOBUCHAR, her name 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. 1449

At the request of Mr. MARKEY, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 1449, a bill to amend the Controlled Substances Act to require warning labels for prescription opioids, and for other purposes.

S. 1590

At the request of Mr. MERKLEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. 1590, a bill to amend the State Department Basic Authorities Act of 1956 to authorize rewards for thwarting wildlife trafficking linked to transnational organized crime, and for other purposes.

S. 1623

At the request of Mr. DAINES, the name of the Senator from Alaska (Mr. SULLIVAN) was added as a cosponsor of S. 1623, a bill to amend the Internal Revenue Code of 1986 to allow for distributions from 529 accounts for expenses associated with registered apprenticeship programs.

S. 1723

At the request of Mr. GARDNER, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 1723, a bill to amend the Omnibus Parks and Public Lands Management Act of 1996 to provide for the establishment of a Ski Area Fee Retention Account.

S. 1802

At the request of Mr. KAINE, the name of the Senator from South Dakota (Mr. ROUNDS) was added as a cosponsor of S. 1802, a bill to provide a work opportunity tax credit for military spouses and to provide for flexible spending arrangements for childcare services for military families.

S. 1918

At the request of Mr. BOOZMAN, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 1918, a bill to amend the Richard B. Russell National School Lunch Act to require alternative options for summer food service program delivery.

S. 1966

At the request of Mrs. BLACKBURN, the name of the Senator from Mississippi (Mr. WICKER) was added as a

cosponsor of S. 1966, a bill to prohibit Federal funding to entities that do not certify the entities will not perform, or provide any funding to any other entity that performs, an abortion.

S. 1996

At the request of Ms. MCSALLY, the name of the Senator from Mississippi (Mrs. HYDE-SMITH) was added as a cosponsor of S. 1996, a bill to amend the Internal Revenue Code of 1986 to clarify the application of the net operating loss deduction.

S. 2048

At the request of Mr. KING, the name of the Senator from New Mexico (Mr. HEINRICH) was added as a cosponsor of S. 2048, a bill to require the Secretary of Energy to establish a demonstration initiative focused on the development of long-duration energy storage technologies, including a joint program to be established in consultation with the Secretary of Defense, and for other purposes.

S. 2054

At the request of Mr. MARKEY, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 2054, a bill to posthumously award the Congressional Gold Medal, collectively, to Glen Doherty, Tyrone Woods, J. Christopher Stevens, and Sean Smith, in recognition of their contributions to the Nation.

S. 2080

At the request of Ms. BALDWIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Mississippi (Mr. WICKER) were added as cosponsors of S. 2080, a bill to amend the Public Health Service Act to increase the number of permanent faculty in palliative care at accredited allopathic and osteopathic medical schools, nursing schools, social work schools, and other programs, including physician assistant education programs, to promote education and research in palliative care and hospice, and to support the development of faculty careers in academic palliative medicine.

S. 2083

At the request of Mrs. FEINSTEIN, the names of the Senator from New York (Mrs. GILLIBRAND) and the Senator from Minnesota (Ms. KLOBUCHAR) were added as cosponsors of S. 2083, a bill to amend chapter 2205 of title 36, United States Code, to ensure pay equity for amateur athletes, and for other purposes.

S. 2085

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

S. RES. 194

At the request of Mr. GRASSLEY, the name of the Senator from Maryland

(Mr. CARDIN) was added as a cosponsor of S. Res. 194, a resolution designating July 30, 2019, as “National Whistleblower Appreciation Day”.

S. RES. 234

At the request of Mr. MERKLEY, the name of the Senator from Delaware (Mr. COONS) was added as a cosponsor of S. Res. 234, a resolution affirming the United States commitment to the two-state solution to the Israeli-Palestinian conflict, and noting that Israeli annexation of territory in the West Bank would undermine peace and Israel's future as a Jewish and democratic state.

## STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. DURBIN (for himself, Mr. CRAMER, and Ms. SMITH):

S. 2103. A bill to improve access to affordable insulin; to the Committee on Health, Education, Labor, and Pensions.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2103

*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 “Affordable Insulin Approvals Now Act”.

### SEC. 2. DEEMED APPROVAL UNDER SECTION 351.

Section 7002(e)(4) of the Biologics Price Competition and Innovation Act of 2009 (Public Law 111-148) is amended—

(1) by striking “An amended” and inserting the following:

“(A) IN GENERAL.—An amended”; and  
(2) by adding at the end the following:

“(B) TREATMENT OF CERTAIN PENDING APPLICATIONS.—With respect to an application for an insulin biological product submitted under subsection (b)(2) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 355) with a filing date that is not later than December 31, 2019, until the Secretary makes a determination on final approval with respect to such application, the Secretary shall continue to review and approve (as appropriate) such application under such section 505, even if such review and approval process continues after March 23, 2020. For purposes of completing the review and approval process for such an application, any listed drug referenced in the application shall be treated as a listed drug under section 505(j)(7) of the Federal Food, Drug, and Cosmetic Act, even if such listed drug is deemed licensed under section 351 of the Public Health Service Act during such review and approval process. Effective on the later of March 23, 2020, or the date of approval under subsection (c) or (j) of section 505 of the Federal Food, Drug, and Cosmetic Act of any such application, such approved application shall be deemed to be a license for the biological product under section 351 of the Public Health Service Act.”.

By Mr. DURBIN (for himself, Ms. COLLINS, Mr. BROWN, Mr. BLUMENTHAL, Mr. MARKEY, Mr. WYDEN, Mr. REED, Mrs. MURRAY, Mr. CARPER, Mr. MERKLEY, Ms. HIRONO, and Mr. KAINE):

S. 2106. A bill to amend title 38, United States Code, to prohibit smoking on the premises of any facility of the Veterans Health Administration, and for other purposes; to the Committee on Veterans' Affairs.

Mr. DURBIN. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 2106

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

### SECTION 1. PROHIBITION ON SMOKING IN FACILITIES OF THE VETERANS HEALTH ADMINISTRATION.

(a) PROHIBITION.—

(1) IN GENERAL.—Section 1715 of title 38, United States Code, is amended to read as follows:

#### “§ 1715. Prohibition on smoking in facilities of the Veterans Health Administration

“(a) PROHIBITION.—No person (including any veteran, patient, resident, employee of the Department, contractor, or visitor) may smoke on the premises of any facility of the Veterans Health Administration.

“(b) DEFINITIONS.—In this section:

“(1) The term ‘facility of the Veterans Health Administration’ means any land or building (including any medical center, nursing home, domiciliary facility, outpatient clinic, or center that provides readjustment counseling) that is—

“(A) under the jurisdiction of the Department of Veterans Affairs;

“(B) under the control of the Veterans Health Administration; and

“(C) not under the control of the General Services Administration.

“(2) The term ‘smoke’ includes—

“(A) the use of cigarettes, cigars, pipes, and any other combustion or heating of tobacco; and

“(B) the use of any electronic nicotine delivery system, including electronic or e-cigarettes, vape pens, and e-cigars.”.

(2) CLERICAL AMENDMENT.—The table of sections at the beginning of subchapter II of chapter 17 of such title is amended by striking the item relating to section 1715 and inserting the following new item:

“1715. Prohibition on smoking in facilities of the Veterans Health Administration.”.

(b) CONFORMING AMENDMENT.—Section 526 of the Veterans Health Care Act of 1992 (Public Law 102-585; 38 U.S.C. 1715 note) is repealed.

(c) EFFECTIVE DATE.—The amendments made by this section take effect on October 1, 2019.

## SUBMITTED RESOLUTIONS

### SENATE RESOLUTION 274—EXPRESSING SOLIDARITY WITH FALUN GONG PRACTITIONERS WHO HAVE LOST LIVES, FREEDOMS, AND OTHER RIGHTS FOR ADHERING TO THEIR BELIEFS AND PRACTICES, AND CONDEMNING THE PRACTICE OF NON-CONSENTING ORGAN HARVESTING, AND FOR OTHER PURPOSES

Mr. MENENDEZ (for himself, Mr. MORAN, Mr. LEAHY, Mr. TILLIS, Mr.

COONS, Mr. BROWN, Ms. BALDWIN, Mr. MARKEY, Mr. CASEY, Mr. RUBIO, Mr. CRUZ, Mr. KING, Mr. BOOZMAN, Mr. REED, Mr. COTTON, and Mr. CASSIDY) submitted the following resolution; which was referred to the Committee on Foreign Relations:

S. RES. 274

Whereas Falun Gong (also known as Falun Dafa) is a Chinese spiritual discipline founded by Li Hongzhi in 1992 that consists of spiritual and moral teachings, meditation, and exercise, and is based upon the universal principles of truthfulness, compassion, and forbearance;

Whereas, during the mid-1990s, Falun Gong acquired a large and diverse following, with as many as 70,000,000 practitioners at its peak;

Whereas, on April 25, 1999, an estimated 10,000 to 30,000 Falun Gong practitioners gathered in Beijing to protest growing restrictions by the Government of the People's Republic of China on the activities of Falun Gong practitioners, and the Government of the People's Republic of China responded with an intensive, comprehensive, and unforgiving campaign against the movement that began on July 20, 1999, with the banning of Falun Gong;

Whereas the Constitution of the People's Republic of China guarantees basic rights, including the freedoms of speech, association, demonstration, and religion;

Whereas, in 1993, the Government of the People's Republic of China praised Li Hongzhi for his contributions in “safeguarding social order and security” and “promoting rectitude in society”;

Whereas, in many detention facilities and labor camps, Falun Gong prisoners of conscience have at times comprised the majority of the population, and have been said to receive the longest sentences and the worst treatment, including torture;

Whereas, according to overseas Falun Gong and human rights organizations, since 1999, from several hundred to a few thousand Falun Gong adherents have died in custody from torture, abuse, and neglect;

Whereas a review of the Government of the People's Republic of China by the United Nations Human Rights Council's Working Group on the Universal Periodic Review in November 2018, recommended that China “[e]nd prosecution and persecution on the basis of religion or belief, including for Muslims, Christians, Tibetan Buddhists and Falun Gong”;

Whereas the United Nations Committee Against Torture and the Special Rapporteur on Torture have expressed concern over the allegations of organ harvesting from Falun Gong prisoners, and have called on the Government of the People's Republic of China to increase accountability and transparency in the organ transplant system and punish those responsible for abuses;

Whereas the killing of religious or political prisoners for any purpose, including for the purpose of selling their organs for transplant, is an egregious and intolerable violation of the fundamental right to life;

Whereas voluntary and informed consent is the precondition for ethical organ donation, and international medical organizations state that prisoners, deprived of their freedom, are not in the position to give free consent and that the practice of sourcing organs from prisoners is a violation of ethical guidelines in medicine;

Whereas the Government of the People's Republic of China and the Communist Party of China continue to deny reports that many

organs are taken without the consent of prisoners, yet at the same time prevent independent verification of the organ transplant system in China;

Whereas the organ transplantation system in China does not comply with the World Health Organization's requirement of transparency and traceability in organ procurement pathways;

Whereas the Department of State Country Report on Human Rights for China for 2018 reported that "[s]ome activists and organizations continue to accuse the government of involuntarily harvesting organs from prisoners of conscience, especially members of Falun Gong";

Whereas Huang Jiefu, director of the China Organ Donation Committee, announced in December 2014 that China would end the practice of organ harvesting from executed prisoners by January 1, 2015, but did not directly address organ harvesting from prisoners of conscience;

Whereas Freedom House reported in 2015 that Falun Gong practitioners comprise the largest portion of prisoners of conscience in China, and face an elevated risk of dying or being killed in custody;

Whereas the Department of State Country Report on Human Rights for China for 2016 reported that "some international medical professionals and human rights researchers questioned the voluntary nature of the [transplantation] system, the accuracy of official statistics, and official claims about the source of organs";

Whereas a 2017 report by Freedom House concluded that there was "credible evidence suggesting that beginning in the early 2000s, Falun Gong detainees were killed for their organs on a large scale";

Whereas the Congressional-Executive Commission on China (CECC) stated in 2018 that "[i]nternational organizations continued to express concern over reports that organs of detained prisoners have been used in numerous organ transplant operations in China, including those of Falun Gong practitioners" and also noted that medical professionals and international advocacy organizations "disputed Chinese health officials' claims that organ procurement systems have been reformed in compliance with international standards, citing ethical concerns about organ sourcing raised by short wait times for organ transplants and discrepancies in data on organ transplants";

Whereas the Independent Tribunal Into Forced Organ Harvesting From Prisoners of Conscience in China, chaired by Sir Geoffrey Nice QC, issued a short form conclusion of its final judgment in June 2019 finding that "forced organ harvesting has been committed for years throughout China on a significant scale and that Falun Gong practitioners have been one—and probably the main—source of organ supply"; and

Whereas the Tribunal also concluded that it had seen no evidence that the organ transplantation industry in China had been dismantled, and absent a satisfactory explanation as to the source of organs, that forced organ harvesting continues in China today: Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses solidarity with Falun Gong practitioners and their families for the lives, freedoms, and rights they lost for adhering to their beliefs and practices;

(2) emphasizes to the Government of the People's Republic of China that freedom of religion includes the right of Falun Gong practitioners to freely practice Falun Gong in China;

(3) calls upon the Communist Party of China to immediately cease and desist from its campaign to persecute Falun Gong practitioners and promptly release all Falun

Gong practitioners who have been confined, detained, or imprisoned for pursuing their right to hold and exercise their spiritual beliefs;

(4) condemns the practice of non-consenting organ harvesting in the People's Republic of China;

(5) calls on the Government of the People's Republic of China and the Communist Party of China to immediately end the practice of organ harvesting from all prisoners of conscience;

(6) calls on the Government of the People's Republic of China to allow an independent and transparent investigation into organ transplant abuses in China;

(7) urges the President to consider the applicability of existing authorities, including the Global Magnitsky Human Rights Accountability Act (22 U.S.C. 2656 note), to impose targeted sanctions on those individuals responsible for the persecution of Falun Gong, including those engaging in a pattern of non-consensual organ harvesting; and

(8) urges the President to ensure that the United States Government highlights and condemns human rights abuses perpetrated, ordered, or directed by government officials in China both publicly and in private engagements with all relevant government officials in China.

#### AMENDMENTS SUBMITTED AND PROPOSED

SA 910. Mr. MCCONNELL proposed an amendment to Treaty Doc. 113-4, The Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990.

SA 911. Mr. MCCONNELL proposed an amendment to amendment SA 910 proposed by Mr. MCCONNELL to the resolution of ratification for Treaty Doc. 113-4, *supra*.

SA 912. Mr. MCCONNELL proposed an amendment to Treaty Doc. 112-1, Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected by an exchange of notes effected November 16, 2010 and a related agreement effected by an exchange of notes on September 23, 2009.

SA 913. Mr. MCCONNELL proposed an amendment to amendment SA 912 proposed by Mr. MCCONNELL to the resolution of ratification for Treaty Doc. 112-1, *supra*.

SA 914. Mr. MCCONNELL proposed an amendment to Treaty Doc. 114-1, The Protocol Amending the Convention between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and a related agreement entered into by an exchange of notes (together the "proposed Protocol"), both signed on January 24, 2013, at Washington, together with correcting notes exchanged March 9 and March 29, 2013.

SA 915. Mr. MCCONNELL proposed an amendment to amendment SA 914 proposed by Mr. MCCONNELL to the resolution of ratification for Treaty Doc. 114-1, *supra*.

SA 916. Mr. MCCONNELL proposed an amendment to Treaty Doc. 111-8, Protocol Amending the Convention between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Tax-

ation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed on May 20, 2009, at Luxembourg (the "proposed Protocol") and a related agreement effected by the exchange of notes also signed on May 20, 2009.

SA 917. Mr. MCCONNELL proposed an amendment to amendment SA 916 proposed by Mr. MCCONNELL to the resolution of ratification for Treaty Doc. 111-8, *supra*.

#### TEXT OF AMENDMENTS

**SA 910.** Mr. MCCONNELL proposed an amendment to Treaty Doc. 113-4, The Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990; as follows:

At the end add the following.

"This Treaty shall be effective 1 day after ratification"

**SA 911.** Mr. MCCONNELL proposed an amendment to amendment SA 910 proposed by Mr. MCCONNELL to the resolution of ratification for Treaty Doc. 113-4. The Protocol Amending the Convention between the United States of America and the Kingdom of Spain for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and its Protocol, signed at Madrid on February 22, 1990; as follows:

Strike "1 day" and insert "2 days"

**SA 912.** Mr. MCCONNELL proposed an amendment to Treaty Doc. 112-1, Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected by an exchange of notes effected November 16, 2010 and a related agreement effected by an exchange of notes on September 23, 2009; as follows:

At the end add the following.

"This Treaty shall be effective 1 day after ratification"

**SA 913.** Mr. MCCONNELL proposed an amendment to amendment SA 912 proposed by Mr. MCCONNELL to the resolution of ratification for Treaty Doc. 112-1. Protocol Amending the Convention between the United States of America and the Swiss Confederation for the Avoidance of Double Taxation with Respect to Taxes on Income, signed at Washington on October 2, 1996, signed on September 23, 2009, at Washington, as corrected to an exchange of notes effected November 16, 2010 and a related agreement effected by an exchange of notes on September 23, 2009; as follows:

Strike "1 day" and insert "2 days"

**SA 914.** Mr. MCCONNELL proposed an amendment to Treaty Doc. 114-1, The Protocol Amending the Convention between the Government of the United

States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and a related agreement entered into by an exchange of notes (together the “proposed Protocol”), both signed on January 24, 2013, at Washington, together with correcting notes exchanged March 9 and March 29, 2013; as follows:

At the end add the following.  
 “This Treaty shall be effective 1 day after ratification”

**SA 915.** Mr. McCONNELL proposed an amendment to amendment SA 914 proposed by Mr. McCONNELL to the resolution of ratification for Treaty Doc. 114-1, The Protocol Amending the Convention between the Government of the United States of America and the Government of Japan for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with respect to Taxes on Income and a related agreement entered into by an exchange of notes (together the “proposed Protocol”), both signed on January 24, 2013, at Washington, together with correcting notes exchanged March 9 and March 29, 2013, as follows.

Strike “1 day” and insert “2 days”

**SA 916.** Mr. McCONNELL proposed an amendment to Treaty Doc. 111-8, Protocol Amending the Convention between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed on May 20, 2009, at Luxembourg (the “proposed Protocol”) and a related agreement effected by the exchange of notes also signed on May 20, 2009; as follows:

At the end add the following.  
 “This Treaty shall be effective 1 day after ratification”

**SA 917.** Mr. McCONNELL proposed an amendment to amendment SA 916 proposed by Mr. McCONNELL to the resolution of ratification for Treaty Doc. 111-8, Protocol Amending the Convention between the Government of the United States of America and the Government of the Grand Duchy of Luxembourg for the Avoidance of Double Taxation and the Prevention of Fiscal Evasion with Respect to Taxes on Income and Capital, signed on May 20, 2009; at Luxembourg (the “proposed Protocol”) and a related agreement effected by the exchange of notes also signed on May 20, 2009; as follows:

Strike “1 day” and insert “2 days”

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 5 requests for committees to meet during today’s session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today’s session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, July 11, 2019, at 9:30 a.m., to conduct a hearing on the nominations of General Mark A. Milley, for reappointment to the grade of General, and to be Chairman of the Joint Chiefs of Staff in the United States Army.

##### COMMITTEE ON BANKING, HOUSING, AND URBAN AFFAIRS

The Committee on Banking, Housing, and Urban Affairs is authorized to meet during the session of the Senate on Thursday, July 11, 2019, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Thursday, July 11, 2019, at 10 a.m., to conduct a hearing.

##### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Thursday, July 11, 2019, at 10 a.m., to conduct a hearing on the following nominations: Douglas Russell Cole, and Matthew Walden McFarland, both to be a United States District Judge for the Southern District of Ohio, Robert Anthony Molloy, to be Judge for the District Court of the Virgin Islands, Kea Whetzel Riggs, to be United States District Judge for the District of New Mexico, and Monica David Morris, of Florida, to be a Commissioner of the United States Parole Commission.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, July 11, 2019, at 2 p.m., to conduct a hearing.

#### PRIVILEGES OF THE FLOOR

Mr. CARPER. Mr. President, I ask unanimous consent that two congres-

sional fellows in Senator UDALL’s office, Caitlin Keating-Bitonti and Lindsay Coughtry, be granted floor privileges for the remainder of the 116th Congress.

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

#### ORDERS FOR MONDAY, JULY 15, 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, July 15; 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 Phipps nomination; further, that notwithstanding the provisions of rule XXII, the cloture motions filed during today’s session of the Senate ripen at 5:30 p.m., Monday, July 15; and finally, that the first-degree filing deadline for amendments to the treaties on which cloture motions were filed during today’s session be at 3:30 p.m. on Monday.

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

#### ADJOURNMENT UNTIL MONDAY, JULY 15, 2019, at 3 P.M.

Mr. McCONNELL. Mr. President, if there is no further business to come before the Senate, I ask unanimous consent that it stand adjourned under the previous order.

There being no objection, the Senate, at 3:26 p.m., adjourned until Monday, July 15, 2019, at 3 p.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate July 11, 2019:

##### ENVIRONMENTAL PROTECTION AGENCY

PETER C. WRIGHT, OF MICHIGAN, TO BE ASSISTANT ADMINISTRATOR, OFFICE OF SOLID WASTE, ENVIRONMENTAL PROTECTION AGENCY.

##### DEPARTMENT OF EDUCATION

ROBERT L. KING, OF KENTUCKY, TO BE ASSISTANT SECRETARY FOR POSTSECONDARY EDUCATION, DEPARTMENT OF EDUCATION.

##### DEPARTMENT OF LABOR

JOHN P. PALLASCH, OF KENTUCKY, TO BE AN ASSISTANT SECRETARY OF LABOR.