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## Senate

The Senate met at 10 a.m. and was called to order by the President pro tempore (Mr. GRASSLEY).

### PRAYER

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

Let us pray.

Eternal God, Spirit of light and truth, beauty and freedom, thank You for Your sustaining grace.

Continue to strengthen our lawmakers that they may play their part in the life of our times. Lord, give them wisdom to think clearly, speak kindly, and act bravely. Make them patient and thoughtful with one another as they seek to serve You and country with integrity. May they remember that without You, they will fail to do their best or reach their highest. Keep them from stumbling or slipping.

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.

### RESERVATION OF LEADER TIME

The PRESIDING OFFICER (Mrs. HYDE-SMITH). Under the previous order, the leadership time is reserved.

### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

### EXECUTIVE SESSION

### EXECUTIVE CALENDAR

The PRESIDING OFFICER. Under the previous order, the Senate will pro-

ceed to executive session to resume consideration of the following nomination, which the clerk will report.

The bill clerk read the nomination of Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

The PRESIDING OFFICER. The Senator from Iowa.

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

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

### PRESIDENTIAL NOMINEES

Mr. GRASSLEY. Madam President, when it comes to considering Presidential nominees, I have said in the past that I don't believe in playing by two sets of rules.

If the Democrats insist on rejecting President Trump's Cabinet nominees or insist on rejecting qualified judges based on an ideological litmus test, they can't expect kid-glove treatment for the next Democratic President.

However, I urge Senators to end this arms race now. We can start the disarmament by agreeing to the Blunt-Lankford proposal based on the bipartisan agreement that was worked out with then-Majority Leader Reid in the 113th Congress.

I yield the floor.

### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The majority leader is recognized.

### NORTH KOREA

Mr. MCCONNELL. Madam President, I would like to begin with a few words on President Trump's Hanoi summit with North Korea. The President should be commended for his personal commitment to persuading Kim Jong Un to pursue a different path.

By January 2017, it was clear the prior administration's policy of strategic patience had not worked. In retrospect, it was not very strategic to sit patiently while North Korea dramatically expanded its nuclear and missile

capabilities. The Trump administration, in taking a different path, moved quickly to adopt the policy of maximum pressure, rallying international partners to respond firmly to North Korea's provocations. The President also demonstrated a willingness to engage the North Korean leader directly, breathing new life into our diplomacy to solve this seemingly intractable problem.

The President has gone the extra mile to demonstrate his sincerity in wanting to resolve this issue. It was smart to bring Kim Jong Un to Singapore and to Vietnam to expose the North Korean delegation to the kind of economic prosperity that could be possible if he were to choose a new path.

High-level diplomacy can carry high-level risk, but the President should be commended for walking away when it became clear insufficient progress had been made on denuclearization. Kim Jong Un now has a long train ride home, and he will have time to reflect on the future that is still within North Korea's grasp, but the President has demonstrated that such a future must be accompanied by real denuclearization.

Every country has a stake in North Korea's denuclearization. I hope China and other countries with influence over Kim Jong Un will do their part to urge him to return to the negotiating table and seize the opportunity to bring prosperity to the people of North Korea and peace and stability to the Korean Peninsula and to the region.

### NOMINATIONS

Madam President, on another matter, this week, the Senate has made progress in confirming President Trump's nominees. On Tuesday, Eric Miller became the 31st circuit court judge to be confirmed under this administration. Yesterday, we confirmed Michael Desmond to serve as Chief Counsel at the IRS.

Of course, this progress is only remarkable given the Senate Democrats'

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



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S1555

historic level of obstruction. As I noted yesterday, for example, Mr. Desmond's nomination earned near-unanimous approval from the Finance Committee in August of last year but only this week received a vote on the Senate floor. So many important roles are still vacant with well-qualified nominees who are ready and willing to fill them.

Later today, we will vote on Andrew Wheeler to serve as Administrator of the EPA. Mr. Wheeler has spent the last year as Deputy and now as Acting Administrator. He has wasted no time in proving he has what it takes to lead the Agency. In drawing on a wealth of experience that includes service as staff director of the Senate Environment and Public Works Committee and a tenure at the EPA that first began back in 1991, Mr. Wheeler has proven his ability to advance pragmatic solutions to pressing environmental challenges. I hope each of my colleagues will join me in supporting yet another well-qualified nominee and vote to confirm him.

Later today, we will also have an opportunity to take care of one other long-overdue item—the nomination of John Ryder to the Board of the Tennessee Valley Authority. Even after being reported out of committee twice on a voice vote, this well-qualified, uncontroversial nominee was nearly subjected to a needless cloture vote this week. I am glad that, instead, we will be voting to confirm Ryder and sending him on to work on behalf of the Tennessee Valley communities.

#### THE GREEN NEW DEAL

Madam President, on another matter, I have been spotlighting all week our Democratic colleagues' hard left turn toward socialism—their fixation on gaining more government control over more of our lives. With the Democratic Politician Protection Act, Washington Democrats want to control more of what Americans can say about them and how they get elected.

With the so-called Green New Deal, Washington Democrats want our government to spend more money than the entire gross domestic product of the entire world on new spending programs to forcibly remodel Americans' homes, take away our cars, dramatically increase energy costs, and disarm our economy while China roars straight ahead. You might think that right there is plenty of leftwing social engineering. You might think it is enough—oh, but they aren't stopping there, the Democrats. They are going after Americans' healthcare and their private health insurance plans.

Earlier this week, House Democrats introduced a bill that would take away every private insurance option that American families rely on and force everyone into a single, government-run system. Employer-sponsored coverage wouldn't just be discouraged, it would be illegal. They call this legislation Medicare for All. It is really more like "Medicare for None." It completely explodes the Medicare system as it cur-

rently exists. The program our seniors have paid into for decades and now rely on, the Democrats want gone—wiped out.

Remember, by the time Americans turn 65, most have paid tens and tens of thousands of dollars into the current system through Medicare taxes. According to one estimate, Americans with average earnings who reached the retirement age back in 2015 will have paid a present value of more than \$70,000 into Medicare over the years.

American seniors have counted on Medicare. They have planned around it, and they have paid into it with every paycheck. Yet now House Democrats have decided it is time to change the rules on them in the middle of the game. They want to tear down Medicare until the only thing left is the name and slap that name on a completely different system that a few House Democrats invented and that the Democratic Socialists of America is proud to endorse. The Democratic Socialists of America is proud to endorse that. Then the Democrats propose to take that new government system and pile every single American into it as a one-size-fits-all—long waits for treatment, higher costs, and an end to Medicare as we know it—no choice, no options, and no alternatives allowed.

More than 170 million Americans currently get health insurance through their employers. Surveys show that a majority is actually pretty happy with its own specific plans. Well, too bad. The Democrats want those families thrown off those plans. Within 2 years, their proposal would make private health insurance, as Americans know it, illegal across the board. It would be unlawful for employers to offer health benefits to their employees and their families. It is right there in the bill. It would be against the law for employers to offer healthcare to their employees.

Here is what it reads: "It shall be unlawful for a private health insurer to sell health insurance coverage . . . [or] an employer to provide benefits . . . that duplicate the benefits provided under this Act by the government."

How about that? We all remember ObamaCare's famous broken promise: If you like your healthcare plan, you can keep it. If you like the doctor you have, you can keep your doctor too. That was the pledge before the Democrats' policy was actually implemented. Not long after, the fact checkers named that promise their "lie of the year."

Well, this time around, my Democratic friends are not even bothering to pretend that families' lives would not be disrupted. A reporter asked one of our Senate colleagues who is running for President, "So for people out there who like their insurance, they don't get to keep it?" Her response? Listen to this. "Let's eliminate all of that." This is one of our colleagues running for President.

All the plans American families like and rely on made illegal—illegal—by

this bill, not just unaffordable, not just inconvenient, illegal, and all to clear space for a new government takeover.

So how much is this massive takeover going to cost? Well, under even conservative estimates, this proposal would cost more than \$32 trillion over the first 10 years—\$32 trillion over the first 10 years, more than the Federal Government spent on everything over the last 8 years combined.

Where is that money going to come from? Well, I think we all know the answer to that: massive tax hikes on the American people, cuts to services, rationing of healthcare, broken promises, and debt. That is where it is going to come from.

Here is what one economist found in the numbers.

The Federal Reserve's data only go back to 1929, but it's unlikely that the government ever collected more than 20 percent of GDP in taxes. To fully fund Medicare-for-all, that figure would have to rise to more than 30 percent of GDP.

Now, look, I am sure we will hear the class warfare rhetoric about soaking the rich and making a small group of Americans pay for all of this, but it will not be true. We all know it will not be true. The bill for this \$32 trillion takeover would land squarely—squarely—on middle-class families. There is no way around it.

Even if the IRS confiscated every dollar of Americans' adjusted gross incomes over \$1 million—took it all—if the IRS took every cent over \$1 million, it wouldn't even pay for half of the proposal—wouldn't even pay for half of it.

Now, look, class warfare may be a favorite tactic across the aisle, but numbers are stubborn things. Math is math. The costs would have to fall on the middle class. Actually, they would fall on everyone, one way or another.

That economist put it this way, he said: "The simple fact is that financing Medicare-for-all would require a dramatic shift in the Federal tax structure and a substantial tax increase for almost all Americans." Almost all Americans.

So let's sum it up. Washington Democrats want the American people to fork over a recordbreaking percentage of our gross domestic product in taxes for the privilege of having their healthcare plans ripped away from them, even if they are happy with what they have, and the middle class is going to pay for it. What a great deal.

All this, and I haven't even begun to explain how this takeover would cut Americans' access to care and degrade the quality of care. We have all heard horror stories from abroad about bureaucrats making decisions instead of citizens and long waits for treatment.

Last year in Canada, the median wait time for medically necessary treatment from a specialist was 21 weeks—21 weeks. That is the average wait time for medically necessary treatment in Canada—more than double what it was up there just 25 years ago.

In the UK, it is not just long waits patients have to contend with, it is flatout denials of care. In the first quarter of last year alone, Britain's National Health Service abruptly canceled 25,000 surgeries—canceled them.

Imagine that—being fully reliant on the government for healthcare, planning on a medically necessary procedure, and being told at the last minute the whole thing was called off. Welcome to socialized medicine. Needless to say, if some Democrats had their way, you wouldn't have to imagine much longer.

Before I conclude, I want to highlight one more thing. I suppose no far-left wish list like this would have been complete without radical policies on the issue of abortion, without trying to hurt pro-life Americans.

Sure enough, this legislation would shatter the longstanding consensus—consensus—that Federal dollars should not pay for abortions and force taxpayers to fund abortions nationwide. That has been the longstanding consensus. Talk about a perfect case study in the perils of a Federal takeover. Talk about a perfect example of why Washington Democrats should not get the power to twist American healthcare to suit their own radical views—\$32 trillion, every family kicked off its insurance plans, no choice, no options for the middle class, just a huge bill.

The Democrats are so confident the American people will love their new government plan that they feel the need to make other kinds of insurance illegal, and Democratic Presidential candidates are rushing headlong to embrace all of this—watching them embrace all of this. Goodness. If this is one of their best and brightest new ideas, I would sure hate to see the bad ones.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### RECOGNITION OF THE MAJORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### VIETNAM SUMMIT

Mr. SCHUMER. Madam President, several hours ago, in the middle of the night here in the United States, we received word that the summit in Hanoi between the United States and North Korea would be ending prematurely. Unable to reach an understanding on either sanctions relief or denuclearization, President Trump decided to walk away from the talks without an agreement.

Though I don't know the details yet, and I look forward to speaking with Secretary Pompeo, I was pleased to see the President recognized North Korea's unwillingness to strike a comprehen-

sive deal. President Trump did the right thing by walking away and not cutting a poor deal for the sake of a photo op.

Just like the President, I want a deal with North Korea that will bring an end to the conflict and change the course of the region. However, I have always been concerned about the possibility of a bad deal, especially with the other pressures currently on the President. A deal that fell short of complete, verifiable denuclearization would have only made North Korea stronger and the world less safe, and it would have squandered the substantial leverage our negotiators have now thanks to the bite of sanctions.

President Trump must now apply the lesson of North Korea diplomacy to our trade negotiations with China. President Trump must have the courage to do the same thing with China as he has done for North Korea. The President must be willing to hold the line and walk away if China does not agree to meaningful, enduring, structural reform of its unfair trading policy. President Trump should not fall into the trap of seeking a deal for the sake of a deal, especially now that talks with Pyongyang are on hold.

What he did in North Korea was right. He must do the same thing in China—hold out because he has the upper hand—until we get China to do the right thing. Just because an accord is, for the moment, out of reach in North Korea does not mean that the President should be any more eager to strike one with China if the terms are inadequate or unacceptable.

The President deserves credit for bringing China to the negotiating table with tariffs, but he must not squander that opportunity by cutting a deal that fails to achieve American priorities. Unless China promises to end its predatory cyber theft of American intellectual property and know-how, unless China promises to stop artificially propping up its businesses, unless China promises to end its practice of forcing American companies to give away their IP to their future Chinese competitors in order to do business in China, President Trump should walk away from the negotiations once again.

As important as North Korea is to national security, China is just as critical—maybe even more critical—to American economic security. President Trump and his team have a generational imperative to get this one right. They have a generational imperative not to squander the chance to achieve permanent reforms to China's economic relations with the world, changes that would finally put American investors, businesses, and workers on a level playing field.

#### BIPARTISAN BACKGROUND CHECKS BILL

Madam President, on guns, I was so glad to see the House passage of a background checks bill. I urge Leader McConnell to take it up in the Senate.

Background checks are supported overwhelmingly by close to 90 percent

of the American people—a majority of Republicans, a majority of gun owners. It doesn't take anyone's guns away. It simply says that if you are a felon, spousal abuser, or adjudicated mentally ill, you shouldn't have a gun, and it takes the means to make sure that happens.

Now there are so many loopholes in the background check law—the Brady law, which I was proud to lead the charge on back in the House in 1994. Now, some 25 years later, they have found ways around it through the internet and through gun shows. Just as it was the right thing to do to close the loopholes that existed in 1994 with the Brady law, it is the right thing to do to close those loopholes that have come about since the law passed. It simply updates the Brady law, which has saved tens of thousands of lives.

#### CLIMATE CHANGE

Madam President, finally, on climate, in a short time, I will be returning to the floor to lead a group of Democratic Senators in talking about climate change. One of the great but positive ironies of Leader McConnell's stunt to put the Green New Deal on the floor is that it has inspired Members of both parties to talk about climate change—more than ever before, maybe—under the Republican leadership in the Senate.

Democrats are more than happy about that. We want to turn the spotlight back to the issue of climate change and keep it there, where it belongs. Climate change is an existential threat to our planet, not just in the future but right now. We should be talking about climate change nearly every day, and more than that, the Senate should be taking bold action to address it.

So I am glad at least Leader McConnell is talking about climate. He just says what he is not for.

So I will repeat the three questions I have asked Leader McConnell repeatedly: One, Leader McConnell, do you believe that climate change is real? Two, do you believe, Leader McConnell, that it is caused by humans? Three, do you believe Congress should take immediate action to address the crisis of climate change?

Until Leader McConnell puts something positive on the floor and starts talking positively, no one is going to pay much attention to his stunts and his gambits, but, certainly, we Democrats are energized to talk positively about the things we want to do to deal with this issue, and we will be positive and discuss positive proposals until we get something done in this Chamber.

I yield the floor.

The PRESIDING OFFICER. The majority whip is recognized.

#### ECONOMIC GROWTH

Mr. THUNE. Madam President, just in getting started this morning, I wanted to take a minute to mention the good news on economic growth we received this morning.

While headlines mentioned the very solid 2.9 percent growth number for

2018, if we use the measure that economists prefer, the news is even better—3.1 percent growth from the fourth quarter of 2017 to the fourth quarter of 2018. This is just more evidence that Republican economic policies are working.

We lifted burdensome regulations and passed a comprehensive reform of our Tax Code to put more money in Americans' pockets and make it easier for businesses to grow and expand jobs. Now we are seeing the effects.

Unemployment is low. January marked the 11th straight month that unemployment has been at or below 4 percent. That is the longest streak in nearly five decades. The number of job openings hit a record high in December, and, once again, there were more job openings than job seekers. Wage growth has accelerated. Wages have now been growing at a rate of 3 percent or greater for 6 straight months. The last time wage growth reached this level was in 2009. Median household income is at an all-time, inflation-adjusted record of \$61,372. The list goes on.

What does all of this mean? It means more money in American families' bank accounts, more jobs and opportunities for American workers, more Americans feeling hopeful about their future.

Republican economic policies are making life better for American families, which is why it is particularly disturbing that Democrats are currently advancing policies that would not only destroy the economic progress we have made but would severely damage our economy for the long term.

#### THE GREEN NEW DEAL

Madam President, yesterday, I came down and talked about the so-called Green New Deal, which is a fantasy put forward by a number of our colleagues on the other side. I think 11 Democratic Senators have cosponsored that legislation, which the early analysis shows would cost somewhere between \$51 trillion and \$94 trillion over the next decade. To put that into more personal terms, that is \$600,000 per family in this country—the cost of the Green New Deal.

My colleague from Illinois, the Democratic whip, was asked about it on an interview recently, and he responded by saying that he had read and reread the proposal and still doesn't know what the heck it is. Well, that is an honest answer. But I think what we do know is that this is a proposal that will dramatically, massively drive up costs for American families. It would be a disaster for the pocketbooks of the people of this country, which brings me to my topic for today.

On Tuesday, POLITICO released an article with this headline: "House Democrats to release 'Medicare for All' bill—without a price tag." That was the headline.

This is becoming par for the course for Democrats. First we get the Green New Deal resolution without a

pricetag. Now we get Medicare for All, also without a pricetag. Why? Well, because there is no way to actually pay for these socialist fantasies. They sound nice, until you actually look at the staggering costs.

Imagine if you decided that you needed to repair the plumbing at your house, and the plumber came and suggested that not only should you repair the plumbing, you should rebuild the house from the ground up. Then he wanted you to sign on for demolition and reconstruction without telling you how much it would cost.

That is what Democrats are trying to do on a grand scale here. They want to overhaul large parts of the economy and rebuild them on socialist lines, all without telling you what it will cost or how they will pay for it.

Of course, while it is irresponsible, it is not surprising that Democrats don't want to discuss the pricetag for their fantasies, because there is no way to pay for these massive government takeovers without taxing ordinary Americans.

Democrats make vague suggestions that these programs can be paid for by taxing the rich. That is always the line. But the truth is that taxing millionaires at a 100-percent income tax rate would not pay for these programs. Taxing Americans making much less than \$1 million at a 100-percent rate wouldn't pay for these programs.

The cost of these programs will never be borne just by millionaires. These programs will be paid for on the backs of working families in this country. That is the pure and simple reality.

A left-leaning think tank modeled a version of the Medicare for All plan proposed by the junior Senator from Vermont and found that it would cost a staggering \$32 trillion over 10 years—\$32 trillion—and it is possible that the House Democrats' plan could cost even more.

POLITICO noted in their story that, unlike the plan of the Senator from Vermont, the House Democrats' plan would also "fund long-term care, a particularly expensive part of the health system."

But moving away from the staggering pricetag, let's talk about what life would be like under Medicare for All.

For starters, of course, it would mean that Americans would lose their private insurance, even if they like their private insurance. Democrats have been very clear about this.

At a CNN townhall just this week, the junior Senator from Vermont was asked, "Will these people be able to keep their health insurance plans, their private plans through their employers, if there is a Medicare for All program that you endorse?"

The Senator from Vermont's response: "No."

Another Democratic candidate for President, the junior Senator from New York, was recently asked:

Should ending private insurance, as we know it, be a Democratic . . . goal, and do you think it's an urgent goal?

Her response:

Oh yeah, it is a goal. An urgent goal.

So if you like your health insurance, you definitely will not be able to keep it. You will be forced into the government healthcare plan, whether you like that plan or not. Then, of course, you will be facing long wait times and likely a limited choice of doctors and hospitals, and you will have fewer options if the government decides a particular treatment isn't cost-effective and shouldn't be covered.

Democrats can talk all they want about generous coverage, but what happens when they don't have the money for that generous coverage? We already know this program is likely to cost more than \$30 trillion over just 10 years, and government programs aren't exactly known for staying under budget.

What happens if it ends up costing more or if the government can't even pay the \$32 trillion that we know it is going to cost? Well, there will be still more taxes, undoubtedly, but also reductions in coverage and care.

Our Nation's current Medicare Program is going bankrupt. If action isn't taken, in 2026 Medicare will not be able to pay the benefits that are promised under current law. Yet Democrats are suggesting that we more than quintuple the size of the program and that somehow we will be able to pay for that.

If we ever do pay for Medicare for All, we will pay for it by taking the money from the American people through devastating tax increases that will permanently reduce Americans' standard of living and permanently damage our economy.

Like all socialist dreams, Medicare for All would quickly become a nightmare for the American people.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

(The remarks of Senator UDALL and Senator COLLINS pertaining to the submission of S.J. Res. 10 are printed in today's RECORD under "Submitted Resolutions.")

Ms. COLLINS. I yield the floor.

I suggest the absence of a quorum.

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

The legislative clerk proceeded to call the roll.

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

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

(The remarks of Mr. SCHUMER pertaining to the introduction of S.J. Res. 9 are printed in today's RECORD under

“Statements on Introduced Bills and Joint Resolutions.”)

#### CLIMATE CHANGE

Mr. SCHUMER. Mr. President, now I want to address two more issues related to this topic.

First, are the reports that the President is planning to create a panel of cherry-picked scientists who question the severity of climate change to “counter” the scientific consensus. I mentioned these reports earlier this week, but I want to update my friends in this Chamber that Democrats are in the process of preparing legislation that would defund this fake climate panel. We hope this legislation, like our resolution, will eventually be bipartisan because it shouldn’t be partisan to oppose a group of handpicked climate deniers spreading the fossil fuel industry’s propaganda under the imprimatur of the White House. It shouldn’t be partisan to oppose the administration’s setting up its own Orwellian Ministry of Truth on climate change.

So I urge my friends on the other side of the aisle who believe in climate science to sign on to our legislation once we have it ready.

#### NOMINATION OF ANDREW WHEELER

Mr. President, second is the nomination of Andrew Wheeler to be the next Administrator of the EPA—a question currently before the Senate. I opposed Mr. Wheeler’s nomination to be the Deputy Administrator, and I will oppose his nomination to be Administrator as well.

I opposed Mr. Wheeler initially because I thought his career as a lobbyist working on behalf of big polluters and climate deniers was exactly the wrong kind of experience for a job at the EPA, the Environmental Protection Agency. He spent most of his career lobbying against the same environmental protections he now oversees, and his time at the EPA has done little to assuage my original concerns.

Mr. Wheeler has failed to take meaningful action on toxic chemicals, including the chemical PFAS, which has plagued my home State. He has downplayed the severity of climate change and undermined several EPA programs that seek to address it, including the regulation of poisonous mercury from powerplants, efforts to reduce carbon emissions from cars and trucks, as well as replacing the Clean Power Plan.

At a time when climate change is the No. 1 threat facing our planet, installing a man such as Mr. Wheeler as permanent Administrator of the EPA—the Environmental Protection Agency—is the wrong thing to do.

So as I said earlier this morning, Leader McConnell’s move to bring the Green New Deal forward is nothing more than a stunt, but one of the great and positive ironies is that, finally, folks are talking about climate change again, more than at any time I can think of under this Republican majority.

If and when Leader McConnell brings his version of the Green New Deal forward for a vote, we will demand that Republicans first answer the core questions on climate change.

Again, three simple things: Do you believe climate change is real and happening? Do you believe human activity contributes to it? Do you believe Congress must act to address this pressing challenge?

If Leader McConnell and my Republican friends can’t answer those three questions—run away from them—the American people will see right through the ploy. The American people will see that Leader McConnell and his party stand against science and against facts, ostriches with their heads buried in the sand as the tide swiftly comes in.

I yield the floor.

The PRESIDING OFFICER. The Senator from Rhode Island is recognized.

Mr. WHITEHOUSE. Mr. President, our Democratic leader has set three plain and very obvious questions about fossil fuel-burning carbon emissions and climate change that should be easily answered by every single Member of the Senate, and the fact that this is a problem is a clear indication of fossil fuel influence in this body—the regrettable extent of fossil fuel influence in this body.

It was not always this way. Here is a letter that a number of us came to the floor to talk about yesterday. The letter was written December 23, 1986. There had been hearings on climate change in the Environment and Public Works Committee, and a bipartisan group of Senators wanted some answers. They wrote this letter to what then existed, an Office of Technology Assessment for the Congress, inquiring about how serious they felt this was and what could be done about it, signed by Senator Stafford, Senator Chafee, Senator Durenberger, and three Democrats in 1986. I do not believe that a Republican Senator could be found to sign this letter today.

I got here in 2007, and for that year, and in 2008 and 2009, we had multiple bipartisan climate bills being discussed in this body. Over and over again, there were a Democrat and Republican who got together and worked to try to solve the climate problem—more than a decade ago. We have seen bipartisanship on this issue.

We have even seen, in 2009, this New York Times full-page advertisement signed by Donald J. Trump, which said that the science of climate change is “scientifically irrefutable.” Those were his words, not mine, in 2009, which said that if we don’t act there would be “catastrophic and irreversible consequences for humanity and our planet”—his words, not mine. That was 1986, that was 2007, and this was 2009.

Then something happened. Citizens United got decided by the Supreme Court or, to be fair to the Supreme Court, Citizens United got decided by five Republican appointees on the Supreme Court.

In my view, the fossil fuel industry asked for that decision, predicted that decision, and they were off like a sprinter at the gun when they got that decision. From that moment, all of that bipartisan activity on climate change here in the Senate ended, and it ended because the fossil fuel industry was allowed to spend unlimited money in politics. They found out how to spend unlimited dark money in politics. It is politically obvious that if one can spend unlimited money in politics, one can also threaten to spend unlimited money in politics. So between the unlimited spending and the unlimited, anonymous dark money spending and whatever they did in the way of threats and promises, it has been like a heart attack—flatlined—here in the Senate, since that moment. It is a tragedy.

In fact, if you go back to this letter for a minute, there were six signatories. We couldn’t get six States to come to the floor yesterday because one of these States has two Republican Senators, and we couldn’t get either of them to come to the floor.

I don’t know what has happened to the Republican Party that they can’t take this seriously even now—even as States like Florida are flooding on sunny days, even as States see wildfires they have never seen before, even as farmers are recording drought and flood conditions that are unprecedented, even as my State looks forward to 5 or 6 feet of sea level rise.

And then we got a clue as to what goes on here. This is a letter that was written on behalf of Andrew Wheeler, who is the slightly cleaned-up version of Scott Pruitt and who is pending before us to lead the Environmental Protection Agency. It ought to tell us a lot that the Republicans put up a coal lobbyist to represent the people of America leading the Environmental Protection Agency.

What tells you a lot also is this letter of support for this guy. Who is on it? These are these phony-baloney front group organizations funded by the fossil fuel industry that got together to write this letter:

The Heartland Institute. Koch-affiliated groups gave it \$7.18 million, and \$730,000 came from Exxon. Heartland is such a slippery, slimy group that they compared climate scientists to the Unabomber. That is the company that they travel in.

The Cornwall Alliance. Secret funding—we don’t know, but they are always in this climate-denier fringe crowd. The founder doesn’t believe in evolution. He said that tornadoes are a punishment from God, and that AIDS is punishment for being gay. You are running in great company with them, guys.

FreedomWorks is next. They received \$2.5 million from Koch-affiliated groups, and at least \$130,000 from the American Petroleum Institute.

The Competitive Enterprise Institute is next, with at least \$2 million given from Exxon, and Koch-affiliated groups gave at least \$5.2 million.

Americans for Prosperity. This is basically the hit squad for the Kochs in politics. It is one of the largest dark-money election spenders, spending more than \$70 million since Citizens United on Federal elections. They received a minimum of \$12 million, that we know of, in funding from the Kochs and more than \$23 million from the Koch-linked Donors Trust. Donors Trust, by the way, is a big enterprise whose sole purpose is to launder away the identity of big donors so that their money can flow without people knowing who is behind it.

Americans for Limited Government received at least \$5.6 million from Koch-affiliated groups.

Freedom Partners is described as “the Koch brothers’ secret bank.” It has spent more than \$55 million in dark money on Federal elections since Citizens United and received at least \$3 million from the Kochs, but, as usual, its funders are shrouded in secrecy.

Americans for Tax Reform. The American Petroleum Institute gave at least \$525,000, and Koch-affiliated groups gave at least \$330,000.

The Energy and Environmental Legal Institute received at least half a million dollars from Koch-affiliated groups.

CFACT received at least \$580,000 in funding from Exxon and more than \$8 million from Koch-linked groups.

Then, at the bottom is this little Caesar Rodney Institute, which is part of the larger State Policy Network, funded by the Kochs to spread their propaganda and poison into State legislatures.

This crew of fossil-fuel-funded, climate-denying front groups have received a minimum of more than \$63 million from the fossil fuel industry, and this is why we have Andrew Wheeler, a coal lobbyist, lined up to run our environmental agency in this country. I yield the floor.

**THE PRESIDING OFFICER.** The Senator from New Mexico.

**Mr. HEINRICH.** Mr. President, I rise today to state the obvious—to state in clear terms what scientists have been warning us about for decades. The scientific data couldn’t be any clearer. Climate change is real. Climate change is here, and we are causing its devastating impacts and disruptions. Unless we start to implement policies to curb our carbon emissions and to mitigate its impacts, climate change will continue to wreak havoc upon communities across the Nation and around the world.

These are facts. These facts present us with the greatest and most existential global challenge humanity has literally ever faced. There are not two sides to these facts. The Earth’s five warmest years on record happened since 2014. It is not a coincidence. It is not an unexplained phenomenon. It is the direct result of both our actions and our inactions. Only the willfully ignorant refuse to acknowledge these facts and the gravity and urgency of

what we face because of the fact of human-caused climate change.

Unfortunately, the current occupant of the White House and too many here in Washington can be counted in that camp. President Trump’s decision to upend the Clean Power Plan and pull us out of the Paris climate accord was perhaps the most consequential representation of his inward-looking, isolationist view for America. It was a dangerous abdication of our Nation’s leadership role on the international stage, and if we choose to accept his failure to lead here in Congress, we will continue down a path toward a very real and very costly climate disruption.

In the coming weeks, Majority Leader MCCONNELL says he plans to call a vote here on the Senate on the Green New Deal resolution. I wish this were a genuine effort to address our climate challenges. Clearly, it is not. It is a political stunt by the majority leader to divide those who actually want to rise to the occasion and who actually want to address this crisis, rather than offer up any substantive solutions of his own.

The majority leader would have you believe that solutions to climate change are too costly or they are just too impractical to be taken seriously. I don’t know about you, but to me, it is that view that is wildly out of touch and, frankly, dangerous.

President Trump and Republicans love to talk about the cost of climate action. What we should be focusing on is the much steeper cost of inaction and the economic benefits of America’s leading the clean energy transition.

As an engineer, I am certain that our capacity to confront the challenges that we face, large and small, rests heavily on our ability to make policy that is actually driven by facts, by data, and by the best available science.

The latest data on climate change should be deeply alarming to all of us. Last fall, the U.N. Intergovernmental Panel on Climate Change released a report based on the research of thousands of our planet’s leading climate scientists. It laid out in stark terms how critical it is for us to find a way to limit the planet’s warming. Unless we can reduce global carbon emissions by 45 percent by 2030 and reach net-zero emissions by 2050, it will be nearly impossible to keep global temperatures below a rise of 3 degrees Fahrenheit by the end of the century.

I know that is a lot of numbers, but what those numbers mean in terms of real ecological, economic, and humanitarian costs is incredibly important. Global average temperatures have already risen by nearly 2 degrees Fahrenheit, and that change is wreaking havoc on communities around the world.

One month after the U.N. released its landmark report, 13 Federal Agencies finalized the “Fourth National Climate Assessment,” a report mandated by Congress to study the evidence and the

impacts of current climate change. That report provided clear, indisputable evidence that the destructive wildfires, the catastrophic hurricanes, and the extreme flooding that we have seen in just the last couple of years is directly linked to human-caused climate change. These disasters are costing us billions of dollars each and every year.

The Pentagon has correctly called climate change a threat multiplier, meaning that climate impacts will amplify the existing threats to our national security. These are massive problems today—right now—not in some far off future. We need to recognize what the science is telling us. We need to recognize that the impacts and the disasters that we have seen so far are just the beginning.

Things are only going to get more chaotic, more unpredictable, and more expensive unless we change our trajectory. That is going to require global cooperation. It is going to require scientific ingenuity, and serious, sober policymaking based on the facts in front of us to put us on a better path.

I am proud that a number of my colleagues are stepping up to think through what those actions, what those solutions, and what those policies should be. We can have a healthy debate about the best ways to achieve these reductions in our emissions, but we can’t credibly dispute the science, what it is telling us, and the urgency of the need to act. These are facts. It is chemistry. Yet, instead of allowing us to productively debate those solutions, Majority Leader MCCONNELL is planning to waste our time on a political stunt.

Since Republicans took control of the Senate, they have not brought a single bill to the floor that would address emissions—not a single one—and they have taken many actions that have actually made the situation worse. This is not the serious legislating that we were sent here to do. This is not problem-solving.

The Senate is supposed to be the world’s greatest deliberative body. We are supposed to come together here on the Senate floor and in our committees and think through the greatest issues and challenges of our time. We are supposed to propose and debate policies to meet those challenges. I would welcome a long overdue debate on what policies would most efficiently and most effectively address our challenges.

I know that climate change often feels too big and too hard to fix, but, frankly, we all need to get out of that mindset because climate change is a problem we can solve. In fact, climate change is a problem that we must solve.

The good news is that we already have the technologies and the people to do it. Clean energy technologies have been evolving rapidly in recent years, and many of the clean energy technologies that seemed absolutely unrealistic only a decade ago have become

the new normal. I see a future where my two boys will use a reliable, cheap, resilient electrical grid that is 100-percent powered by clean energy because of the technologies invented in this country and because of the technologies built and installed with American labor. We need to invest in actually deploying these technologies with the urgency necessary to make real progress. This should be a bipartisan priority, not only for its impact on curbing carbon emissions but because it will create millions of jobs in communities across this country.

Some States are already moving in this direction. In my home State, new wind farms and new solar generation are bringing in billions of dollars of private investment. They are creating thousands of new jobs. Without aggressive, forward-looking national policies, we will not move fast enough. The scale of this transformation will be gigantic. There is no doubt about that. But this great Nation is up to the challenge.

Thank you, Mr. President.

The PRESIDING OFFICER. The Senator from Massachusetts.

Mr. MARKEY. Mr. President, I thank the gentleman from New Mexico for his comments. I couldn't agree more wholeheartedly with the sentiments that the gentleman from New Mexico just uttered and the others, the Senator from Rhode Island and the Senator from New York.

This is an emergency situation for the planet. How do we know? We know because the U.N. scientists at the end of 2018 issued a report saying that climate change is an existential threat to our planet. Our own U.S. scientists in the end of 2018 issued their own report. This is the Trump administration's scientists, much to his chagrin, who said: "We must act to avoid substantial damages to the U.S. economy, environment, and human health and the well-being over the coming decades."

These are earth-shattering science reports about the state of our planet. These are doomsday reports, which the scientists of our own country and the world are giving to us. Yet just 3 weeks ago, the "Denier in Chief" stood before the Congress and delivered a message to the American people—not by his words but by the words he did not utter, because in an hour and 20 minutes, President Trump did not even mention the words "climate change." He did not even mention the words "clean energy revolution."

President Trump, further, has sent to us a new person to be the head of the Environmental Protection Agency. Who is Andrew Wheeler? He is a former lobbyist for the coal industry. That is what this Senate will be voting on—a coal lobbyist to take over the environment of our country, as the scientists of our country tell us that we are facing an existential threat if we do not take urgent actions today.

Our majority leader yesterday called the Green New Deal "foolish and dan-

gerous." Well, with all due respect to my Republican colleagues, the only thing foolish and dangerous about the Green New Deal is to ignore the \$400 billion in damages over the last 2 years from supercharged storms and wildfires, to ignore the tens of trillions of dollars in the damage that we will see from climate change in the United States by 2100 if we do not act, and the hundreds of trillions of damage across the entire planet if we are not the leader in creating a clean-energy revolution.

What is dangerous, I say to the leader, is sending our men and women in the military overseas to protect tankers of oil that are coming into our country from the Middle East. Superstorms, wildfires, rising seas, and other extreme weather events are the impacts of climate change if we do not act boldly to stop it. It isn't just dangerous; it is an existential threat to our planet, not from politicians or political scientists but from real scientists—"the" scientists—the Nobel Prize-winning scientists of the whole planet and in our own country. They are telling us we are in danger, and this body has to take positive action to deal with it.

We have a "Denier in Chief" in the White House. We have a Republican leader who has brought climate bills to the floor while he has been leader, but they have been bills to make the climate even more dangerous—the Keystone Pipeline bill and drilling in the Arctic National Wildlife Refuge for oil. The Republicans are today going to confirm a coal lobbyist to head the Environmental Protection Agency, which is the Agency charged with protecting the planet.

The reality is that the Republicans have no plan to deal with the climate crisis. That is why they want to short circuit this debate on the Green New Deal. Let's have a hearing. Let's hear from experts. Let's hear from scientists. Let's have the evidence in the U.S. Senate. Then we can decide—but, no, there will be no debate in the Senate on science. There will be no debate on the harm that is going to be done if we do not act. Instead, in the same period, there will be just an attempt to confirm a coal lobbyist to take over the Environmental Protection Agency and to derail any real debate on the Green New Deal. That is who they are.

Why is that? It is that the Green New Deal is dangerous. It is dangerous for the status quo to just continue to remain in place on climate change. It is dangerous for the Koch brothers and those who are used to killing every climate debate before it gets a chance to start. It is dangerous for those who want us to limp into a frightening future with no plan and no protections in place. It is dangerous for those who benefit from the continued devaluation of our workers, from the historic oppression of vulnerable communities, and from the continued destruction of the environment. That is who would

think the Green New Deal is dangerous.

The Democrats want to support working families and support a safe climate future in which all communities are protected. We welcome debate on proposals for how to get there, but the science is clear on what we need to do and the magnitude of the response that we have to unleash in this country.

The Republicans may think the Green New Deal is just a resolution, but it is more than that. It is a revolution, and it cannot and will not be stopped. The science is driving this. It is an intergenerational concern that we are heading toward a catastrophe on this planet that could have been avoided, but we as a nation have stood on the sidelines and have allowed it to happen.

Ladies and gentlemen, this vote that we take as to whether Andrew Wheeler, a coal lobbyist, should be the head of the Environmental Protection Agency goes right through the heart of whether we are going to respond to the magnitude of this challenge. I do not know how anyone can vote for Andrew Wheeler given the science that has been presented to us, given the danger that we now know, given the catastrophe that is going to be created if we don't change course. This is just doubling down on a disaster. Andrew Wheeler is going to be the architect of the Republican plan to ensure that we do nothing about this climate catastrophe. The consequences could not be greater, but the political ramifications in the 2020 elections are going to be great as well. We will see a revolution that rises up across this country.

I yield the floor.

The PRESIDING OFFICER. The Senator from Oregon.

Mr. MERKLEY. Mr. President, Henry David Thoreau asked: What is the use of a home if you don't have a tolerable planet to put it on?

We are here at a unique moment in human history when the planet is threatened. It is not just our local stream that has been polluted by some factory. It is not a river that is so toxic that it catches on fire. It is not just a small section of my home State that has been afflicted by some new disease in the forests. It is our entire planet that is at risk. So any Member of this Chamber who is not coming forward to help figure out how to address that is guilty of vast malpractice, legislative malpractice, and moral malpractice and incompetence because that is what a legislature is about. When there are big problems that we face, we come together. We don't ignore them. We wrestle with the best way to take them on. That is what this conversation is about.

Senator CARPER's resolution says three things, the first of which is we have a real problem, and it is easy to demonstrate that. We can take a look at all of the information we have coming from every major scientific organization that tracks increasing heat on



the planet, but maybe that is a little too complicated. Let's just ask a simple question. What have been the hottest years in human history? When have they been? Were they in the 1700s, in the 1800s, in the 1900s? When were those 5 hottest years? They were the last 5 years—2014, 2015, 2016, 2017, 2018. This is no coincidence because that would be an astronomically unlikely thing to occur. We have enough science to know why this is occurring, not just that it is occurring.

It is occurring because we are generating carbon dioxide, and we are generating methane. They trap heat. We have been told, for the better part of a century, that this was going to be a problem, and the problem has arrived. It is not some theory. It is not some computer model. It is not some ivory tower. The facts are clearly evident. They are evident in our forests with longer and hotter fire seasons. They are evident in more powerful hurricanes than we have seen before because they draw so much more energy from an overheated ocean. We see it in the spread of diseases, like Lyme disease with the spread of tick populations. We see it with changing species. We see it with glaciers. We see it with melting permafrost. We see it with rising sea levels. We see it everywhere unless you are blind to the facts. We are not here to be blind. We are here to act. So we know the problem is real. That is the first point.

The second point is we know what is causing it—human activities, our putting methane into the air and putting carbon dioxide into the air. Therefore, we know the third point, which is our responsibility to act.

So many of us have come forward and have said: Here is an idea. How about this? This will completely change the amount of carbon dioxide from the transportation sector. Here is an idea. This would really change the carbon dioxide generated by power generation, electricity generation. How about this? This would greatly reduce the carbon dioxide generated from heating buildings.

Yet, in that conversation, there is the sound of silence from the right side of the aisle. Do we hear multitudinous ideas? No. We hear none. That is where the legislative malfeasance and where the moral irresponsibility lies—in pretending that you can be a leader in this country, in this Senate Chamber, and not address this major challenge that is afflicting our planet. That is unacceptable. We don't need fake and phone debates on the floor of a resolution that hasn't gone through committee. We need real discussion and real engagement.

It was not that long ago that Republican leaders across this Nation were taking on this issue. H. W. Bush ran for the Presidency to take on climate change. When he got into office, he didn't end up doing a lot, but he ran on it and campaigned on it. Other leaders have said we have a responsibility to be

good stewards of our resources. I have heard that from the Republican side of the aisle for my entire lifetime—good stewardship. So why the silence now? Why the failure to look at the facts? Why the failure to bring forward ideas? This is not OK. We need real debate, real discussion.

I have put forward ideas I would love to see debated, one being that we need to dramatically reduce the fossil fuels, which we own as a public, coming out of the ground. We have to lead the world, and we can't ask the rest of the world not to extract and burn fossil fuels if we are still profiting from doing so.

I laid out the vision—the 100-percent mission in all sectors—and how we can get there over the coming decades. It is a 300-page bill that is full of ideas. Maybe they are not all the best of ideas, but I encourage my colleagues to read them, to find ones they like, and to bring forward their ideas. Where do tax credits play in this conversation? Where do limits play on pollution? Where do incentives to transition to renewable energy come in? Let's have that debate as serious policymakers and leaders of this country who are responsible for our Nation and for the future of our planet.

Henry David Thoreau lived a long time ago, but he laid out the point that we are responsible for the health of our planet. Let's take that responsibility seriously. Let's engage. Let's debate every single idea. There are hundreds of them out there. Let's go through them. Let's forge a bipartisan plan. Let's not let any industry in America contaminate the process, the political process, through these dark donations. Let's not, any party in this country, be misled from addressing the serious issues before us because they are blinded by the hundreds of millions of dollars falling on their campaigns. Let's do what we have to do, what we have a responsibility to do. History will judge whether we have done that which cannot be delayed. That is our responsibility.

I thank the Presiding Officer.

The PRESIDING OFFICER. The Senator from Hawaii.

Mr. SCHATZ. Mr. President, as of now, there are zero climate proposals coming from Senate Republicans—none. So it becomes extraordinarily difficult to debate climate change when only one political party is committed to fixing it. I can't underscore this enough. I don't know if I can sort of stage direct the C-SPAN cameras, but if I can—if they would pan out—they would see an empty Chamber on the other side.

Look, if you don't like our proposals—if you don't like the investment tax credit or the production tax credit, if you don't like planting trees, if you don't like fuel efficiency standards, if you don't like mercury and air quality standards, if you don't like investing in high-tech research to find that next breakthrough or if you think

climate change is a hoax, come down to the Senate floor and make your argument. Yet they are not even doing that. This is a planetary emergency—the most important moment in human history as it relates to the planet Earth—and the party in power is doing its best to make the problem worse.

Democrats want to invest in clean air, clean water, and smarter infrastructure. We have taken every chance we can to talk about climate and how to fix it. Senator WHITEHOUSE alone has given 200 speeches on the Senate floor about the climate crisis.

The Republican response has been to try to make this silly, to score points about something that was posted on a Congresswoman's website and promptly removed and to make false statements saying Democrats want to ban cheeseburgers or whatever. That is because they don't want to debate this issue seriously because they don't have ideas on climate. Their only plan is to actively, aggressively make things even worse.

They need to make this debate about something—anything—other than what it is, which is a planet in crisis; weather getting weirder and worse, wildfires, coastal flooding, fisheries crashing. Pennsylvania farmers say they had the worst season they have had in 30 years because of all the rain they got last year, while farmers in the Midwest didn't get near enough. It is a rolling disaster happening right now.

In response, here is what the Republicans have done. They have put people who make their money from pollution in charge of regulating pollution. They have given oil and gas companies access to millions of acres of land and water that are supposed to be protected for things like conservation, hunting, hiking. They pulled the United States out of the Paris Agreement, which means we are the only country on the planet not at the table when it comes to figuring out what to do about this problem.

They have made it easier for companies to put methane in the air or make cars that pump pollution into the air, and instead of just leaving coal companies alone, instead of saying, hey, let's let the market decide, they are actually looking to subsidize coal because now it is noncompetitive with wind and solar, in a lot of instances, but they actually want to subsidize coal so they can get another 10 or 20 years' worth of fossil fuel pollution. This is not what you would do if you were trying to stop climate change. This is what you do if you are trying to make it worse.

So let's take a closer look at some of the worst things on their list. First, you have to look at the people they have put in charge of conserving public lands and keeping air and water clean. This week, the Senate is voting on Andrew Wheeler to run the EPA. He is a coal lobbyist, and I know politicians are prone to sort of overstatement, rhetorical flourishes, but this guy is actually a coal lobbyist. He made his living working for coal.



I don't know him. I presume he is an honorable fellow, but now we are supposed to believe he is the best person to keep coal companies in line, to make sure they follow the rules and don't hurt the air people breathe or the rivers they fish in.

If this were a movie about corruption in politics, this script would be thrown out because it was too obvious.

Then there is Ryan Zinke, who was supposed to protect public lands but instead opened up oil and gas leases at the Department of Interior, or the guy regulating Federal energy who denies that climate change is real, even though we can all see it with our own eyes. If you don't believe the science, you can at least believe your own experience. The weather is getting worse and weirder and more severe. He says carbon dioxide really isn't a pollutant at all.

So the nominees have been awful, but the policy is bad too. Republicans are trying to pull us out of the Paris Agreement that every other country in the world is part of. We are not even trying to lead on this planetary emergency, and it means that we give the leadership mantle to China to take the lead on how the world is going to fix this problem or make it worse, as if Americans should trust China to do what is best for our country.

Then there is the Republican effort to let polluting companies keep polluting. The whole reason the EPA exists is to make sure the air we breathe, the water we drink and swim in, the land we farm on and live on doesn't get polluted, but Republicans have taken control of the EPA to get rid of these protections, and they are telling the auto industry they no longer need to make cars that put less pollution in the air. They have gutted the Clean Power Plan so carbon pollution could be 12 times worse in the next decade—12 times worse in the next decade.

Researchers have found it would be better if we had no policy at all than if we do the things the Republicans want to do.

They have let energy companies off the hook for leaking methane and made it easier for super pollutants to leak into the air. Again, this is the kind of thing you might hear from a politician who is a little overheated, a little overly angry, maybe taking a few liberties with the truth.

This is literally what is happening. They literally put a coal lobbyist in charge of the EPA. That should be enough for someone on the other side to say: Gosh. I can't vote for a coal lobbyist to run the EPA. Now, I don't agree with the Democrats about climate change, but I can't pretend this thing doesn't happen to my home State. I can't pretend Alaska isn't melting or the fisheries aren't crashing or our farms aren't having great difficulty or that the floods in South Carolina and North Carolina and Florida aren't real, and so we can't put a coal lobbyist in charge of the Environmental Protection Agency.

There was a time when the EPA and environmental protection itself was not a partisan issue. Here we are in the U.S. Senate—which is the place to solve these kinds of problems over the course of this country's great history—and every time we come to the floor to talk about climate change, it is an empty Chamber on the Republican side. We have to do better as a country. We have to do better as a Senate. We have to solve climate change together. Future generations are counting on us to transcend partisanship and to have this great debate.

If Leader MCCONNELL wants to bring a resolution, which he thinks is clever, to sort of divide Democrats, fine. We are not particularly worried about that. We are taking this opportunity to say: Great. Let's talk about climate change.

The first question to ask—the first question to ask—is, what is the Republican plan for climate change? Right now, the answer is very simple. They have no plan.

I yield the floor.

The PRESIDING OFFICER (Mrs. FISCHER). The Senator from Delaware.

Mr. CARPER. Madam President, today I am pleased to join with Senators SCHATZ, MERKLEY, MARKEY, and others who have spoken to highlight the need to act on climate change.

I said on the floor earlier this week that the Democrats may not yet agree on exactly how we must address climate change, but we all agree on at least three things: One, climate change is real; two, we as human beings are the primary cause of the climate crisis we face today, and it has been building for the last almost 100 years; and, three, the U.S. Congress—us, the House—should take immediate action to address the challenges of climate change.

That is why I am introducing a resolution today that says those three things: Climate change is real. Humans are leading to this crisis we face. We have an obligation in this body and the House to do something about it.

Democrats believe in our hearts and our minds that it is possible to have a healthy climate and a vibrant, growing economy, and anyone who says otherwise is preaching a false choice.

Sadly, with President Trump in the White House and this administration, many of our Republican friends across the aisle have chosen to ignore the clear science and threat that climate change poses to our children and to their children.

As we speak about climate change today, this Senate is considering the nomination of Andrew Wheeler to lead EPA. Under Mr. Wheeler's leadership, EPA is rolling back climate regulations that will lead to more carbon pollution in the air while increasing other air pollution that triggers asthma, lung disease, and, in some cases, death.

Mr. Wheeler claims these actions are needed to provide more business certainty. He believes industry is stuck in

on old world order. I would just say to Andrew Wheeler, as Bob Dylan once said, "the times they are a-changin'."

Things have changed a lot in the last 15 years. Industry knows where the future lies, and that future is in cleaner technologies. Companies are making investments now for the next 10 and 20 years down the road. They see where the global markets are going. They need to invest in clean energy or be left behind.

Yet, even when industries ask this administration to support climate policies that will help the bottom line of those businesses, in too many instances, Mr. Wheeler seems to turn a blind eye. In fact, there are policies that this administration could support today, right now; policies that would dramatically help our climate and our economy.

One of those policies is the ratification of something called the Kigali amendment to the Montreal Protocol. You say stuff like that, and my colleagues' eyes glaze over. So I want to take a minute to talk about what they mean.

The Montreal Protocol, ratified by the United States in 1988, is a global environmental agreement mainly focused on phasing down emissions that contributed to the hole in the ozone layer. It was not that long ago—about the time our pages here were born—that it was a burning issue.

Ozone-depleting substances such as chlorofluorocarbons—we call them CFCs for short—were often found in the coolants used to cool food in household refrigerators and the air-conditioners in our homes and in our cars. CFCs are also found in foams and solvents used in industrial processes.

If there was a poster child for a successful global agreement, I think the Montreal Protocol—which most people never heard of—has to be that poster child. This agreement has led to a 97-percent reduction in the global consumption of ozone-depleting substances with little, if any, economic disruption. Think about that.

Over the years, every administration since the Reagan administration has supported the Montreal Protocol and the four amendments associated with it.

However, it turns out a majority of the ozone-depleting substances are actually being replaced by something called HFCs, hydrofluorocarbons. Those HFCs are easy to use. They are efficient. They are safe for the ozone layer. That is good.

Unfortunately, there is a catch. The HFCs have a global warming potential that is thousands of times greater than carbon dioxide. On the one hand, they are good for the ozone layer; on the other hand, they are a killer when it comes to carbon dioxide. So some really smart people decided to see what they could do about this, and what those smart people did is they came up with a follow-on product to HFCs.

It is estimated that left unchecked, HFCs could account for approximately

20 percent of greenhouse gas pollution by 2050, and that ain't good. So by using HFCs, we are fixing one global environmental problem—the hole in the ozone—but we are contributing to another, and that is just as serious.

To address this negative side effect, on October 15, 2016, in a place called Kigali, which is in Rwanda—that is why they call it the Kigali amendment or Kigali treaty—more than 170 countries agreed to amend the Montreal Protocol, including ours.

The goal of this agreement is to achieve more than an 80-percent reduction in global HFC production and utilization by 2047. It doesn't say you have to stop using it tomorrow. This is a phaseout and a phasedown. If we don't do anything by 2047, we will see an increase of about half a degree Celsius—that is almost a full degree Fahrenheit—in global warming by the end of this century. We can't afford to do that. Our planet can't afford to do that. Our kids, our grandchildren cannot afford for us to do that.

U.S. industry strongly supports the Kigali amendment because U.S. companies have already invested billions of dollars in order to be able to produce the next-generation technologies that are going to replace, over time, HFCs. Phasing down HFCs allows U.S. companies to capture a large portion of a global market that is—listen to this—\$1 trillion in size, which will create 150,000 new direct and indirect American jobs in less than a decade.

These new jobs are expected to generate close to \$39 billion dollars—\$39 billion—in annual economic benefits for our country; again, in less than a decade.

Industry also believes ratification of the Kigali treaty will mitigate unfair Chinese dumping of HFCs in the United States, hurting our businesses.

Ratification of the Kigali amendment is a no-brainer, and even those who are skeptical about climate change ought to be able to admit that it would be great for U.S. competitiveness and good-paying American jobs.

This is a real win-win situation. If we don't seize the opportunity, we should have our heads examined. That is why we have some pretty strange bedfellows supporting the Kigali ratification.

There is a chart behind me. Among others, we have the National Association of Manufacturers, Natural Resources development folks, the spirit of enterprise, FreedomWorks, the American Chemistry Council, Business Roundtable, and Sierra Club.

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

Mr. CARPER. They are not all wrong. They are right. I say to my colleagues across the aisle: Listen to these folks, and let's use our heads and our hearts.

The PRESIDING OFFICER. The Senator from Texas.

SOCIALISM

Mr. CORNYN. Madam President, as strange as it seems, socialism is having

a bit of a resurgence here in the Nation's Capital these days.

Why, you might ask, has this failed economic theory that is so destructive of individual freedom captured the attention of some of our friends in the Democratic Party? I admit, to me, it is somewhat of a mystery.

My guess is I am not the only one who assumed that every American has learned the lessons of history and that those lessons are common knowledge. Apparently not. One other possibility is that socialism is a stalking horse for other, less obvious goals. I will have more to say about what the Founders believed about the concentration of government power that would be needed to implement these utopian schemes at a later time. I also will return to the Senate floor at another time to talk about the well-funded efforts, including in the State of Texas, to advance the cause of socialism, unbeknownst to most of my fellow Texans.

Maybe self-identified socialists or democratic socialists—by the way, that is an impossible contradiction in terms. You can't be democratic and a socialist at the same time. Obviously, people put those two terms together to try to mask their true intentions.

Obviously, these self-identified democratic socialists have never learned what it is or what it stands for. Recent polling suggests that Americans have vastly different ideas about what socialism really means. A Gallup poll, for example, found that 23 percent of the people who responded understood that it means economic equality—though the definition of what equality looks like varies pretty significantly. About the same number of people said they didn't know or had no opinion of what socialism means. Roughly 17 percent understand it to mean government ownership or control of business and the economy.

There were a variety of answers, ranging from government-guaranteed benefits to communism, to people simply being social and getting along. That is what some people think socialism is. This confusion about what, exactly, socialism is has allowed its supporters to push this discredited idea back into the political mainstream.

The so-called democratic socialists are trying to convince the American people that bigger government and less liberty are the solutions to economic inequality. But they don't just want economic opportunity or equal opportunity; they want equal outcomes. They clearly want to put the government in charge of Americans' lives.

To be sure, they will not be honest about the means by which that equality would be accomplished under socialism. They use a lot of feel-good phrases to mask the consequences of their argument. They say things like “give a voice to the voiceless” or “to achieve a more just society.” What they don't tell you is that in order to redistribute economic benefits, you would have to marshal the power of the

government to coerce the American people to give up the fruits of their labor in pursuit of socialist, utopian aims.

While socialists will not tell you what the government would have to do to force that redistribution, they like to point to Scandinavian countries as a model for socialism's success. But there are some problems with that.

They will say: Look at Denmark. They have free higher education, universal healthcare, and subsidized childcare, and they are doing great. So, they say, socialism works. But facts are stubborn things. For one, Denmark is not a socialist country. Just ask the Danish Prime Minister, who said:

Denmark is far from a socialist planned economy. Denmark is a market economy.

The left argues: It is still a good model. We want that.

OK, so how are they paying for all of these programs? It is certainly not just from the top 1 percent of the wealthiest of Americans. It is the middle class too. Margaret Thatcher once said: “The problem with socialism is that you eventually run out of other people's money.”

Let's look at tax rates. Danes pay some of the highest taxes in the world. In the United States, tax revenue accounts for just over a quarter of the size of our economy. In Denmark, it is 50 percent—or double.

Let's also compare our two countries. The population of the country of Denmark is roughly 1/60th the population of the United States. In terms of landmass, it is about 16,000 square miles. Texas is almost 17 times the size of Denmark.

So if the model used in Denmark is, one, not socialism and, two, unaffordable, let's instead look for a better example of a country that has embraced socialism. I would suggest Venezuela would be a good candidate.

In the late 1990s, then-Presidential Candidate Hugo Chavez delivered impassioned speeches promising to lead Venezuela into a socialist paradise. He talked about the country's wealth being stolen by evil capitalists and greedy corporations and promised hope and change if he was elected. That sounds similar to some of the snake oil being sold by a number of radical Democrats today. By the way, you don't see caravans of people attempting to immigrate to socialist countries like Venezuela. It is just the opposite.

We now know that Chavez's promises were empty and dangerous, and while Venezuela certainly saw a lot of change, it wasn't the kind they wanted or the kind they expected. The government took over businesses; they shut down free markets; and they suppressed free speech. As a result, one of the richest countries in the world is now among the poorest. Basic commodities like food, medicine, and water are in short supply; freedom of the press has disappeared; crime rates have skyrocketed; and millions have fled.

Of course, it is no surprise that self-proclaimed socialists in the United

States refuse to accept this as an example of socialism. But this is the truth. That is why socialism must be soundly rejected.

Sir Winston Churchill, who had an incredible gift for words, once said:

The inherent vice of capitalism is the unequal sharing of blessings. The inherent virtue of Socialism is the equal sharing of miseries.

Clearly, misery would be a result of a current fad celebrating socialism, and we must firmly and clearly reject it.

In a society like ours, based on the free enterprise system, business owners compete for business and make decisions based on what the customer wants and needs, and this helps keep the cost of living low while offering consumers choice.

Competition and free enterprise are the opposite of centrally planned and administered socialist economies and the only economic system compatible with individual liberty.

In a socialist country, the government owns or controls everything. If you don't like it or insist on going your own way, you will be squished like a bug. Socialism forces citizens to be submissive to the government's plan—a far cry from the freedoms and liberties promised under our Constitution.

Most Americans don't want the government to run their lives. They want less government, which is to say they want more freedom. So while things like free healthcare or free higher education or free housing sound pretty good superficially, they are a fantasy and part of the agenda to move the United States toward a socialist, government-controlled economy.

Under our free enterprise system, people work to earn their living. The harder you work, the more you benefit and the better you can provide for yourself and your family. That is something we call the American dream. But with socialism, that kind of motivation doesn't exist at all. Why would you put in the extra effort? Why would you work longer hours when you will receive the same pay and benefits as everybody else? Why would you pursue an advanced degree and pour your heart into researching new medical cures when you know, at the end of the day, the person who chooses to do nothing will receive the same benefits you do? Well, you wouldn't. That is why socialism doesn't work.

In a recent Washington Post column, George Will defined today's understanding of socialism as this:

Almost everyone will be nice to almost everyone, using money taken from a few. This means having government distribute, according to its conception of equity, the wealth produced by capitalism.

The problem is, as he said, the government will take and take until eventually there is nothing more to take. Once that happens, the economy will tank; jobs will dry up; taxes will get higher to pay for the benefits promised; and those utopian sentiments will not feel quite so good anymore.

The enemy of socialism isn't greed. It is experience. That is why there are no socialist success stories. Venezuela, the Soviet Union, Ethiopia, Zimbabwe, Tanzania—time and again, we have seen socialism fail. That has been the universal experience.

As President Trump said in Miami last week:

Socialism promises prosperity, but it delivers poverty. Socialism promises unity, but it delivers hatred and it delivers division. Socialism promises a better future, but it always returns to the darkest chapters of the past.

Slapping the word “democratic” in front of the word “socialism” doesn't make it any less radical or any less terrifying. In fact, democracy and socialism are at war with each other.

This is not about lifting up the poor. It is about taking our freedom away and turning it over to our government overlords and taskmasters.

As so many seem to have forgotten the lessons of history, I plan to return to the Senate floor to discuss this disturbing trend further and remind the American people why socialism is the enemy, not a friend, of our country.

Mr. CARPER. Madam President, I ask unanimous consent to address the Senate for 2 minutes, please.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

NOMINATION OF ANDREW WHEELER

Mr. CARPER. Madam President, I say to our colleagues that I stand before you today as a Vietnam veteran—5 years of naval service during the hot war in Southeast Asia, trying to make sure that the force of communism was stopped. I served another 18 years beyond that, right to the end of the Cold War, as a naval flight officer and retired as a Navy captain.

I am not a socialist. I am somebody who cares deeply about this planet. I am someone who believes it is possible to have clean air, clean water, better public health, and to foster economic growth.

As it turns out, there are a lot of companies in this country that believe the same thing. They believe the same thing. A lot of them build cars, trucks, and vans. They want a 50-State deal on fuel efficiency standards, CAFE standards, and tailpipe standards. They want a 50-State deal so they don't have to build a car for 13 or 14 different States and then a different kind of car or truck for the rest of the country. They don't want to do that. They want certainty and predictability so they can build one model for one car. They want to be able to be successful in competing in the world marketplace in the next 10, 20, or 30 years.

We need someone leading the Environmental Protection Agency who believes that it is possible to have cleaner air and, frankly, to foster economic growth in the auto companies. That is what the auto companies want. They are not socialists. They are free-marketeters.

There is something called HFCs, or hydrofluorocarbons. It is a terrible pollutant for the environment. It is 1,000 times worse than carbon for our global warming challenges. There are a bunch of American businesses that have new technology to replace HFCs. They want to be able not just to develop it, but they want to be able to sell it all over the world. The marketplace is \$1 trillion, and we are holding it back.

Unfortunately, the person whom we are going to be voting on here today to be our EPA Administrator is part of holding us back because he will not agree to a treaty that the administration wants to put forward. It is crazy.

Those companies that developed the follow-on products to HFCs—Honeywell, Chemours, and others—are not socialists. They are business people. They want a piece of the international market, and they want to do good things for the climate at the same time.

I just want to say to my colleagues: We can do both. We can have clean air. We can have clean water. We can have strong economic growth. We need somebody running the EPA who actually believes in that too. I am sorry to say here today that right now I don't believe it is Andrew Wheeler, and I say that with no joy.

Thank you very much.

Mr. DURBIN. Madam President, throughout the country and in the great State of Illinois, a host of environmental issues are plaguing Americans. From air pollution, to ground-water contamination, to the increases in climate change-related harm that we are already facing, there is no more crucial time to have strong national leadership on environmental issues than right now. However, in the midst of all these issues comes the nomination of Andrew Wheeler—a former lobbyist for corporate polluters—to lead the Environmental Protection Agency.

If there is one major thing we have learned from the Clean Air Act, it is that regulations save lives and money. Regulations that ensure clean air mean fewer premature deaths and health issues, as well as fewer asthma attacks in children and health-related missed work days. However, the EPA under this administration that is now led by Acting Administrator Wheeler, consistently works to roll back clean air and water rules. This exposes the most vulnerable members of our society—including children and the elderly—to toxic and deadly chemicals. The people in Illinois are no exception. We are facing several environmental issues in Illinois that require immediate action by the EPA, and so far, I am not satisfied that EPA is doing everything it can and should be doing under Mr. Wheeler's leadership.

The Sterigenics facility is causing is a public health threat in Willowbrook, IL due to emissions from cancer-causing ethylene oxide. The EPA's own risk assessment from 2016, showed that ethylene oxide exposure increases the risk of cancer more than what was previously thought. However, given this

information, the EPA has still not taken sufficient actions to protect people of Willowbrook who are exposed to this gas. Concerns about ethylene oxide exposure is not limited to the people of Willowbrook—it is also of concern to the people of Gurnee and Waukegan, IL who also have plants that use ethylene oxide in the middle of their towns. Every time I have spoken with Acting Administrator Wheeler about this issue, I have been disappointed by the lack of urgency to do anything more than monitor and collect more data. When it comes to the facilities in Gurnee and Waukegan, the EPA won't even commit to monitor and collect data, even though I have joined my colleague Senator DUCKWORTH in requesting that monitoring begin immediately. The EPA is 4 years overdue to begin the process to promulgate new standards for this gas, even though they know the increased cancer risk. So I, along with my colleague Senator DUCKWORTH and my colleagues in the House, introduced legislation to require the EPA to promulgate new rules for ethylene oxide. However, the EPA's failure to act to limit toxic chemicals being emitted into neighborhoods does not end with ethylene oxide. There is manganese pollution on the Southeast side of Chicago. Manganese exposure results in serious neurological effects, such as learning difficulties, lower IQ scores in children, and manganese poisoning—a condition that resembles Parkinson's disease. There are several facilities on the Southeast side of Chicago that emit manganese, and EPA is now monitoring these facilities after my colleague Senator DUCKWORTH and I pressed EPA to do so. These facilities contaminate both the air that people breathe and the soil that children play on.

Although the EPA knows how dangerous this neurotoxin is and how high the concentrations are, they will not commit to strengthening manganese standards or take immediate action to clean up sites with soil contamination. We need someone at the EPA that will be aggressive in enforcing the Clean Air Act and the Clean Water Act.

We also need an EPA Administrator who recognizes how urgent it is to address climate change. The Trump administration's own Department of Defense issued a report last month identifying national security threats to defense missions, operations, and installations, due to climate change. Yet Acting Administrator Wheeler continues to undermine independent science for climate change by appointing members to the EPA's Scientific Advisory Board who are biased by industry or actively deny that climate change is a problem. How can we expect the EPA to lead efforts to address climate change if its leadership doesn't believe it requires immediate action?

I would also like to mention one more thing before I close. This administration promised farmers, biorefineries, and fuels stations that they

would ensure stations could sell E15 fuels this summer. The EPA is coming close to failing to fulfil that promise. I hope the EPA will work with me to ensure stations are able to sell E15 fuels this summer.

We need someone leading the EPA who will put the health and well-being of the people of this country above the profits of corporate polluters. We need someone who is willing to protect families and communities from toxic chemicals in our air and water by fully enforcing the Clean Air Act and the Clean Water Act. And we need someone who will lead the charge to address climate change. I am not convinced that Acting Administrator Wheeler will do these things. As a result, I cannot support his nomination. I hope he proves me wrong.

Mrs. FEINSTEIN. Madam President, I rise today to express my opposition to confirming Andrew Wheeler to serve as Administrator of the Environmental Protection Agency.

His lobbying activities and tenure, first as Deputy, then as Acting Administrator, show that he should not be leading the EPA in a permanent capacity.

We are at a crossroads for action on climate change. The United Nations issued a special report in October, warning of the catastrophic consequences of allowing global warming to surpass 1.5 degrees Celsius.

The report warned that human activity has already caused about 1 degree of warming and that we need to drastically cut emissions—45 percent by 2030 and 100 percent by 2050—to stay below 1.5 degrees.

The EPA is the strongest institution we have in the United States to combat climate change in terms of technical expertise and legal authority. Unfortunately, I fear that, if the EPA remains under the leadership of Andrew Wheeler, it will continue dismantling critical regulations and rolling back previous efforts to address climate change.

Andrew Wheeler is a former coal and fossil fuel lobbyist. Despite a duty to serve the public's interest, he has instead worked to push a counterproductive agenda of deregulation at the EPA.

During Mr. Wheeler's EPA tenure, the Trump administration has aggressively moved to undermine numerous greenhouse gas emission regulations. This includes President Obama's landmark Clean Power Plan, performance standards for new power plants, and methane emission standards for the oil and gas industry.

I am most concerned that Andrew Wheeler is overseeing the Trump administration's efforts to roll back our national program for motor vehicle emission standards, an issue that I have worked on for decades.

Under the current program, fuel economy standards for new cars and SUVs are set to exceed 50 miles per gallon by 2025. To date, these standards have saved 550 million barrels of oil, \$65

billion in fuel costs for American families, and 250 million metric tons of carbon dioxide.

The success of these standards comes, in part, from the fact that they have been implemented as a single, coordinated national program under the authority of the EPA, the Department of Transportation, and the State of California.

The Department of Transportation implements the Ten-in-Ten Fuel Economy Act, which was signed into law in 2007 following a bipartisan legislative effort over the course of many years. I was proud to work together with our former colleague Olympia Snowe of Maine and many others from both parties to strengthen the Corporate Average Fuel Economy standards for the first time in three decades.

This law requires fuel economy standards to increase by at least 10 miles per gallon by 2020. Beyond 2020, the law requires standards to be set at the maximum feasible level based on available technology, which the administration is trying to avoid doing for 2022–2026.

For its part, the EPA implements complementary vehicle emission standards under the Clean Air Act. That law also recognizes California's longstanding authority to regulate its own air pollution and allows other States to choose to follow California's standards in lieu of Federal requirements, as 13 States have now done.

Today these standards are collectively implemented as a single national program under a 2012 agreement between the Department of Transportation, the EPA, and the State of California that applies through model year 2025.

Unfortunately, the Trump administration is working to tear up that agreement and weaken Federal standards starting in 2022. Last week, the administration announced it would refuse to negotiate with California to salvage this program. Instead of seeking consensus, the EPA, overseen by Mr. Wheeler, is proposing to challenge California's longstanding authority. These actions are unjustified and will only create chaos and uncertainty for the automobile market.

Under Mr. Wheeler's watch, the Trump administration has also continued to roll back or undermine many other important EPA environmental health and safety regulations.

From attempts to undermine effective Mercury and Air Toxics Standards, to evading the EPA's commitments to set safe drinking water standards, to failing to fully implement the Toxic Substances Control Act, it is clear that Mr. Wheeler will only continue his efforts to dismantle the EPA from within.

I was a proud supporter of the bipartisan Frank R. Lautenberg Chemical Safety for the 21st Century Act, which passed in 2016. This bill amends and updates the Toxic Substances Control Act, which is the Nation's primary

chemicals management law. Thousands of Californians rely on it to safeguard against exposure to toxic chemicals we encounter every day.

EPA is charged with protecting all Americans from undue and harmful exposure to existing and newly introduced chemicals. However, under the Trump administration, the EPA's safety reviews of toxic substances has fallen far short of the intent of this sweeping, bipartisan toxic chemical reform legislation.

One example of a chemical that I am very concerned about is asbestos. As a result of the administration's lack of action, my colleagues in the Senate and I introduced legislation in 2017 that would have amended the Toxic Substances Control Act to require the EPA to identify and assess all forms of asbestos and ultimately ban this known carcinogen.

This bill was named after Alan Reinstein, who passed away in 2006 at the age of 66 from mesothelioma, a disease caused by exposure to asbestos. Delays in banning asbestos have meant that as many as 15,000 Americans die each year from exposure.

During Wheeler's tenure, the EPA has resisted calls to eliminate exemptions for asbestos in the current Chemical Data Reporting rule, a reporting requirement under the Toxic Substances Control Act, to comply with its mandate to prevent unreasonable risks to health and the environment presented by asbestos.

Despite knowing the health risks for decades, asbestos is still used in a wide variety of construction materials that the public unwittingly comes into contact with every day.

Andrew Wheeler's tenure at the EPA, both as Deputy Administrator for the EPA and as Acting Administrator, has shown a clear disregard for the EPA's mission to protect the public and the environment. I urge all of my colleagues to oppose his confirmation.

Thank you.

The PRESIDING OFFICER. The Senator from Oklahoma.

Mr. INHOFE. Madam President, I ask unanimous consent to be recognized for such time as I shall consume as the final speaker before the vote on the nomination.

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

Mr. INHOFE. Thank you very much, Madam President.

Madam President, we are going to vote in just a few minutes to confirm Andrew Wheeler to be Administrator of the Environmental Protection Agency. There is no one better to serve in this role, and I would know. Andrew worked for me for 14 years in both my personal office as well as in my capacity as chairman of the Environment and Public Works Committee.

He was with the committee back when President Trump nominated Andrew as Deputy Administrator. I said: There is no one more qualified. There is no one more qualified anywhere in

America to handle this job than Andrew Wheeler.

He has been Acting Administrator for the last 7 months. Let's keep in mind that he was the most qualified person 7 months ago, and now he has had 7 months on the job, and he has done a really great job. He has been the Acting Administrator.

It didn't really start when he came on board with any of the governmental Agencies. He has always been concerned about nature and the environment. The guy was an Eagle Scout.

In fact, I remember the discussions of people who were with him when he was actually climbing Mount Kilimanjaro. It was with a group of people who were interested in nature and the environment. This came early on with him. So he has the ability to lead the Agency.

I have always enjoyed following his career. After earning a law degree at Washington University in St. Louis, he joined the EPA as a special assistant in the Agency's Pollution Prevention and Toxics Office in 1991. I am talking about 30 years ago. This guy has been there for a long time. For all practical purposes, he has grown up in that particular discipline.

He was an EPA employee for 4 years, transitioning to the George H. W. Bush administration and then the Clinton administration after that, where he earned three Bronze Medals for commendable service along the way.

By the way, I doubt if there are too many people in this Chamber who know what that is. So I am going to read it to you.

The Bronze Medal is given for "significant service or achievements in support of the Agency's mission or for demonstration of outstanding accomplishments in supervision and leadership."

That is Andrew Wheeler. He received three of those.

I know you have heard a lot of people opposing him. Regretfully, there are a lot of people opposed simply for the reason that this is a nominee of the President. We went through this with Mr. Kavanaugh. We heard all of these things, and people now look back, and many of them regret that they said the things that they said.

It is awfully hard to be critical of Andrew because he is such a nice guy.

He left the Agency. He brought the sense of service and leadership with him to the U.S. Senate, where I had a front-row seat because he worked for me for 14 years.

He just did really tremendous work. There were never any complaints about him. He knew what he was doing. Again, with a 31-year background, there is nothing that he doesn't know about the mission.

Andrew started in my personal office as chief counsel and transitioned to staff director for a Senate subcommittee. I was a subcommittee chairman at the time on the subcommittee called the Clean Air, Climate Change, Wetlands, and Nuclear

Safety Subcommittee. He was the one who did all the work, and I took the credit, but it worked.

In 2003, when I became the chairman of the Environment and Public Works Committee, Andrew became our chief counsel. Over the next 6 years, he would eventually become staff director and we worked closely together on highway bills, energy bills, the Diesel Emissions Reduction Act, and the Clear Skies Act.

I can remember when this was taking place because someone who was a very close friend of mine and is no longer here, Barbara Boxer from California, worked together on these things. It was really kind of funny. Philosophically, we were opposed to each other as much as two people could be, but we accomplished everything. We accomplished the things that other people were not able to accomplish.

It is only natural that the President would nominate Andrew to be the Deputy Director at that time of the EPA. That was last April. He was confirmed in a bipartisan vote.

I will always remember that he gave a speech over at the EPA. It was kind of a welcome speech at that time. That was the day that he was confirmed as Deputy Director of the EPA. I think every single employee was in there, really, to kind of pay homage to him. It is a big deal. Here is a guy who started 30 years ago at the bottom. He is just a normal person in the bureaucracy, and all of a sudden—not all of a sudden, it took him almost 30 years to do it—he climbs up to become Deputy Director. So he was really a model. He was a model to those 200 or 300 people.

Andrew didn't even know this as he was making his initial speech, but I watched the looks on their faces, and the model that he was for them was that there is room at the top. Here is a guy who climbed all the way up, and he reached the top.

He knows what it takes to ensure that our environment is cared for within the laws passed by Congress. He will ensure that all stakeholders are heard, and he will provide certainty and stability for the regulated community. That is a switch.

One of the reasons I ran for Congress in the first place many years ago was the fact that I was a builder and developer and I was overregulated. I know what it is like firsthand. He will be a good steward of the environment without punishing our States, without punishing our farmers, and without punishing our job creators just for the sake of it. Those days are behind us.

Andrew has worked on these issues for his entire 28-year career, and I am honored that he chose to spend half of his 14 years working for me. So I have directly benefited from his service. The U.S. Senate has benefited from his leadership, and now America will benefit as well.

Let's vote Andrew in and put him to work.

The PRESIDING OFFICER. Under the previous order, all postcloture time is expired.

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

Mr. INHOFE. 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 Arizona (Ms. SINEMA) is necessarily absent.

The result was announced—yeas 52, nays 47, as follows:

[Rollcall Vote No. 33 Ex.]

#### YEAS—52

Alexander	Gardner	Portman
Barrasso	Graham	Risch
Blackburn	Grassley	Roberts
Blunt	Hawley	Romney
Boozman	Hoeben	Rounds
Braun	Hyde-Smith	Rubio
Burr	Inhofe	Sasse
Capito	Isakson	Scott (FL)
Cassidy	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	
Fischer	Perdue	

#### NAYS—47

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

#### NOT VOTING—1

Sinema

The nomination was confirmed.

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

#### EXECUTIVE CALENDAR

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

The bill clerk read the nomination of John L. Ryder, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority for a term expiring May 18, 2021.

The PRESIDING OFFICER. The Senator from Iowa.

(The remarks of Mr. GRASSLEY pertaining to the introduction of S. 617 are printed in today's RECORD under

"Statements on Introduced Bills and Joint Resolutions.")

Mr. GRASSLEY. I yield the floor.

The PRESIDING OFFICER. The Senator from Tennessee.

Mr. ALEXANDER. Mr. President, in a few minutes, we will be voting on the President's nomination of John Ryder, of Memphis, to be a member of the Board of the Tennessee Valley Authority.

To those of us in the seven State region that the TVA serves, it is a very important institution. Its job is to provide large amounts of reliable, low-cost electricity, which is the basis for how we live and how we work. It has a lot to do with our ability to attract jobs. Its job is to provide that energy in a clean way so we can see our mountains and so we meet the emissions standards in our metropolitan areas that allow us to attract and grow more jobs.

The TVA is fulfilling its mission very well. It is heading toward a position in which it will be about 40-percent nuclear in its production of electricity, about 20 percent in natural gas, and about 20 percent in coal or a little less than that. It will have pollution control equipment on all of its coal plants. Most of the rest is hydroelectric power, and a little bit is renewable. In short, it has one of the cleanest portfolios in the country, and it is continuing to do that and is producing a lot of low-cost, reliable electricity.

We are very fortunate to be in a region in which, as we look down the road 5, 10, or 15 years, we will be able to say to people who are thinking of moving themselves to Tennessee or moving their businesses to Tennessee or growing them there that they will be able to get a lot of reliable, low-cost electricity—all that they need. In addition to that, they will be able to see the Smoky Mountains because the air is a lot cleaner now that they have such a clean portfolio.

So John Ryder's appointment is a very important appointment, and he is a well-qualified man for that position. He is one of Tennessee's best known lawyers and has been for a long time. Since the late 1980s, he has been listed as one of Tennessee's best lawyers. He is well respected by everyone who knows him.

Senator Corker and I recommended him to President Trump, and we know him well. Senator BLACKBURN, who is Senator Corker's successor, has a high regard for John Ryder. All of us appreciate his willingness to serve, and we look forward to the voice vote we are going to have in a few minutes that will place him on TVA's Board. The Board has just selected a new chief executive officer. TVA is the largest public utility in the United States, perhaps in the world. It is an important assignment, and it is one I am delighted to recommend him for.

There is one other thing, but I will not dwell on this because I spoke on this Monday night. Unfortunately, Mr. Ryder has been on the Senate's cal-

endar for 9 months. He was nominated by President Trump a year ago. The problem has not been with Mr. Ryder because, as I said, President Trump nominated him after he was thoroughly vetted by the FBI. The Senate's Environment and Public Works Committee considered him, had a hearing, and reported him unanimously to the floor. Yet, for 9 months, he waited there.

One reason is, the Democrats have consistently obstructed the ability of Senator MCCONNELL and the Republican majority to help President Trump form his government. The Democrats have required 128 times that Senator MCCONNELL, the majority leader, file cloture motions to cut off debate to advance a nomination like Mr. Ryder's.

Now, this is not a Cabinet position. This is not a lifetime judge. This is the part-time Board of an important institution. He is one of 1,200 Presidential nominees that any President has who is subject to confirmation by advice and consent. It is the kind of nomination by which, if a committee unanimously reports it to the Senate, we will normally approve it by voice vote. Yet, on this vote, Senator MCCONNELL was forced to file cloture a week ago. Then we had to wait an intervening day. Only then could we come to this vote.

This is not the way the Senate is supposed to work, and this obstruction has to stop. Senator BLUNT and Senator LANKFORD have introduced a resolution, which has been reported to the Senate by the rules committee, that would cause us to adopt a rule very much like the one we adopted in 2013, when I worked with a large number of Democrats and Republicans for the sole purpose of making it easier for President Obama—and his successors—to promptly confirm the men and women whom he chose to form a government.

It received 78 votes. What we did at that time was simply say: You still keep the cloture motion, and you still wait an intervening day if you need it, but we reduce the postcloture time—not for Supreme Court Justices, not for circuit judges—simply for sub-Cabinet members and for district judges. We would reduce sub-Cabinet members to 8 hours and district judges to 2 hours.

On Monday night, I invited my Democratic friends to work with me in 2019 the way I worked with them in 2013. In a bipartisan way, let's make sure the Senate can do what it has historically done—to have promptly considered and voted up or down, with 51 votes, the nominees of any President of the United States for the 1,200 positions that form the government.

There have been some conversations. I hope Senator BLUNT and Senator LANKFORD will continue to have those conversations with the Democratic Members, but there are nine Democratic Senators, by my count, who are seeking to be the next President of the United States. I hope they can look 20 months down the road and realize that



just one Republican Senator could do to them, if one of them were to become President, what the Democrats have done to President Trump. It would be very difficult for the next Democratic President, if there were to be one, to form a government. We don't want that to happen. That diminishes the advice and consent role of the Senate. It fills up the government with appointees who are acting and whom we don't know, and they are not really accountable to us. That is not the way this place is supposed to work.

So I renew my invitation to my Democratic friends to work with me the way a number of us worked with them in 2011, in 2012, and in 2013. Let's change the rules in the right way. Let's basically adopt virtually the same rule we adopted in 2013 and allow this President and any President to get prompt consideration and up-or-down votes of their nominees.

I congratulate Mr. Ryder on his confirmation. I am grateful for his willingness to serve, and I am sorry he had to wait so long for the opportunity. The people of Tennessee and the seven State region will be much better off for his service within this important institution.

Mr. President, I ask unanimous consent that the confirmation of John Ryder, as a member of the Board of Directors of the Tennessee Valley Authority, occur at this time.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

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

The nomination was confirmed.

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

The Senator from Tennessee.

## LEGISLATIVE SESSION

### MORNING BUSINESS

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

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

The Senator from Tennessee.

## DECLARATION OF NATIONAL EMERGENCY

Mr. ALEXANDER. Mr. President, President Trump has been in Vietnam this week, meeting with the North Korean leader, Kim Jong Un. I applaud the President for his efforts to improve the U.S. relationship with North Korea.

There is not a more difficult relationship anywhere in the world at this

time than that relationship. But I am glad he chose not to seek a deal just for the sake of a deal.

As he returns from his summit with the North Korean leader and turns his attention back home, I want to make a respectful suggestion, and that is this: that President Trump ask his lawyers to take a second look at existing funding authorities that the President has to consider construction of the 234 miles of border wall that do not require a formal declaration of a national emergency.

I support what the President wants to do on border security, but I do not support the way he has been advised to do it. It is unnecessary and unwise to turn a border crisis into a constitutional crisis about separation of powers when the President already has congressional funding authority to build the 234 miles of border wall that he requested in his January 6 letter to the Senate.

Mr. President, I ask unanimous consent to include in the RECORD following my remarks the text of the President's January 6 letter to the Senate Appropriations Committee.

Mr. President, there has never been an instance in which a President of the United States has asked for funding. Congress has refused it, and the President has then used the National Emergency Act to justify spending the money anyway.

If President Trump can build a wall when Congress has refused to provide the funding, then the next President can declare a national emergency and tear the wall down or declare climate change an emergency and stop oil exports and offshore drilling. There is no limit to the imagination of what the next leftwing President could do to harm our country with this precedent.

After an American revolution against a King, our Founders chose not to create a Chief Executive who could tax the people and spend their money any way he chose. The Constitution gave that responsibility exclusively to a Congress elected by the people, and every one of us U.S. Senators has taken an oath to support that Constitution.

Separation of powers is a crucial constitutional imperative that goes to the very heart of our freedom.

I don't know how the late Justice Antonin Scalia would have decided a case on this matter, but I do know what he said about separation of powers, and this was what Justice Scalia said:

Every tin horn dictator in the world today . . . has a Bill of Rights. That's not what makes us free. . . . What has made us free is our Constitution. . . . The word "constitution" . . . means structure. That's why . . . the framers debated not the Bill of Rights . . . but rather the structure of the federal government. The genius of the American constitutional system is the dispersal of power. Once power is centralized in one person, or one part [of our government], a Bill of Rights is just words on paper.

That was Justice Scalia.

The President can avoid this dangerous precedent completely. He can use the congressional funding authority he already has to build the 234 miles of wall that he asked Congress to approve in the January 6 letter that I submitted for the RECORD.

Here is how this would work. On January 6 of this year—last month—in his letter to the Senate Appropriations Committee, the President requested \$5.7 billion to build 234 miles of new physical barrier on the southern border.

Then, on February 14, a couple of weeks ago, Congress passed the Homeland Security appropriations bill, which provided \$1.375 billion to build 55 miles that the President had asked for.

On February 15, the day he signed the Homeland Security appropriations bill, President Trump announced that he would use two additional sources of funds that had already been approved by Congress, which could be used to fund the border wall.

The first was \$601 million from the Treasury Forfeiture Fund. The second was up to \$2.5 billion from the Department of Defense accounts to support counterdrug activities and to block drug-smuggling corridors across international boundaries.

The President is authorized to do this because of a provision in law that allows him to transfer up to \$4 billion among the accounts of the Department of Defense. That is \$4 billion in a Department of Defense budget of about \$600 billion.

These three sources of funding that I just mentioned add up to about \$4.5 billion or \$1.2 billion less than the \$5.7 billion that the President requested in his January 6 letter.

So where does he get the rest of the money? He can get it by transferring \$3.7 billion instead of \$2.5 billion from the Department of Defense accounts to support counterdrug activities. Then the President would be able to build the 234 miles of wall he requested on January 6, and he would not need to declare a national emergency.

To be specific, this means the President would use \$1.375 billion from the Homeland Security appropriations bill plus \$601 million from the Treasury Forfeiture Fund plus \$3.7 billion from the Department of Defense accounts to support counterdrug activities, which would add up to equal his full \$5.7 billion request to build 234 miles of border wall.

If my analysis is incorrect, I hope that the President's lawyers will tell me.

Using funds already approved by Congress avoids the constitutional crisis of separation of powers. Using funds already approved by Congress avoids establishing a dangerous precedent, which could be misused by subsequent Presidents. Using funds already approved by Congress avoids taking money from military construction projects specifically approved by Congress for such activities as military



barracks and hospitals. And using funds already approved by Congress avoids months or years of litigation, which could make it unlikely that the full 234 miles are ever built.

It may be a couple of weeks before the Senate votes on a resolution regarding the national emergency declaration, so we don't know yet exactly what we will be voting on. There is time for the President's lawyers to take another look and determine whether we can both build the 234 miles of border wall that the President has asked for and avoid this dangerous precedent. Then the Senate could both support the President's border request and be faithful to our oath to support a Constitution that creates separation of powers as a crucial check on Executive power that goes to the very heart of our freedom.

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

EXECUTIVE OFFICE OF THE PRESIDENT,  
OFFICE OF MANAGEMENT  
AND BUDGET,

Washington, DC, January 6, 2019.

Hon. RICHARD SHELBY,  
Chairman, Committee on Appropriations,  
U.S. Senate, Washington, DC.

DEAR MR. CHAIRMAN: The President continues to stress the need to pass legislation that will both reopen the Federal Government and address the security and humanitarian crisis at our Nation's Southwest border. The Administration has previously transmitted budget proposals that would support his ongoing commitment to dramatically reduce the entry of illegal immigrants, criminals, and drugs; keep out terrorists, public safety threats, and those otherwise inadmissible under U.S. law; and ensure that those who do enter without legal permission can be promptly and safely returned home.

Appropriations bills for fiscal year (FY) 2019 that have already been considered by the current and previous Congresses are inadequate to fully address these critical issues. Any agreement for the current year should satisfy the following priorities:

—Border Wall, Customs and Border Protection (CBP): The President requests \$5.7 billion for construction of a steel barrier for the Southwest border. Central to any strategy to achieve operational control along the southern border is physical infrastructure to provide requisite impedance and denial. In short, a physical barrier—wall—creates an enduring capability that helps field personnel stop, slow down and/or contain illegal entries. In concert with the U.S. Army Corps of Engineers, CBP has increased its capacity to execute these funds. The Administration's full request would fund construction of a total of approximately 234 miles of new physical barrier and fully fund the top 10 priorities in CBP's Border Security Improvement Plan. This would require an increase of \$4.1 billion over the FY 2019 funding level in the Senate version of the bill.

—Immigration Judge Teams—Executive Office for Immigration Review (EOIR): The President requests at least \$563 million for 75 additional Immigration Judges and support staff to reduce the backlog of pending immigration cases. The Administration appreciates that the Senate's FY 2019 bill provides this level of funding, and looks forward to working with the Congress on further increases in this area to facilitate an expansion of in-country processing of asylum claims.

—Law Enforcement Personnel, Border Patrol Agent Hiring, CBP: The President requests \$211 million to hire 750 additional Border Patrol Agents in support of his promise to keep our borders safe and secure. While the Senate's FY 2019 bill supports some Border Patrol Agent hiring, fulfilling this request requires an increase of \$100 million over the FY 2019 funding level in the Senate version of the bill.

—Law Enforcement Personnel, Immigration and Customs Enforcement (ICE): The President requests \$571 million for 2,000 additional law enforcement personnel, as well as support staff, who enforce our U.S. immigration laws and help address gang violence, smuggling and trafficking, and the spread of drugs in our communities. This would require an increase of \$571 million over the FY 2019 funding level in the Senate version of the bill.

—Detention Beds, ICE: The President requests \$4.2 billion to support 52,000 detention beds. Given that in recent months, the number of people attempting to cross the border illegally has risen to 2,000 per day, providing additional resources for detention and transportation is essential. This would require an increase of \$798 million over the FY 2019 funding level in the Senate version of the bill.

—Humanitarian Needs: The President requests an additional \$800 million to address urgent humanitarian needs. This includes additional funding for enhanced medical support, transportation, consumable supplies appropriate for the population, and additional temporary facilities for processing and short-term custody of this vulnerable population, which are necessary to ensure the well-being of those taken into custody.

—Counter-narcotics/weapons Technology: Beyond these specific budgetary requests, the Administration looks forward to working with Congress to provide resources in other areas to address the unprecedented challenges we face along the Southwest border. Specifically, \$675 million would provide Non-Intrusive Inspection (NII) technology at inbound lanes at U.S. Southwest Border Land Ports of Entry (LPOE) would allow CBP to deter and detect more contraband, including narcotics, weapons, and other materials that pose nuclear and radiological threats. This would require an increase of \$631 million over the FY 2019 funding level in the Senate version of the bill.

In addition, to address the humanitarian crisis of unaccompanied alien children (UACs), Democrats have proposed in-country asylum processing for Central American Minors. This would require a statutory change, along with reallocation of State Department funds to establish in-country processing capacities at Northern Triangle consulates and embassies. Furthermore, for the new procedure to achieve the desired humanitarian result, a further corresponding statutory change would be required to ensure that those who circumvent the process and come to the United States without authorization can be promptly returned home. Without the latter change, in-country processing will not reduce the unauthorized flow or successfully mitigate the humanitarian crisis."

These upfront investments in physical barriers and technology, as well as legislation to close loopholes in our immigration system, will reduce illegal immigration, the flow of illicit drugs entering our country and reduce the long term costs for border and immigration enforcement activities.

The Administration looks forward to advancing these critical priorities as part of legislation to reopen the Government.

Sincerely,

RUSSELL T. VOUGHT,  
Acting Director.

Mr. ALEXANDER. I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

## EXECUTIVE SESSION

### EXECUTIVE CALENDAR

Mr. MCCONNELL. Mr. President, I move to proceed to executive session to consider Calendar No. 15.

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

The motion was agreed to.

The PRESIDING OFFICER. The clerk will report the nomination.

The bill clerk read the nomination of Allison Jones Rushing, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

### 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 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 Allison Jones Rushing, of North Carolina, to be United States Circuit Judge for the Fourth Circuit.

Mitch McConnell, David Perdue, Mike Crapo, Johnny Isakson, John Cornyn, Pat Roberts, James M. Inhofe, Thom Tillis, Roger F. Wicker, Lindsey Graham, Roy Blunt, John Thune, John Boozman, John Barrasso, James E. Risch, Richard Burr, John Hoeven.

## 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. 17.

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 bill clerk read the nomination of Chad A. Readler, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

## 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 clerk to read the motion.

The bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the nomination of Chad A. Readler, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Mitch McConnell, David Perdue, Roy Blunt, John Cornyn, Joni Ernst, Lindsey Graham, John Boozman, Mike Rounds, Thom Tillis, Steve Daines, James E. Risch, John Hoeven, Mike Crapo, Shelley Moore Capito, John Thune, Pat Roberts, Jerry Moran.

## 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. 18.

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 bill clerk read the nomination of Eric E. Murphy, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

## 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 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 Eric E. Murphy, of Ohio, to be United States Circuit Judge for the Sixth Circuit.

Mitch McConnell, David Perdue, Roy Blunt, John Cornyn, Joni Ernst, Lindsey Graham, John Boozman, Mike Rounds, Thom Tillis, Steve Daines, James E. Risch, John Hoeven, Mike Crapo, Shelley Moore Capito, John Thune, Pat Roberts, Jerry Moran.

## 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. 11.

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 bill clerk read the nomination of John Fleming, of Louisiana, to be Assistant Secretary of Commerce for Economic Development.

## 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 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 John Fleming, of Louisiana, to be Assistant Secretary of Commerce for Economic Development.

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.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the mandatory quorum calls with respect to the cloture motions be waived.

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

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

## APPROPRIATIONS

Mr. LEAHY. Mr. President, just a couple of short weeks ago, we finally finished the fiscal year 2019 appropriations bills, and I greatly appreciate those who worked with us to get that done.

I want to talk today about the need to reach a new 2-year budget deal. We have to do that so the Appropriations Committee could then begin to work in earnest on the fiscal year 2020 bills.

We have shown that we can move the appropriations bills quickly, but we have to have the budget deal. In fact, unless we will get a budget deal, sequestration returns in fiscal year 2020. That would mean steep cuts in pro-

grams that invest in America and support working families.

It means we would have to make cuts in our defense programs for the next fiscal year—cuts of \$71 billion. This is real money. There would be a 10-percent cut in funding to support our troops and to invest in military readiness.

It would also require that we cut \$55 billion for nondefense programs in the next fiscal year. That is a 9-percent cut. The reality is, it means less investment in infrastructure, education, housing, or agricultural programs. It means less money for veterans' healthcare, protecting our environment, or combating the opioid epidemic.

These cuts are not just hypothetical numbers on a piece of paper. They affect real people and real families. They affect people in my State. They affect the people in the State of the distinguished Presiding Officer. They affect people in the 50 States represented by all 100 of us.

Of course, the worst part about that is the cuts will come at the same time we are facing significant increases in important programs that we have no control over.

For example, we have to fund the decennial census. The Constitution requires us to have this census, and we have to fund it by \$4 billion if we are going to follow what the Constitution of the United States requires us to do in conducting the 2020 census.

We have all talked about veterans' healthcare. We have had a significant increase in the healthcare costs for veterans, and we have to have significant increases in the budget if we are going to adequately fund their health.

The VA MISSION Act, which provides additional private care options for veterans, becomes effective in June of this year. That is going to cost at least an additional \$3 billion, and estimates could climb significantly higher. That is on top of the \$3 billion increase for VA medical care that we have already enabled through advance appropriations.

Then we are going to need an additional \$1 billion to ensure that an estimated 5 million people who receive affordable housing assistance can stay in their homes. In addition to these increased costs, we expect to lose nearly \$4 billion in receipts and cost savings in other programs compared to this year.

This may sound like just a whole lot of numbers. It is more than that. It means we have \$15 billion right off the bat that we must account for above this year's levels. Of course, I am sure there will be more increases that we will have to address.

As vice chairman of the Appropriations Committee, I know how hard Chairman SHELBY and I worked with Republicans and Democrats to get through the bills we had this past year. We got them done, but it was not easy staying within levels.

We have to have a 2-year budget deal. We have to negotiate it now. If we wait until the very last second to pass these bills, it will cost the taxpayers a lot more money because the Departments cannot plan. We are not going to bury our heads in the sand and pretend it is going to fix itself.

Of course, again, in the Appropriations Committee, we try to work in a bipartisan way. But we cannot responsibly do our job in the absence of cap levels that allow us to meet the needs of the American people.

Again, this is not just an accounting issue. This is the security and the well-being of the greatest Nation on Earth. It is not rhetoric; it is reality.

The budget deal has to be based on parity if we are going to pass it. It has to have equal treatment for defense and nondefense programs, as we have had in the past.

We have to invest on both sides of the ledger if we are going to create a strong national defense, a strong economy, and a healthy citizenry of the United States.

Mr. President, I ask unanimous consent to have printed in the RECORD a letter to all Senators that was received yesterday from over 300 retired admirals and generals who agree with this premise.

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

MISSION: READINESS,

*Washington, DC, February 27, 2019.*

MEMBERS OF CONGRESS: We write as retired admirals and generals, and members of the national security organization Mission: Readiness, to urge you to support programs that help America's children grow into healthy, educated, citizen-ready adults. Particularly, we respectfully request that you reevaluate spending caps mandated by the Budget Control Act of 2011 (BCA) and provide balanced investments in both defense and non-defense discretionary (NDD) programs.

As Members of Mission: Readiness, we recognize the fact that the strength of our military—and our Nation—is dependent on the strength of our people. We are deeply concerned that 71 percent of young Americans ages 17 to 24 cannot qualify for military service because they are too poorly educated, medically or physically unfit, or have a disqualifying record of crime or drug abuse. The implications of this recruitment crisis were underscored last year, when the Army fell short of its 2018 recruiting goal by 6,500 soldiers. Further, in 2018 the Army missed its end strength goal for the active duty component by almost 7,500 soldiers, and the Army National Guard and Army Reserve missed their end strength goals by 8,000 and 9,000 soldiers, respectively. The shortage of qualified young people who are willing to serve will continue to erode the strength of our military, unless we address the root causes now.

NDD programs play a variety of roles in supporting and enhancing our national security by contributing directly to the health, education, and development of our youngest generation. These crucial NDD programs include:

Child Care and Development-Block Grants (CCDBG), which help low-income families afford child care. Research shows that access to quality child care has significant positive impacts on children's social, cognitive, and physical development.

Head Start and Early Head Start, which help children from low-income families access early learning opportunities and become prepared for kindergarten. Studies have found that the Head Start participants gain long-term educational benefits, including increased rates of high school graduation.

The sequestration cuts mandated by the BCA pose a direct threat to the effectiveness of these and other key NDD programs. Without a new budget agreement from Congress, NDD funding will be cut by \$55 billion compared to Fiscal Year 2019. These cuts would severely undermine the ability of programs like CCDBG, Head Start, and Early Head Start to serve children and put them on the path toward productive citizenship.

Last year, Congress worked in a bipartisan fashion to pass a two-year budget agreement that avoided sequestration cuts, provided key new investments for important programs, and did so in a balanced manner that strengthened both defense and NDD activities. We strongly urge you to follow this example for the coming fiscal years and avoid the drastic cuts of sequestration, while maintaining a balanced approach to setting discretionary budget levels.

Providing for the common defense is one of the most fundamental and important constitutional duties of Congress. By providing balanced investments across both defense and non-defense discretionary programs, Congress will continue to ensure our national security, both now and for generations to come.

Mr. LEAHY. These admirals and generals, many of whom I know and a lot of whom I do not, have been here with Republican and Democratic administrations, but they are all people who have served our Nation and care about our Nation. They are part of a coalition called Mission: Readiness, Council for a Strong America. They call on Congress to negotiate balanced investments in both defense and nondefense programs.

They wrote: "As members of Mission: Readiness, we recognize the fact that the strength of our military—and our Nation—is dependent on the strength of our people."

We have certainly seen this. You can go back to the time of World War II, when Harry Truman found that we could not find the people we needed in our military because of things like malnutrition or a lack of education; we needed to improve the nutrition programs in our schools. This is not rhetoric; it is reality.

These admirals and generals want a strong United States of America, just as I do and just as every single Member of this body—of either party—wants.

If the press reports are accurate, the President is planning to send up a budget on March 11 that not only fails to provide a constructive path forward, but it is going to be dead on arrival. If press reports are accurate, the President will, yet again, propose deep cuts to nondefense programs, even though Congress has rejected President Trump's cuts for the last 2 fiscal years. Every Republican and every Democrat knows that you have to have a balance between defense and nondefense programs.

President Trump also proposes large increases for defense programs, paid for

using a budget gimmick that his own Acting Chief of Staff, Mick Mulvaney, would rail against when he was in Congress. He says he will move large portions of the defense base budget into the Overseas Contingency Operation, or OCO, account so that it will not count against the budget caps. Mick Mulvaney and most Republicans and Democrats have said we cannot do this. It is not a recipe for success.

OCO is meant for costs associated with military operations in Afghanistan, Iraq, and Syria. It is there to address crises overseas. It supports our men and women deployed and in harm's way.

The OCO account should not be used as a slush fund to pay for the everyday operations of the Department of Defense or to avoid a real debate on the budget caps.

To suggest we should move billions in the base defense budget into OCO at a time when the President is actively reducing our troop presence overseas shows what a disingenuous move it is.

I went back in my notes, and I found a letter written by then-Congressman Mick Mulvaney—now the acting Chief of Staff for President Trump. He wrote this in March of 2014. It is strikingly relevant today, 5 years later. Then-Congressman Mulvaney wrote a letter signed by numerous Members. He opposed a \$10 billion increase in OCO, calling it a "misuse" of funds and an attempt to "circumvent the caps" for things unrelated to overseas combat at a time when war operations were "winding down." He opposed the gimmick. He argued for greater transparency and discipline in the budget process.

He said he would not want any President—well, of course, in that case, it was President Obama—to have this power. Now he is Acting Chief of Staff of another President, and we are told the President may propose an increase of \$105 billion, more than doubling OCO funding, as we are withdrawing troops. That is not the way forward.

Let's have an honest conversation, Republicans and Democrats together, about our needs as a nation. We have to do the hard work to set new caps. It is not easy. Every one of us will have to cast difficult votes. Well, so what? We are elected to a 6-year term. There is not a single Member of this body who, at one time or another during their campaigns, did not say something to the effect of "I am willing to cast tough votes."

Well, let us have it, this onerous conversation. Let us do the hard work to set new caps. Let us cast those difficult votes. Let us show the people who elected us they did the right thing. Let us invest in the programs. Let us strengthen our military, grow our economy, improve our infrastructure, and build the future of this country we love. Let us not use a budget gimmick to frustrate that debate. Trust me, the American people will see through that kind of a gimmick.

I am ready to have those conversations. I want to move forward with the fiscal year 2020 appropriations bills. Let's get the work done the American people sent us here to do. If we have to stay a few evenings and if we have to stay a few weekends, let's do it. It is for the greatest Nation on Earth. Let's do it. I urge leadership on both sides of the aisle, in both Chambers of Congress, to begin these negotiations now.

Then we have to take up, with urgency, a disaster package. In the last 2 years, we have had the deadliest disaster seasons in recent memory—Hurricanes Michael, Florence, Irma, and Maria, the California wildfires, volcanic eruptions in Hawaii, and typhoons along the Pacific coast. These communities, States, and territories need our help.

When Tropical Storm Irene hit Vermont in 2011, I found out firsthand how devastating natural disasters can be. Roads were washed away, towns and villages were cut off from vital services, and people's homes were destroyed.

The day after Irene, I went around the State of Vermont with our Governor and with the head of our National Guard in a helicopter, landing in small towns. Many times the only way you could get into these towns was by helicopter because roads were gone and the bridges were gone.

You would see bridges, like a child's toy, twisted and a mile from where it was supposed to be. A farmhouse that had been on the north side of the river was now upside down on the south side of the river. We were in the middle of the State, and we knew it was critical. The Federal Government provided assistance to help recovery because we are part of the United States of America.

The people of Puerto Rico and others that have been so badly damaged, these are Americans. We should stand together to help them. I am sorry we were not able to reach agreement to include a disaster package in the fiscal year 2019 minibus we passed just 2 weeks ago. We were so close to an agreement on a package—so very close, Republicans and Democrats alike. It would have addressed the needs of all impacted communities.

It broke down because the President insisted we eliminate disaster assistance for Puerto Rico. I guess he thought tossing rolls of paper towels for the people is good enough. Puerto Rico is part of the United States. It is not, as the White House described it, an island surrounded by water, I guess, as compared to those other islands. It is a part of the United States. These are American people. They have served in our military. They help us in our medical facilities. They are Americans, and they cannot be left out.

Hurricanes Maria and Irma—they had two hurricanes—devastated Puerto Rico. They destroyed the island's homes and infrastructure. They caused the deaths of an estimated 2,975 people.

It was one of the deadliest hurricanes our country has ever seen, certainly in my lifetime.

Now, we provided Puerto Rico assistance in past disaster bills, but they have so many unaddressed needs that have to be met. Many people, even after the hurricane, are still living in temporary housing. Roads, bridges, and communities still need to be rebuilt. One of the largest infrastructure projects to be undertaken on the island is the rebuilding of Puerto Rico's energy grid, which needs more assistance.

Most importantly, in the absence of supplemental assistance, we estimate that 140,000 Puerto Ricans, U.S. citizens, are going to lose nutrition assistance at the end of March.

We are the United States of America—United States of America—and this is the U.S. Senate. We are supposed to take care of all our citizens when they have crises. We do not pick and choose based on with whom we are politically aligned.

I voted for disaster relief for States that were predominantly Republican and other States that were predominantly Democratic, but I don't look at it like that. I look at the fact that they are part of the United States of America, and they had a disaster. They should be helped.

Last month, the House passed H.R. 268, a comprehensive disaster package that provided over \$14 billion to help all States and territories impacted by recent disasters to help them recover and rebuild. I worked closely with the House on this bill. I believe it will address the needs of all disaster-impacted communities.

On Tuesday, Senators PERDUE and JONES and others, working very hard, introduced a similar but not identical bill. I am taking these bills with me this weekend. I am going to review them carefully. I thank the bipartisan group of Senators—Senators PERDUE and JONES and others—for bringing the issue back to the forefront of the Senate. I am certainly committed to working with my good friend Chairman SHELBY. I also worked with Republicans and Democrats in the House Appropriations Committee. I want a package that can pass both Chambers in addressing the needs of all States and territories hit by recent disasters.

I certainly urge the majority leader, Senator MCCONNELL, to commit to bringing this to the floor as soon as possible. With that, I see other Senators on the floor.

I yield the floor.

The PRESIDING OFFICER. The Senator from Ohio.

REMEMBERING OTTO WARMBIER

Mr. PORTMAN. Mr. President, in the context of the ongoing negotiations with North Korea, there has been a lot of discussion today in the media about Otto Warmbier.

Otto Warmbier was a young man from my hometown of Cincinnati, OH. This is an emotional issue for me because, through the process of trying to

bring Otto home, I got to know his family very well.

He was a young man with a lot of promise, 22 years old, and a college student at the University of Virginia. He had gone as a tourist to North Korea. He was pulled out of the line at the airport.

Here he was, a kindhearted college kid, found himself a prisoner in North Korea. He was there for about 18 months. His detainment and his sentence were appalling; unacceptable by any standards. At some point soon after being sentenced to 15 years of hard labor, from what we know, Otto suffered a severe brain injury. What happened? We may never know the details, but we do know one thing, and that is he was severely mistreated.

Who did the North Korean Government tell about the fact that he had this brain damage? No one. Unbelievably, for the next 15 months of his life, they kept this a secret. They denied him access to the best medical care he deserved, which of course we would have provided.

I was in communication with the North Korean Government during this time through their offices at the United Nations in New York. They didn't even tell us about the terrible mistreatment he had suffered and the condition he was in. They refused repeated requests for consular access that normally would have been provided to someone who has been detained, regardless of their health situation. This included denying requests, of course, from me, from others in this body and other bodies of Congress but also from the Obama administration, the Trump administration, the Red Cross, also from the Government of Sweden, which typically acts for us in North Korea as a consular service. I say that because while I support engagement with North Korea—in fact, in my experience with Otto Warmbier, it makes me even more convinced we need to have communication because we had no good lines of communication.

I support the ongoing talks with North Korea, specifically about denuclearization. I want to make clear that we can never forget about Otto. His treatment at the hands of his captors was unforgivable, and it tells us a lot about the nature of the regime. We can't be naive about what they did to Otto, about the brutal nature of the regime that would do this to an American citizen.

Of course, it is not just about Otto or other visitors. It is about how the people of North Korea are treated, many of whom also have had their human rights violated. No one should have to go through what the Warmbier family has gone through. They have been incredibly strong, by the way, through this whole ordeal. I watched them channel their grief into something constructive, exposing some of the human rights abuses in North Korea, as an example.

Throughout this ordeal, I have stood with Fred and Cindy and their entire family. I will continue to, but I also want to say today, as we discuss these broader issues with North Korea, let's keep Otto Warmbier at the front of our minds. Let's be sure he is high on our agenda and in our consciousness as we deal with North Korea and, again, understanding, because of our experience with Otto, the brutal nature of this regime.

#### CHINA INVESTIGATION

Mr. President, I will now talk about the Permanent Subcommittee on Investigations' hearing we had today.

I am here to talk about China and the impact it is having on the U.S. education system. I chair the Permanent Subcommittee on Investigations, which is a subcommittee of the Homeland Security and Government Affairs Committee. My colleague TOM CARPER, on the other side of the aisle, is the ranking member. We worked together on bipartisan—I believe you would say nonpartisan investigations.

We had success working on the opioid crisis in coming up with legislation to stop fentanyl from coming through the mail, the deadliest of all the drugs. We also had success in pushing back against human trafficking, leading to actually shutting down the website that trafficked more women and children than any other one, backpage.com.

Today we looked at something that is also very important for our country; that is, understanding better how these Confucius Institutes work. We issued a bipartisan report today talking about how there is a lack of transparency in how American colleges and universities manage their Confucius Institutes. These are located at more than 100 colleges and universities around the country. These institutions in America have received more than \$150 million in support from the Government of China for these Confucius Institutes since 2006.

Confucius Institutes are enterprises that engage in the teaching of Chinese culture and language, and they are at universities and colleges around the world. These Confucius Institutes are designed, funded, and primarily staffed by the Chinese Government. The Chinese Government bills them as an opportunity for cultural exchange, and the funding comes from them. It is an appealing prospect for many U.S. schools trying to meet their demand for language instruction, but we need to be careful.

There needs to be more transparency in how these institutes operate in the United States, and there needs to be more reciprocity so the United States can also provide its cultural institutions in China. That is not happening now because China has systematically shut down comparable U.S. State Department public diplomacy efforts on college campuses in China.

Let me be clear. I do support cultural exchange—we all should; it is a good

thing—with China and with the international community more broadly, but there needs to be reciprocity, and there needs to be appropriate engagement without, in this case, the Chinese Government determining what is said and what is done on U.S. campuses.

The law must be followed. That is why transparency is so important.

This morning we held a hearing following an 8-month investigation into this issue. Based on our findings, let me focus on these two issues of transparency and reciprocity—transparency in how colleges and universities manage the institutes which are controlled, funded, and mostly staffed by the Chinese Government and the lack of reciprocity in how China does not permit U.S. State Department programming in China.

Our report details how China, known for its one-sided dealings in trade—not having a level playing field in trade—also does not have a level playing field with regard to these cultural changes.

Our report documents how U.S. officials had expressed concerns about China's influence through its Confucius Institutes. Recently, the FBI's Assistant Director for Counterintelligence testified before the Senate Judiciary Committee that the Confucius Institutes are "not strictly a cultural institute" and that "they are ultimately beholden to the Chinese government." The State Department has labeled Confucius Institutes "China's most prominent soft power platform."

Higher education groups have also expressed concern. The American Council of Education, the National Association of Scholars, and the American Association of University Professors have all recommended that U.S. schools fundamentally change how they manage Confucius Institutes or consider shutting them down.

Other foreign governments have already acted. For example, the UK Conservative Party Commission on Human Rights called for the suspension of further agreements until it can complete a more comprehensive review of potential threats to academic freedom at the Confucius Institutes in the United Kingdom.

The Canadian Province of New Brunswick recently announced that it would cease its Confucius Institute operations, citing academic freedom concerns and that the program provides a "one-dimensional" view of China. Finally, an Australian State, New South Wales, is currently reviewing the Confucius Institute program, citing that it exposes children to propaganda.

These concerns are well-founded. Past statements by Chinese officials make clear the purpose of Confucius Institutes. For example, in 2011, a former member of the Chinese Government explained:

The Confucius Institute is an appealing brand for expanding our culture abroad. It has made an important contribution toward improving our soft power. The "Confucius" brand has a natural attractiveness. Using

the excuse of teaching Chinese language, everything looks reasonable and logical.

The Director General of Confucius Institute Headquarters has also commented on how the program controls messaging about controversial topics. She said in 2014:

Every mainland China teacher we send . . . will say Taiwan belongs to China. We should have one China. No hesitation.

So with regard to issues like Taiwan, Tibet, and Tiananmen Square, the Confucius Institutes stay away from those issues that are considered controversial.

We know that Confucius Institutes exist as one part of China's broader, long-term strategy, but China has invested heavily in them, giving about \$150 million to U.S. schools just in the last decade. China's other long-term initiatives include its Made in China 2025 plan, which is a push to lead the world in certain advanced technology manufacturing. The Thousand Talents Program is another state-run initiative designed to recruit Chinese researchers in the United States to return to China for significant financial gain, bringing with them the research knowledge gained at U.S. universities and companies. We plan on continuing to examine the U.S. Government's responses to these issues as well.

Confucius Institutes, by the way, do not stop at colleges and universities alone. China has also opened more than 500 Confucius Classrooms programs at U.S. K-12 schools. In fact, the Confucius Classroom program is a priority for the Chinese Government. A document obtained by the subcommittee during our investigation details a plan to expand Confucius Classrooms by seeking "top-down policy support from the state government, legislative and educational institutions, with particular emphasis on access to the support from school district superintendents and principals."

Over the last 8 months, we interviewed U.S. school officials, teachers, and Confucius Institute instructors. We also reviewed tens of thousands of pages of contracts, emails, financial records, and other internal documents obtained from more than 100 U.S. schools that were either active or recently closed Confucius Institutes.

Since our investigation started, more than 10 U.S. schools announced they would be closing their Confucius Institutes. We found that Chinese funding for Confucius Institutes comes with strings attached—strings that can compromise academic freedom. The Chinese Government vets and approves all Chinese directors and teachers, events, research proposals, and speakers at U.S. Confucius Institutes. Chinese teachers sign contracts pledging with the Chinese Government that they will follow Chinese law and "conscientiously safeguard China's national interests."

Some schools actually contractually agreed that both Chinese and U.S. law will apply at Confucius Institutes in

the United States on their school campuses. Think about that. American universities are agreeing to comply with Chinese law on their campuses. This application of Chinese law at these schools can result, of course, in exporting China's censorship of political debate and prevent discussion of politically sensitive topics.

As such, numerous U.S. school officials told the subcommittee that Confucius Institutes were not the place to discuss topics like the independence of Taiwan, Tibet, or the Tiananmen Square massacre. Put simply, as one U.S. school administrator told us: "You know what you're getting when something is funded by the Chinese government."

Investigators from the Government Accountability Office also spoke with U.S. officials, who acknowledge that hosting the Confucius Institute could limit events or activities critical of China, not just at the Confucius Institute but also elsewhere on campus.

In response to the growing popularity of Confucius Institutes, the United States initiated its own public diplomacy program in China through the State Department. The Chinese Government effectively shut it down. Since 2010, the State Department has provided \$5.1 million in grant funding for 29 American Cultural Centers in China. Through this program, a U.S. school would partner with a Chinese school to set up a cultural center, which would enable Chinese students to better understand our country, our culture.

The Chinese Government stifled the program from the start. Seven of the 29 American Cultural Centers never even opened. Of those that did open, they needed permission from the Chinese partner schools, sometimes including local Chinese Communist Party officials, just to hold events. Eventually, because of the obstacles, the State Department stopped funding the program altogether. There are four programs remaining. They are all going to be phased out entirely by this summer.

We heard some very interesting testimony today from the State Department—testimony that details the academic environment in China that has made it impossible for us to have the kind of freedom they enjoy over here. The State Department testimony aligns with the findings of our investigation.

For example, while the State Department conducts various public diplomacy programs in China, the Chinese Government has increasingly impeded access to some segments of Chinese society, including Chinese schools and universities. All Chinese institutions, including universities, have a foreign affairs officer or a "gatekeeper" that is an internal governmental office that manages contact between the non-Chinese entities and the institution. Any Chinese institutions that wish to interact with foreign government officials must obtain approval first from this gatekeeper.

The State Department even told us that the Fulbright Program, a prestigious and longstanding student exchange program, is impeded as Chinese authorities have prevented Chinese alumni of the Fulbright Program from forming a Fulbright Association, a standard practice in other countries. We even heard directly from an American educator who was detained by the Chinese police and questioned extensively about her involvement with a State Department grant. While the Department of State said they conveyed to the Chinese Government that it expects reciprocal access for U.S. diplomats in our programs, it is not happening. Obviously, more needs to be done.

While the State Department is mostly known for its overseas diplomatic efforts, it also has oversight responsibilities right here in the United States with regard to these Confucius Institutes. The State Department conducts field site reviews to ensure that foreign nationals who come to the United States on these Exchange Visitor Programs have visas that are appropriate and that they are here for the stated reason.

There are roughly 100 Confucius Institutes at colleges and universities in America, yet the State Department has conducted field visits only to two of them. At those two, they found serious problems. At the Confucius Institute, the State Department revoked more than 30 visas for Chinese visitors who were supposed to be working at the university that sponsored their visa but were actually teaching in the K-12 environment. They also discovered evidence of "fraudulent paperwork and coaching" that was a "deliberate attempt to deceive" investigators, according to the State Department.

The Chinese director coached the Chinese teachers to tell the State Department they were working on research programs that they really weren't working on at the university's campus.

State also told us it does not collect the visa information specifically related to the Confucius Institute, so we don't know how many Confucius Institute teachers there are or where they are. Again, they visited only 2 schools out of 100, and in those they found serious problems with regard to the State Department's responsibilities on visas.

Our investigation also identified failures at the Department of Education that have contributed to a lack of transparency and oversight at schools that take money from foreign governments. If a U.S. school receives more than \$250,000 from a single foreign source in 1 year, it is required by law to report that data to the Department of Education, which, in turn, publishes it on its website. The Department of Education, however, has not issued any guidance on foreign gift reporting for 14 years, the same year that China opened its first Confucius Institute, and our investigation was able to find

that 70 percent of the colleges and universities that should have reported receiving funds for Confucius Institutes from China did not; 70 percent are out of compliance. When a school fails to report a foreign gift, the Department of Justice can force the school to comply, but only at the request of the Secretary of Education. The Department of Education has never referred this type of case to them—never.

We received two important commitments at the hearing this morning. One is the Department of Education has committed to issuing new guidance to the more than 3,000 schools it oversees. This guidance is important to ensure that schools know that they are obligated to report receiving these foreign government funding sources. They also agreed to step up their enforcement on the law on reporting foreign government funds from Confucius Institutes.

The State Department committed this morning to do more to ensure visas are being properly used at Confucius Institutes around the country. Again, they conducted only two site reviews. They have to do more, and they said they will. We are going to follow up on that.

As with all of our investigations, we are developing legislation aimed at addressing the problems identified here today. I want to call attention, as I conclude, to a news report that came out just a couple of days ago. The Chinese Communist Party's central committee and the Cabinet published a document stating that the Confucius Institutes will remain "a key government policy." Specifically, the news report plans to "optimize" the spread of Confucius Institutes. While it is unclear what "optimize" means at this point, any legislation must try to anticipate the potential rebranding of Confucius Institutes or other efforts that may seek to avoid the transparency, disclosure, and reciprocity that is needed if these programs are to continue on our campuses.

Thank you.

I yield the floor.

The PRESIDING OFFICER. The Democratic leader.

TRIBUTE TO BRUCE KING

Mr. SCHUMER. Mr. President, I know my good friend from Georgia has to get somewhere, and I have to get somewhere. I will be very brief.

I want to take a moment to pay tribute. We have staffers here who are just unsung heroes. They work day in and day out. Because of their diligent work, the world and the country is a better place.

One of these people who works in quiet dignity and gets so much done and is so well respected is Bruce King. He has been indispensable at my office, and today, this afternoon, it is my unfortunate duty to say farewell to Bruce.

He has worked in the Senate in some capacity since 1984. He has worked for Judiciary, Senator Lautenberg, the Budget Committee, and as the senior



counsel for multiple Democratic leaders on the Federal budget, stretching from Leader Daschle to Leader Reid to me. In that short time, Bruce wasn't short of legislative achievement, from negotiating the balanced budget agreement of 1997 to blocking the privatization of Social Security in 2006, from shepherding health reform through the Senate to passing the financial rescue bill after the crisis in 2008.

One of our most distinguished Senators would be proud of that record. Their name would be in lights. Bruce did all of that and much more in his, as I said, quiet, steadfast, brilliant dignity.

I have never sat on the Budget or Appropriations Committees, so when I became leader, having his experience and wisdom was incredible. I have met no one who could take these complex issues and put them in terms that even someone like myself could understand, not being an expert on those things. He was able to understand the big picture and never get caught in the minutia, although he knew the minutia extremely well.

When you ask Bruce's opinion on a matter, he presents it so succinctly and persuasively that you know it is the right answer in a matter of minutes, until he decides to play devil's advocate against his first opinion and convinces you of the opposite because he is one of those staffers who has never had an ax to grind. He said: Let my Senators know both sides, and let them decide.

But we knew both sides so well and so lucidly because of Bruce's ability to take these issues and help us understand them.

He can juggle so many variables in his head at once. He can weigh the pros and cons. He has an instinctive knowledge of how to deal with the tradeoffs, and he can keep it all in a simple way.

He is a modest man. He has sat at the same desk in the Capitol for 14 years. Every day, he brings his lunch—peanut butter and jelly sandwiches—and he leaves the office at almost the same time every night to have dinner at home with Janis, his beloved wife.

Senators get the spotlight and the credit when our initiatives succeed, but so many initiatives would never have succeeded without Bruce King. Bruce, through the years, deserves an ocean of credit for his work. He would never claim a drop of it because he is a humble man.

For all his expertise, he is humble, kindhearted, and thoughtful. Everyone likes him. In all the years he has worked here, I never heard a single person say a single bad thing about him. That is a pretty good tribute in a place like the Senate.

Bruce's departure will be a loss to his friends and colleagues and to the Senate as a whole and, of course, to my office.

There is only one bad thing I can say about him. He switched his allegiance from the New York Mets to the Nation-

als. The good news is that he will be able to catch some more games with Janis, his son Aaron, and his daughter Liana.

Bruce, you are a blessing to our office, to the Senate, and to the country. We wish you the best.

I yield the floor.

The PRESIDING OFFICER. The Senator from Georgia.

Mr. ISAKSON. Mr. President, to the Democratic leader and Bruce, who is on the floor, congratulations on behalf of all the Republicans in the room.

Come down to Atlanta and watch the Braves play the Mets. We would be happy to have you anytime. Thank you for your time here.

#### DISASTER RELIEF

Mr. President, I will be very brief. Two things happen at this time of day every day in the Senate and only two. The first is that the last person having their say finally gets up and says it, which means that you all have to listen to me for a minute. When the last person speaks, they don't tell you anything new. They tell you what everybody else said in a different way. You get to hear a small speech about that.

The other thing that happens is that SHELDON WHITEHOUSE comes to the floor and talks about global warming. That happens every day. SHELDON hasn't been down here. I don't know if he is sick. I don't know where he is. I am going to replace SHELDON for a minute.

Every day goes by, and we ought to talk about climate change and things like that. I am going to talk about disaster relief, which ties right into climate change. I am not a global warming guy, except to say I think it is going on. It has been going on since the planet was created. It will be going on long since we are gone. How tough it is depends on our dealing with it—how we sequester carbon, how we manage carbon, and how we have businesses and industries find new ways to fuel their industries and fuel their mechanisms, and things like that.

Tell SHELDON when you see him that I came down to talk about how we do need to address these things. It is all of our responsibility. We can address it in a positive way, just like we did in the Montreal Protocol, where 25 years ago we got rid of fluorocarbons that were drilling a hole in the atmosphere and causing us to have terrible cancer of the skin.

Tell SHELDON I have listened to him. I heard some of his great speeches. Mine is not nearly as close to how good his are. I wanted to make sure a day didn't go by without our saying what SHELDON says.

I want to talk about the disaster bill that Senator LEAHY, only a few minutes ago on the floor, talked about, and I want to talk about the urgent job we need to do in the Senate.

We had terrible disasters in the South and Southeast 3 years ago. We had hurricanes, floods, and tornadoes. Billions of dollars were lost in South

Carolina, North Carolina, Georgia, Florida, Tennessee, and other locations. We failed to meet the disaster demands that we have to help those farmers and ag producers and business and industries to get back on their feet.

We now have a dire crisis. We have an emergency in the Southeast. It is time we got the disaster bill that we have been trying to pass for a year passed. We had it as a rider twice. We had it as a rider on the bill that was going to end the shutdown. At the last minute, it got negotiated out of the picture, not because it was a bad bill but because nobody would leave it in there and it did free up some money.

We have until March 15 to get it done. If we don't, there are going to be farmers in most of the Southeast who are going out of business. Industries that this Nation depends on will be terrible. You will pay way too much for your food. I don't know about you, but if you don't have nutrition to go with the energy you need, you don't have anything.

I am here to plead with every Democrat and every Republican that when we get the bill to the floor—and it will be some time before March 15—to support the disaster relief bill for the Southeastern United States and for Puerto Rico. The Democrats wanted so badly to add Puerto Rico to it, and the President signed off on that part. So we don't have a problem with the executive branch. I ask you to support all of the other provisions in it to see that those who were so badly damaged get their relief.

Let me tell you what that relief is. I am not talking about a handout. As an example, I am talking about the pecan industry that is housed in my State of Georgia. It is a tremendous industry in Asia. It is a tremendous export in the United States, with a tremendous balance of payments which contribute to our country. Well, 70 percent was wiped out. It takes 15 to 20 years to replace a pecan orchard. They have to start growth from a seedling to be a full, maturing tree to produce the crops to get to the marketplace.

Some of our crops are annual crops. A lot of them are long-term longevity crops. It is very important that we get them back on their feet. We will reclaim our place in the marketplace, but if we don't, somebody will take it away from us. Maybe it is Egypt, maybe it is India, or maybe it is somebody else.

I am down here to say that climate does change and we can do something about it by addressing carbon. And the economy changes. We can do something about it by helping industries.

When disasters come, if they are not responded to quickly and resolutely, they end up causing big losses to everybody in business, in productivity, and in our industries.

I want to ask everybody on the floor to please join me—hopefully, before the 15th or at least by the 14th of March—



to support the disaster bill that passed. Senator SHELBY, Senator LEAHY, myself, Senator PERDUE, and Senator RUBIO, and many others worked very hard on this to bring it together to get the pieces that were missing in place.

I want to thank, particularly, Senator SHELBY and Senator LEAHY for the time they and their staff have given us in the last couple of weeks to try to recover from the vote 2 weeks ago, when we lost what we thought was a solution to this problem.

Mr. President, I appreciate the time on the floor.

I yield to the distinguished Senator from Delaware.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I want to recognize the wisdom and insight from my friend and colleague from the great State of Georgia. We have unmet disaster needs in this country. I look forward to working with him to achieve the relief of the disaster impacts on the Southeastern United States and other States.

#### CLIMATE CHANGE

Mr. COONS. Mr. President, I come to the floor today to talk about climate change—to talk about something that is a pressing and real problem that affects everyone in this country, and, in fact, in our world. It is a challenge that we can't afford to ignore any longer because the health of our families, our economy, our environment, and even our national security, quite literally, depend on our ability to address it and address it promptly.

After a year of recordbreaking extreme weather in 2018—when we saw rising average temperatures fuel California's deadliest wildfire season on record, when Florida was faced with the strongest hurricane ever to reach that State's panhandle, and when farmers in Delaware and across the country faced challenges due to severe flooding and drought—it is clear that we can't afford to sit back and do nothing about climate change while the American people pay the price.

The costs of our inaction are real—real in human suffering, real in disaster recovery spending, real in lost economic opportunity, and real in the burden borne by our Armed Forces around the world.

Yes, there is a clear link between climate change and national security. The Pentagon has consistently pointed to climate change as a real national security threat that will make the military's job around the world harder. National security leaders from across administrations, both Republican and Democratic, have warned that climate change acts as a "threat multiplier," increasing global instability and weakening fragile States as climate change leads to more extreme weather events and scarcer food and water resources.

In many ways, these findings echo themes about climate change that we already know—that it is already happening, that it continues to get worse,

that it is going to cost us dearly, and that we can do something about it. It is that last point that I want to focus on. We can do something to stop the disastrous impacts of climate change, so long as we recognize it and work together in a bipartisan way to develop, take up, debate, and pass meaningful legislation that can make a difference.

Democrats have a broad range of bold and new policy proposals and of tested and fully developed policy proposals to address climate change. Many of them are bipartisan.

I wanted to come to the floor today to talk through 4 different bills that I have cosponsored—some that are relatively new and some considered across several Congresses—that are positive, constructive steps forward we can take to address climate change.

The first, and probably my oldest bill in this field, is called the MLP Parity Act—a catchy name, I know. It has five Republican colleagues who have cosponsored it now over three Congresses. This bill expands to renewable forms of energy, to carbon capture and sequestration, and to renewable and so-called clean energy a popular and long-established tax tool for financing energy projects that the oil and gas and pipeline sectors have enjoyed for decades. It would level the playing field. It would stop picking winners and losers in terms of energy tax policy. It would be, literally, an "all of the above" energy financing strategy. If enacted, it would be the first permanent change for the financing of clean energy projects in the U.S. Tax Code—potentially, worth billions of new private investment in renewable forms of energy.

It is also cosponsored by the Republican chair of the Energy Committee, Senator MURKOWSKI, the Republican chair of the Banking Committee, Senator CRAPO, and three other colleagues from across the country. We have five Democrats and five Republicans. It has had a hearing in front of the Energy Committee and a hearing in front of the Finance Committee in previous Congresses. This is the sort of solid, scored bipartisan bill that would be a meaningful step forward in addressing climate change.

Senator LINDSEY GRAHAM and I have introduced the IMPACT for Energy Act to create a private foundation to support cutting-edge energy research and technology commercialization. Why would we do this? What am I talking about?

Well, a guy named Bill Gates, one of the greatest inventors and innovators in American history, wants to deploy private investments and foundation investments alongside the Department of Energy, in partnership with a lot of other individuals, to significantly accelerate the cutting-edge research being done at our National Laboratories through the Department of Energy.

This is a tool that several other Federal Agencies already have. It is a so-called private foundation that allows

them to marry up private sector dollars—foundation dollars—with Federal dollars to leverage greater impact. This private foundation can go out and raise that additional money and add it to the energy R&D already being funded by the Federal Government.

I also want to applaud the hard and bipartisan work of my colleagues, led by Senators MURKOWSKI and CANTWELL on the Energy Committee, on a comprehensive energy bill with a wide range of policy ideas that can move us forward. It has several components that I contributed and that would help to address climate change. I very much hope that in this Congress we can finally take up this bipartisan bill and see it signed into law.

Last, but in some ways most importantly, I want to mention a bill I offered at the end of the last Congress with my friend and former colleague, the Senator from Arizona, Jeff Flake. Despite our very different ideological, cultural and contextual backgrounds—we are from different States, from different faiths, and from different perspectives on the role of government and society; he is a real conservative, and I am a progressive Democratic—we still managed to come together and introduce a bill that addresses the cost of ignoring climate change and the impact it will have on the people in our home States.

We offered the Energy Innovation and Carbon Dividend Act. It is a commonsense bill to achieve significant and sustained emissions reductions and to help to mitigate the worse impacts of climate change. Our bill would accomplish this by using a free-market approach to pricing carbon pollution that would spur economic growth and put money back in the pockets of American taxpayers. Similar legislation has been introduced in the House of Representatives by a bipartisan coalition. I look forward to reintroducing this bill in this Congress.

The Energy Innovation and Carbon Dividend Act should be the centerpiece of a robust, bipartisan climate agenda because it aggressively tackles emissions while optimizing economic growth and income for working families. We estimate that our bill would reduce emissions by 90 percent by 2050, while creating as many as 2 million net new jobs in the next decade.

I believe this is an efficient way to use market forces to address the very real problem of climate change while creating jobs and opportunities for American workers. Frankly, an outright ban on nonrenewable sources would be inefficient and disruptive to workers from all sectors, but, in particular, across the building trades and other vital sectors of employment. In contrast, sending a strong market signal in favor of lower carbon or carbon-neutral energy would spur investment and growth in these technologies by the private sector and lead us toward a lower carbon future through competition.

We don't need to choose between clean energy and economic growth or between combating climate change and creating jobs. These two goals are not permanently and mutually exclusive. They can go hand in hand if we craft the right policies. Still, we cannot move abruptly away from an economy that relies heavily on fossil fuels without having a real and coordinated plan for the very people—the millions of Americans—whose jobs will ultimately be impacted by that transition.

Fortunately, a gradual transition to a clean energy future can also be an effective job creator. In 2017, the renewable energy and energy efficiency sectors alone employed 2.8 million Americans. If we place a price on carbon and then let the market work, we will create jobs across a wide range of industries, occupations, and geographies.

As we work to deal with the effects of climate change by moving to a cleaner energy and infrastructure economy—an economy that is more resilient—we will need to rely on workers who are already in place in many of these industries. We will need building trades professionals to construct and maintain our new resilient and clean energy infrastructure. We will need manufacturing workers to build these more energy-efficient products. We will also need scientists and engineers to help research, develop, design, and deploy these new technologies. These workers bring real experience and skills to the table, and we must ensure that these skills translate into new, good jobs and that the workers in these new jobs are able to organize for fair competition, for fair compensation, and for fair work conditions.

We can't tackle climate change alone. The United States is the largest historic emitter of carbon dioxide, but our emissions have been declining in recent years. Meanwhile, China has whirled past us, and China and India and other countries are rapidly catching up in their carbon emissions. We need an approach that incentivizes these countries to reduce their emissions as well. The United States is a world leader in science and technology and innovation. We need to develop and advance new technologies—carbon-neutral technologies like small, modular nuclear reactors and carbon capture and sequestration—that we can export. Then we need to find ways to encourage countries like China and India to modernize and industrialize while also reducing their emissions.

There is good work taking place in this area, and there are good solutions we can act on together. We need to reduce greenhouse gas emissions in a serious, thorough, deliberate, and thoughtful way. We need to be prepared to adapt to the ongoing impacts of climate change. We need to make sure American workers and families aren't left behind or are burdened by Federal climate policy.

This administration, unfortunately, strikes me as taking us backward. We

are voting on an EPA Administrator in this Chamber who is failing to take action on climate, even on action that is widely supported by industry. Our President just proposed a National Security Council initiative to counter the consensus around climate change and refute the idea that greenhouse gases are harmful to the environment. I shouldn't even need to say this, but that just isn't how science works.

That is why, here in the Senate, we need to take the opportunity to lead and to have voices from both parties in Congress and in this country who want to take bold steps to address the climate. The hard part is going to be squaring these big, bold ideas with political reality. That is hard, but there are ways we can do it. Instead of being silent, we should bring this conversation to the forefront. Instead of debating whether climate change is real, we should be passing bipartisan bills, like the ones I have mentioned today, that can meaningfully address climate change and improve our economy.

Climate change is a serious threat to our economy, to our security, and to our way of life. We need leadership from all parts of our society and government to tackle it, and we must do our part in the Senate. I look forward to having conversations across the aisle, to working together, to identifying real solutions to the challenges before us, and to creating new opportunities for America's workers.

I thank the Presiding Officer.

I yield the floor.

I suggest the absence of a quorum.

THE PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### WOMEN'S HEALTHCARE

MS. STABENOW. Mr. President, I have often said healthcare is not political. It is personal, and there is no part of healthcare that is more personal than the decision if, when, and under what circumstances to have a child and who decides the medical course of action in a serious medical crisis.

These decisions need to be made by women, their families, and their doctors. They should not be made by politicians who are more focused on their own political advantage rather than medical tragedies facing pregnant women at the end of pregnancy who want desperately to have a child.

Our Republican friends know very well that nobody—and I mean nobody—in this Chamber supports infanticide. No one. In fact, in 2002, Congress voted unanimously—100 Members, including myself—to reaffirm that it is illegal, period. Suggesting otherwise is insulting and, frankly, disgusting, and it is beneath the dignity of the U.S. Senate.

How dare the majority pretend to care about the health of women and

children. If the Republican majority cares about the health of moms and their babies, why are you continuing to try to take their healthcare away? The President and the Republican majority have tried again and again and again to repeal the Affordable Care Act.

Let me remind you that before the Affordable Care Act, insurance companies could, and most of the time did, refuse to cover maternity care as basic healthcare for women, leaving parents with bills of tens of thousands of dollars for an uncomplicated birth.

As a member of the Senate Finance Committee, I was proud to author the provision requiring maternity care in the Affordable Care Act. I remember the debate. I remember a very specific debate with a former colleague from Arizona, and I remember Republican efforts to strip that provision to cover maternity care from the Affordable Care Act. Fortunately, they were not successful. Now the administration is legalizing and offering junk insurance plans that treat being a woman as a preexisting condition again.

One study found that none—none—of the newly approved plans cover maternity care. Maternity care is not a frill. It is basic healthcare for women, and if we are seeing more and more of these healthcare plans being put on the market, where women assume they are going to be covered and once again will not be, that is outrageous.

Why aren't we passing a bill to guarantee that prenatal care and maternity care are covered for moms and babies as essential healthcare in every insurance plan? I assure you, this medical care is essential, and until parts of the Affordable Care Act began to be unwound by the administration, it was viewed as essential care for every woman.

How dare you pretend to care about the health of women and children while voting to dramatically slash Medicaid and healthcare for low-income working families. When you gut Medicaid, you are keeping moms and babies from getting the healthcare they need. In fact, Medicaid provided prenatal care and maternity care for 43 percent of American moms and babies born in 2016—43 percent. Why aren't we voting to strengthen Medicaid? Why aren't we voting to strengthen Medicaid healthcare for moms and babies? Why isn't that being brought to the floor?

A few years ago, the Senate Finance Committee reported out a bill that I led with Senator GRASSLEY called the Quality Care for Moms and Babies Act. This bill would create a set of maternal and infant quality care standards in the Children's Health Insurance Program and Medicaid. The goal is simple: improving maternal and infant health outcomes. Shouldn't we all want to do that?

Let me be clear. We have no uniform quality standards right now across the country for almost half of the births that occur every year. The Quality Care for Moms and Babies Act will help

make sure every mom—every mom—gets the best pregnancy care possible and every baby gets a healthy start. Why isn't that a top priority for action in the U.S. Senate, to protect the health of moms and babies?

Let's also be clear. We have a real healthcare crisis that we need to address in this country. In most of the world, fewer and fewer women are dying from child birth but not in the United States. In fact, our maternal mortality rate is climbing. More women are dying, and our infant mortality rate ranks a shameful 32 out of 35 of the world's wealthiest nations. The United States of America is 32 out of 35 countries—wealthiest countries in the world—in the number of infants that are dying in birth. That is something we need to have a sense of urgency to act on.

There are a lot of things on healthcare. There are a lot of things to improve outcomes for children and moms and give them a healthy start and a healthy life that we should be doing right now, as well as stopping the administration from undermining basic healthcare for women and children. It is time to stop the cynical political stunts and start protecting—really protecting—the health of moms and babies.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The legislative clerk proceeded to call the roll.

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

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

Ms. HIRONO. Mr. President, I am glad to join Senator STABENOW, who was on the floor just now, to respond to the shameful lies and gross exaggerations that have been claimed by some on the other side of the aisle.

Earlier this week, we voted on legislation that some of my colleagues claimed was needed to outlaw infanticide—the killing of babies. How absurd. It is, and has always been, illegal to kill any human, including infants.

So what was in that legislation we voted on earlier this week? To honestly discuss the bill, we need to have a factually and medically accurate conversation about abortion.

A healthy fetus becomes potentially able to live outside the womb at about 24 weeks of pregnancy. Very few abortions occur after that—less than 1 percent—and generally are performed either because the fetus has a fatal condition or the pregnant woman's life or health is at severe risk. These are heartbreaking situations involving very wanted pregnancies—hardly the time for the heavy hand of government to reach into our wombs.

Under this bill, doctors will be required to resuscitate infants born with fatal conditions, even if the parents did not want these measures that could

prolong their infant's suffering and instead wanted to spend the limited time they had with their baby comforting their child and holding them close.

How dare anyone pretend to know what care is best for these families instead of trusting them and their doctors to decide. How dare Congress interject itself into a decision we have no business deciding for others. Yet this is exactly what this bill would have done.

I encourage my colleagues to read stories from women who have been speaking up about their experiences with abortion later in pregnancy. These stories are usually found on the internet as well as in the national press, as more women feel under attack and are coming forward to tell their stories. Perhaps, in hearing from these women, my colleagues will realize what these women need is compassion, not condemnation.

Stories like that of Dana Weinstein, who bravely told her story to CNN. Years ago, Dana and her husband learned at 31 weeks that their daughter's brain had a severe defect. Doctors told the couple their daughter would not be able to suck or swallow and would most likely suffer from uncontrollable seizures upon birth. They heard what a resuscitation order would entail. They listened to what an existence, short-lived or otherwise, would look like. They were briefed on hospice care.

After the diagnosis, the kicks in Dana's belly, which had given her so much joy, became unbearable. She feared her daughter was seizing and may be suffering. Ultimately, Dana and her husband decided to get an abortion. For this baby they loved, it felt like—in their words—"a more peaceful path for her passing."

These are the stories. Compassion and understanding are what is needed in these instances, but instead of compassion, what my colleagues have offered this week is inflammatory political rhetoric and shaming and intimidating women and their providers who care for them in an attempt to score partisan points.

President Trump—never missing an opportunity to score partisan points—weighed in on Twitter claiming that Senate Democrats "don't mind executing babies after birth."

Today former Governor Scott Walker said to a crowd at the Conservative Political Action Conference that "people are taking already-born babies from the hospital and aborting them there"—a comment that doesn't even make sense.

Republican National Committee chair, Ronna McDaniel, chimed in at the same conference, calling the choice that women like Dana make murder. These charges are false, incendiary, and this sort of language is intended to incite the Republican Party's base. It emboldens violence against abortion providers—violence which nearly doubled from 33 reported death threats or

threats of harm in 2016 to 62 in 2017, according to the National Abortion Federation.

The hard truth is, the Republican Party hurts women. One of the ways they are doing this is by working as hard as they can to set up barriers or to eliminate entirely safe and legal abortions wherever they can.

They demonize women who face the heartbreaking situation of needing an abortion later in pregnancy, oftentimes for medical reasons.

They want to cut off crucial healthcare dollars to providers who even discuss abortion with patients. This is a gag rule that this administration is seeking to impose.

They create loopholes to allow businesses to exclude coverage for contraception for workers, and to make sure that these and all of their other efforts stick, they pack the Federal courts with a line of aggressively anti-choice judges to uphold Federal Agency actions and State laws restricting abortion access.

Doing the bidding of these rightwing ideologue supporters like the Federalist Society and the Heritage Foundation, Donald Trump has sent us judicial nominee after nominee with records of attacking a woman's right to choose as laid out in the Supreme Court's opinion in *Roe v. Wade* and restated in *Planned Parenthood v. Casey*.

These nominees come before the Senate Judiciary Committee, on which I serve, and parrot the line provided for them by the Trump administration. When asked if they will respect precedent and uphold *Roe v. Wade*, they say they will "follow the law." Then, when they get confirmed, they are in a position, with their lifetime appointments, to do exactly the opposite.

The prime and most dangerous example of this kind of bait and switch is Brett Kavanaugh—a notoriously rightwing political lawyer appointed by George W. Bush to the second highest court in the United States—the Court of Appeals for the DC Circuit.

Kavanaugh was not even on Donald Trump's original so-called short list of possible Supreme Court nominees—not the list released before the 2016 election and not the first list released thereafter. No, Kavanaugh only found a place on that list after he wrote a harsh dissent in a case involving a young refugee's right to an abortion.

A minor, then 17 years old, was being kept in the custody of the Department of Health and Human Services because she had entered the United States without documentation. Where she was held in Texas, in order to access abortion services, a minor must have parental consent or receive permission from the judge. This is called a judicial bypass—to proceed without that parental consent.

In this case, called *Garza v. Hargan*, the young woman did go through the process of going to court and receiving a judicial bypass. She had people willing and able to transport her and to

pay for the health services she needed, but the radical Trump appointee in charge, well known for his anti-abortion views, decided it would be in her best interest to find adult sponsors for her first, presumably to help her make a decision, but the Texas court had already decided she could make her own decision, and she did.

She challenged the Trump appointee and his Agency, and ultimately a majority of the DC Circuit agreed with her that she had the legal right to an abortion and the Federal Government could not delay any further.

Brett Kavanaugh, sitting on that circuit, disagreed and wrote a dissent, which must have captured the attention of those in charge of Donald Trump's Supreme Court short list because not long after his name appeared on that list.

What did he write to earn his place on the list and eventually a nomination to the U.S. Supreme Court? He wrote a dissenting opinion that falsely characterized the Garza case as one about parental consent, which we know was not so because a judicial bypass was already in place.

He wrote the dissent using the code words of the extreme anti-choice and anti-women wing of the Republican Party. He accused the majority on that court of creating "a new right for unlawful immigrant minors in U.S. government detention to obtain immediate abortion on demand." He was wrong. There was no new right being created.

He falsely claimed that by permitting the abortion "[t]he majority's decision represents a radical extension of the Supreme Court's abortion jurisprudence." He was wrong again. The majority decision was correct under *Roe v. Wade*.

He wrote it was not an undue burden for this young woman to be prevented from getting an abortion until a sponsor family could be found for her. This was not even a legal argument, but he based his dissent on it. That is the dissent that moved Brett Kavanaugh to the head of the line on the short list for a nomination to the U.S. Supreme Court, where he sits.

So when he came to the Judiciary Committee for a hearing, some Senators—myself included—were rightly skeptical that he would respect precedent if confirmed. At his hearing, Ranking Member DIANNE FEINSTEIN asked Judge Kavanaugh about *Roe v. Wade* and its status as settled precedent. He testified that *Roe* was "settled as a precedent of the Supreme Court, entitled to respect under principles of *stare decisis*."

He further went on: "Planned Parenthood v. Casey reaffirms *Roe* and did so by considering the *stare decisis* factors. So Casey now becomes a precedent on precedent."

It sure sounds like someone who will apply the precedents of *Roe* and *Casey* and others who rely on them, doesn't it? That is not so.

The very first opportunity he got, Brett Kavanaugh, as Supreme Court Justice, voted against following precedent. Not 4 months after his confirmation, Justice Kavanaugh voted in the minority in a Supreme Court case called *June Medical Services v. Gee* to allow a restrictive, anti-abortion law in Louisiana to take effect.

This law would have so restricted access to abortion that only one provider would have been left in the entire State of Louisiana of 4.7 million people. Even Chief Justice Roberts voted with the majority to block the law. That is because it was clear from recent precedent in *Whole Woman's Health v. Hellerstedt* that such restrictions don't meet constitutional standards.

Justice Kavanaugh's cavalier attitude to the burden that he would put on a woman's ability to exercise their constitutional right is no surprise. His callous disregard for the way unwanted pregnancies can change the lives of women and children is not unexpected, and his willingness to hew to the party line of his supporters and ignore the assurances he gave the Senate is simply par for the course with Trump judicial nominees. This is what they do. It is an abuse of power, and women across the country are paying for it.

Why do my colleagues across the aisle use this Chamber, time and again, to bring forward political shams that shame and retraumatize women who face profoundly heartbreaking situations? The will of over half of this country is 67 percent of Americans support *Roe v. Wade* and access to safe and legal abortion. Sixty-seven percent of Americans support a woman's right to choose.

How is it that Republicans continue to bring forward bill after bill and amendment after amendment that goes against a constitutionally protected right of women—of women? This is why I say Republicans hurt women.

I am proud of the vote I cast in opposition to the sham bill we voted on this week. My vote was rooted in fact and understanding about what an abortion in later pregnancy actually means. It was rooted in the understanding that when faced with these difficult situations, these decisions are best left to a woman and her doctor. These decisions should not rest with the U.S. Senate.

My vote was cast with a clear understanding that if unchecked or unchallenged, this administration and this Senate will continue to assault a woman's right to choose and chip away at it bit by bit, where it will end up being a nullity, and that is what they want.

I will continue to stand in opposition to attacks that seek to limit the personal freedom of women across the country and what would be more of a personal freedom for a woman than to exercise control over her own body?

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

CONFIRMATION OF ANDREW WHEELER

Mr. PETERS. Mr. President, I rise today to discuss why I voted in opposition to the confirmation of Andrew Wheeler for the position of Administrator of the Environmental Protection Agency.

Clean air and clean water are not only vital to our public health; they are at the very heart of our economy. Nowhere is that more apparent than in my home State of Michigan, where we are blessed to be surrounded by the Great Lakes, a source of drinking water for more than 40 million people and the lifeblood of our State's multi-billion-dollar fishing, shipping, and tourism industries. That is why I spent my entire career in public service fighting to protect our environment.

In the Michigan State Senate, I worked to ban oil drilling under the Great Lakes to preserve our most precious source of drinking water. When I represented the city of Detroit in the House of Representatives, I fought to end harmful air pollution coming from piles of petcoke that left homes coated in dust while being breathed into the lungs of residents.

In my first term in Congress, I supported landmark climate change legislation that sought to drastically reduce deadly greenhouse gas emissions that are continuing to warm our planet at an unsustainable rate. In the U.S. Senate, I led the charge to protect the Great Lakes from pipeline spills and pressured industry to cut down their deadly sulfur-dioxide emissions that give Michigan communities some of the highest rates of asthma anywhere in the country.

I have championed these vital efforts because protecting our environment in Michigan is in the best interest of everyone, and I will never let up on that fight. There is so much more work to do and even more pressing challenges ahead of us. We cannot afford to turn back the clock on clean energy innovation or refuse to address climate change, and that is, unfortunately, what we can expect from the EPA now that Andrew Wheeler has been confirmed. His entire career has been devoted to undermining public health and environmental protections.

As Acting EPA Administrator, he is personally responsible for the most significant efforts to roll back our Nation's bedrock environmental laws in the Agency's history. He oversaw the proposed rollback of Clean Water Act protections that safeguard drinking water for tens of millions of people. He is leading efforts to weaken standards on the largest sources of greenhouse gases and to reduce protections against climate change. When he was a Senate staffer, he drafted the so-called "Clear

Skies Act," which was directly intended to undermine the Clean Air Act.

As a lobbyist for Murray Energy, Wheeler represented a company that didn't just knowingly violate environmental laws but consistently put its own employees' safety at risk by undermining basic protections for coal miners. He has even undermined the widely supported mercury and air toxics standards. These commonsense standards would have protected people, particularly children, from a well-known neurotoxin that impairs fetal brain development and reduces children's ability to learn.

Every single one of these actions has a direct bearing on human lives and has put people at risk. In Michigan we have witnessed firsthand the visceral and painful human costs when public leaders fail to keep our drinking water and our air quality safe. Just ask the people of Flint whom they would want to have in charge of protecting their drinking water. I can tell you it certainly is not Andrew Wheeler. The city, the State, and the EPA all contributed to the crisis that poisoned thousands of children through lead exposure, and now those children will suffer lasting consequences for the rest of their lives.

While I am proud that the Senate was able to come together to provide initial Federal funding to help Flint replace its lead pipes, the community needs continued support going forward. I am committed to doing everything in my power to ensure that the people of Flint are made whole, and that included my opposing this nomination. We cannot allow the failures of leadership that led to Flint's devastating crisis ever be repeated again.

The people of Michigan and of every State deserve to know that their air is safe to breathe and their water is safe to drink. Yet communities across my State and around the country are facing another emerging drinking water crisis. This time it is from toxic fluorinated chemicals, known as PFAS, that are currently unregulated by the EPA. Rigorous testing has found that 1 out of every 10 water systems in my State has unacceptable high rates of PFAS chemicals. Families across the State have been exposed to these dangerous chemicals that have been linked to cancer, thyroid and heart problems, and even autoimmune issues. But under Wheeler's leadership, the EPA has failed to take aggressive action to list PFAS chemicals as hazardous waste and to establish strong and enforceable limits to protect drinking water and to limit exposure to these toxic substances.

While I work to bring Senate action to this issue through legislation and hearings, the Wheeler-led EPA thinks action can wait. Michigan families certainly deserve better. My constituents are understandably concerned about their drinking water, and they are rightfully skeptical about who will be at the helm of the Agency charged with keeping water safe.

Since Wheeler has failed to exercise the leadership needed to address the environmental concerns we face on a national level, it is clear that he is completely unprepared to lead the Agency charged with tackling the global crisis of climate change. We must confront climate change. I have been advocating for action since before I ran for Congress. It is an issue impacting our economy, our health, our safety, and our national security. I am committed to continuing to work with my colleagues to find innovative and achievable solutions to address climate change, but we also need a leader at the EPA who can find commonsense ways to address this very serious threat, to protect our environment, and to ensure that our country can remain economically competitive. We need a leader who will fight to protect the people and the interests of my State. Given his abysmal record, it is clear that Andrew Wheeler isn't the right person for the job, and that is why I voted against his confirmation.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant bill clerk proceeded to call the roll.

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

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

#### TRIBUTE TO JEAN POLLARD

Mr. SULLIVAN. Mr. President, as you know, I try to come down to the floor every week to talk about someone in my State who is making a big difference in Alaska, a big difference in their country, and a big difference in what I believe is the best State in this country. That is just my opinion. I am sure the Presiding Officer thinks his State is the best in the country, but that is why we are all here in the Senate.

Of course, Alaska is beautiful, particularly now as the snow is on the ground and the Sun is out. It is back out and high in the sky. It is also nearly time for the Iditarod—the last great race—something, I am sure, Senator MURKOWSKI and I will be talking about on the floor in the coming weeks. It kicks off this weekend.

We know it is a beautiful and amazing State, but what really makes Alaska such a great place are the people—the people who work tirelessly for causes they believe in.

Many people don't know this, but Alaska is also incredibly diverse. In fact, Anchorage—my hometown and the State's largest city—is home to the country's three most diverse census tracts, racially and in terms of nationalities. By the way, the fourth is Queens, NY.

I will just give you an example. Last week, we had this great event called Bridge Builders. It was in Anchorage. There were all of these different ethnic communities in Anchorage coming together. I spent a lot of time there on Saturday.

We are very proud of our diversity. We are proud that more than 100 languages are spoken in our schools. Think about that if you want to talk about diversity. We are proud of the foods and the cultural events. We are proud of the unique tapestry that makes up Alaska.

We are very proud of our history, and we are also blessed to have people who work diligently for all of us to keep history alive. I can think of no better way to cap off Black History Month than to recognize someone who, for years, has been fiercely determined to unearth a very important part of Alaska's history—actually, a very important part of America's history—one that transpired in my State but that greatly influenced our Nation during a very critical time.

I want to introduce you to Ms. Jean Pollard. She is our Alaskan of the Week. Jean has brought back the story of the African-American Army Engineers of the 93rd, 95th, and 97th regiments who were in the U.S. Army during World War II and stationed in Alaska during World War II.

More than 3,000 of these brave soldiers were integral in Alaska in building what we call the Alcan Highway—the Alaska-Canada Highway—one of the 20th century's greatest engineering feats.

Let me tell you about Ms. Pollard. Now a retired schoolteacher, she grew up in Georgia. When she was a teenager, her father, who was in the Army, got transferred to Alaska. Like all Alaskan students—like our good students, our pages in the Senate—she took a class on her State's history—Alaska history—in high school.

During the class, she learned about how the Army built the Alcan Highway in 1942 to help defend Alaska and America from invasion by Japan. A lot of people don't know this. Yes, Alaska was invaded and occupied by the Japanese military during World War II in the Aleutian Islands. I am going to talk about that a little bit more.

She learned about this in high school. It was a good story, but the most important element she was taught in high school was actually left out. The highway was only able to be finished because of the more than 3,000 African-American soldiers who built it.

So after getting a master's degree in education and a minor in history and after being a teacher for decades, Ms. Pollard only learned the entire story herself when she was sitting home one Friday night watching a PBS documentary about the building of this incredible highway.

What did she learn? Again, let's go back in time. It is March 1942, 3 months after the Japanese attacked Pearl Harbor. As the war effort was heating up, construction began on a 1,700-mile-long vital link connecting the great State of Alaska—it wasn't a State then; it was a territory—to the lower 48 for the war effort.

Soon a massive mobilization followed—about 10,000 Army troops. Huge

trucks, civil engineers, food, tents, you name it, were deployed to start building this road.

Then, in June 1942, the Japanese invaded Attu and Kiska Islands in the Aleutian Islands chain of Alaska, adding a new sense of urgency to the completion of the road.

These soldiers worked day and night—200 bridges, 800 culverts, through some of the most rugged terrain on planet Earth, mountains, rivers, no rest, hard, backbreaking work—and they were able to complete this 1,700-mile road that still exists today—some of you may have driven it—in less than a year.

When the road was being built, the military was still segregated, and African Americans in the Army—much like in the rest of the country—were treated as second-class citizens. They were assigned to the toughest jobs on this project, using the worst equipment. In the summer, it was full of mosquitoes, black flies, mud, and swamps.

Winter comes early in Alaska. According to the historian, Lael Morgan, the winter of 1942 was considered one of the worst winters on record since 1906 in terms of how cold it was—and, trust me, it gets cold in Alaska—and how much snow there was.

The Black troops were required to build winter barracks for the White soldiers, while the African-American troops lived in tents. When the snow fell, they couldn't get supplies, and some nearly starved to death, Lael wrote. It is reported that some even succumbed to injuries due to the cold—fatalities due to the cold.

They did so much of the hard work. However, the contribution of these great African-American soldiers and heroes were completely almost scrubbed from all of the history books. Nobody that Ms. Pollard spoke to—social studies teachers or history professors—knew anything about this history.

In Ms. Pollard's words: "They stole that history." The history books wouldn't write it. It was wrong, and she knew she had to make it right so she went to work.

As a teacher herself and a lifelong learner, she knew that bringing the story to the school system was key to keeping our history alive—accurate history. Eventually, she called the historian I spoke about, Lael Morgan—a former Alaskan who was then living in Maine and happened to be featured in that documentary that Ms. Pollard watched on that Friday evening.

Lael decided to help in a big way. Incredibly, a year later, she sold her house in Maine and headed up the Alcan Highway to Alaska. Together, and with the help of a team of others Ms. Pollard recruited, they amassed enough material to give to the school system to set the history right.

Now schools across Alaska are putting this story—this real story—into their curriculum, and now she is trying to get it required as part of a course

that the university students in Alaska who are studying education have to take.

She and her team put calls out across the internet for anyone who was involved in or had a relative involved in building the highway. She was able to track down three members of the African-American Army Engineers who were still alive. She flew to interview one of the soldiers who was 100 years old. Another one, who lives in Louisiana, traveled to Alaska in 2017 for the 75th anniversary of the highway's completion.

Recently, Ms. Pollard mentioned the names of the soldiers she spoke to back then. There was a soldier from Virginia, SGT Reginald Beverly, who, unfortunately, has now passed away. The soldier in Louisiana who came to Alaska in 2017 is Private Leonard Larkins. He has 10 children. The Alaska Highway Project will be bringing him and his three sons back to Alaska on August 3 to help him celebrate his 99th birthday.

I am in the process of drafting a Senate resolution to recognize all of the members of the African-American Army Engineers who helped build the Alcan Highway, which was so critical to protecting our Nation and Alaska.

Ms. Pollard describes herself as feisty. Others might describe her as fiercely determined. When the Alaska State Legislature, at her urging, passed a resolution commemorating these African-American soldiers who built one of the greatest engineering highways in the world, she was sitting behind some of the State legislators.

She heard one whisper to another: Have you met this Jean Pollard?

The other said: Yes, she calls me several times a day about this bill.

Julie and I were just with Ms. Pollard this past weekend, as I mentioned, at the Bridge Builder event in Anchorage—my wife Julie and I. She is very passionate, very persuasive, and we are very proud of her.

Ms. Pollard and the team that created the Alaska Highway Memorial Project are on another mission to erect a memorial in a park in Anchorage. They have the design, and they certainly have the will with her driving it, and I have no doubt they will get it done to memorialize this great engineering feat by American heroes who were not treated well by their country.

Like the story of how Ms. Pollard brought important history back to our State, the story of building the Alcan and of the civil rights in the military also has an uplifting message.

On October 25, 1942, less than 8 months after they started, two soldiers, one African American and one White, shook hands after completing this highway. Six years later, President Harry S. Truman ordered the Army desegregated, 16 years before the passage of the Civil Rights Act. Many historians now cite the work and the experience on this Alcan Highway project, and the African-American sol-

diers and White soldiers working together on a really difficult challenge, as also helping make that possible—civil rights, 16 years later.

The Federal Highway Administration calls the Alcan Highway the road to civil rights. Isn't that a great depiction?

So, Ms. Pollard, thank you and your team for bringing that history back to us. I am proud to have talked a little bit about that important history for Alaska and America on the floor of the U.S. Senate. Congratulations for being our Alaskan of the Week.

I yield the floor.

The PRESIDING OFFICER (Mr. SULLIVAN). The majority leader.

#### EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Calendar Nos. 81 through 86 and all nominations placed on the Secretary's desk; that the nominations be confirmed, the motions to reconsider be considered made and laid upon the table with no intervening action or debate; that no further motions be in order; that any statements related to the nominations be printed in the RECORD; that the President be immediately notified of the Senate's action, and the Senate then resume legislative session.

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

The nominations considered and confirmed are as follows:

##### IN THE ARMY

The following named officer for appointment in the United States Army to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

##### *To be general*

Lt. Gen. Michael X. Garrett

##### IN THE AIR FORCE

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

##### *To be brigadier general*

Col. Timothy J. Donnellan

The following named Air National Guard of the United States officer for appointment in the Reserve of the Air Force to the grade indicated under title 10, U.S.C., sections 12203 and 12212:

##### *To be brigadier general*

Col. Stephen J. Mallette

##### IN THE NAVY

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

##### *To be rear admiral (lower half)*

Capt. Scott M. Brown  
Capt. Casey J. Moton  
Capt. Stephen R. Tedford  
Capt. Eric H. Verhage

The following named officers for appointment in the United States Navy to the grade indicated under title 10, U.S.C., section 624:

##### *To be rear admiral (lower half)*

Capt. Jeffrey T. Anderson  
Capt. Stephen D. Barnett



Capt. Michael W. Baze  
 Capt. Richard T. Brophy, Jr.  
 Capt. Anthony C. Carullo  
 Capt. Robert B. Chadwick, II  
 Capt. Jeffrey J. Czerewko  
 Capt. Michael P. Donnelly  
 Capt. Christopher M. Engdahl  
 Capt. Robert M. Gaucher  
 Capt. Daniel P. Martin  
 Capt. John V. Menoni  
 Capt. Curt A. Renshaw  
 Capt. Scott F. Robertson  
 Capt. Milton J. Sands, III  
 Capt. Paul C. Spedero, Jr.  
 Capt. Christopher J. Sweeney  
 Capt. Jeromy B. Williams

#### IN THE AIR FORCE

The following named officer for appointment in the United States Air Force to the grade indicated while assigned to a position of importance and responsibility under title 10, U.S.C., section 601:

#### *To be lieutenant general*

Lt. Gen. VeraLinn Jamieson

#### NOMINATIONS PLACED ON THE SECRETARY'S DESK

#### IN THE AIR FORCE

PN268 AIR FORCE nomination of Jason D. Hoskins, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN269 AIR FORCE nominations (2) beginning NANCY E. COSTA, and ending ALEXANDER O. KIRKPATRICK, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN270 AIR FORCE nomination of Saiprasad M. Zemse, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN271 AIR FORCE nominations (125) beginning JEFFREY WAYNE AKIN, and ending STEVEN S. ZASUETA, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN272 AIR FORCE nominations (2) beginning DAVID C. SALISBURY, and ending ROBERT L. WILKIE, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN273 AIR FORCE nominations (8) beginning CRAIG K. ABEE, and ending CAROL A. YEAGER, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN274 AIR FORCE nominations (4) beginning MICHAEL J. CHUNG, and ending BRADLEY J. PIERSON, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN275 AIR FORCE nomination of Robert T. Hines, Jr., which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN276 AIR FORCE nominations (12) beginning MARC A. BANJAK, and ending JENNIFER C. WHITKO, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN277 AIR FORCE nominations (12) beginning DENNIS M. BRITTEN, and ending KRISTEN MARIE WYRICK, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN278 AIR FORCE nominations (4) beginning JASON G. ARNOLD, and ending CARRIE A. SCHMID, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN279 AIR FORCE nominations (12) beginning DAVID P. BAILEY, and ending AMY S. SWETS, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN280 AIR FORCE nominations (2) beginning KIMBERLY J. KLOEBER, and ending MARSHA L. SCHUMAN, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN281 AIR FORCE nomination of Joyce C. Beaty, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN282 AIR FORCE nominations (5) beginning TIMOTHY S. MCCARTY, and ending TERESA M. STARKS, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN283 AIR FORCE nominations (5) beginning JENNIFER J. ARCHER, and ending LAWRENCE D. PEAFLER, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN284 AIR FORCE nominations (61) beginning ANDREW T. ALLEN, and ending ASSY YACOB, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN285 AIR FORCE nominations (15) beginning ELHAM BARANI, and ending BRANDON H. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN286 AIR FORCE nominations (121) beginning HOMAYOUN R. AHMADIAN, and ending JOE X. ZHANG, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN287 AIR FORCE nominations (25) beginning FRANCIS E. BECKER, and ending BRENT J. WINWARD, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN289 AIR FORCE nominations (45) beginning MARGARET E. ABBOTT, and ending JEFFREY C. YEE, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN290 AIR FORCE nominations (252) beginning JOSEPH L. ABRAMS, and ending ALYSSA R. ZUEHL, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN342 AIR FORCE nomination of Katherine R. Morganti, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN379 AIR FORCE nominations (6) beginning PATRICK N. WESTMORELAND, and ending AARON J. LIPPY, which nominations were received by the Senate and appeared in the Congressional Record of February 6, 2019.

PN394 AIR FORCE nomination of Tolulope O. A. Aduroja, which was received by the Senate and appeared in the Congressional Record of February 12, 2019.

PN395 AIR FORCE nomination of Erick L. Jackson, which was received by the Senate and appeared in the Congressional Record of February 12, 2019.

#### IN THE ARMY

PN291 ARMY nomination of James B. Flowers, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN292 ARMY nomination of Dylan T. Randazzo, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN293 ARMY nomination of Jerry D. Hallman, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN294 ARMY nomination of Christopher P. Moellering, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN295 ARMY nomination of Joubert N. Paulino, which was received by the Senate

and appeared in the Congressional Record of January 24, 2019.

PN296 ARMY nomination of Saw K. San, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN297 ARMY nominations (2) beginning REBECCA J. QUACKENBUSH, and ending DAVID A. WATKINS, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN298 ARMY nomination of Stacie L. Kervin, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN299 ARMY nomination of Brian R. Kossler, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN300 ARMY nomination of Katherine A. O'Brien, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN301 ARMY nomination of Jessica N. Peralesludemann, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN302 ARMY nomination of Julia C. Phillips, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN303 ARMY nomination of Alain M. Alexandre, which was received by the Senate and appeared in the Congressional Record of February 24, 2019.

PN304 ARMY nomination of Taliat A. Animashaun, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN307 ARMY nomination of G010349, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN308 ARMY nomination of Jordanna M. Hostler, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN309 ARMY nomination of Elizabeth N. Strickland, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN310 ARMY nomination of Shawn M. T. May, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN311 ARMY nomination of Kyle A. Zahn, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN396 ARMY nomination of Joseph J. Fantony, which was received by the Senate and appeared in the Congressional Record of February 12, 2019.

PN397 ARMY nomination of Chariti D. Paden, which was received by the Senate and appeared in the Congressional Record of February 12, 2019.

PN398 ARMY nomination of Donald W. Rakes, which was received by the Senate and appeared in the Congressional Record of February 12, 2019.

PN399 ARMY nominations (7) beginning RONNIE S. BARNES, and ending FRANCIS R. MONTGOMERY, which nominations were received by the Senate and appeared in the Congressional Record of February 12, 2019.

PN401 ARMY nomination of Charles A. Riley, which was received by the Senate and appeared in the Congressional Record of February 12, 2019.

PN402 ARMY nomination of Richard S. McNutt, which was received by the Senate and appeared in the Congressional Record of February 12, 2019.

PN403 ARMY nomination of Lloyd V. Lozada, which was received by the Senate and appeared in the Congressional Record of February 12, 2019.

PN404 ARMY nominations (18) beginning JULIO ACOSTA, and ending APRIL L.



SAPP, which nominations were received by, the Senate and appeared in the Congressional Record of February 12, 2019.

#### IN THE MARINE CORPS

PN317 MARINE CORPS nomination of Matthew T. Coughlin, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN318 MARINE CORPS nomination of Bethanne Canero, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN320 MARINE CORPS nominations (5) beginning KEVIN T. BROWNLEE, and ending DANIEL L. YOUMANS, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN321 MARINE CORPS nominations (2) beginning KEVIN F. CHAMPAIGNE, and ending JOHN C. JOHNSON, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN322 MARINE CORPS nominations (3) beginning AARON J. GRIFFUS, and ending JEREMIAH J. ZEISZLER, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN325 MARINE CORPS nominations (4) beginning DANIEL H. CUSINATO, and ending EDUARDO QUIROZ, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN329 MARINE CORPS nominations (5) beginning ARMANDO A. FREIRE, and ending ANDREW J. SHRIVER, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN330 MARINE CORPS nomination of Stephen R. Byrnes, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN331 MARINE CORPS nominations (2) beginning HERMAN E. HOLLEY, and ending BRIAN E. KELLY, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN332 MARINE CORPS nominations (2) beginning DARREN M. GALLAGHER, and ending AUSTIN E. WREN, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN333 MARINE CORPS nominations (799) beginning ALEXANDER N. ABATE, and ending JOSEPH A. ZUKOWSKI, JR., which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN334 MARINE CORPS nominations (14) beginning GERMAN ALICEALAPUERTA, and ending LYDIA A. SIMONS, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN335 MARINE CORPS nominations (106) beginning ERIC J. ADAMS, and ending WAYNE R. ZUBER, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN336 MARINE CORPS nomination of Joseph W. Crandall, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN338 MARINE CORPS nominations (2) beginning AARON S. ELLIS, and ending CURTIS B. MILLER, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN339 MARINE CORPS nomination of Justin D. Mosley, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN341 MARINE CORPS nominations (3) beginning ANDRES J. AGRAMONTE, and ending ROSS A. HRYNEWYCH, which nominations were received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN386 MARINE CORPS nominations (2) beginning BETHANY S. PETERSON, and ending JON T. PETERSON, which nominations were received by the Senate and appeared in the Congressional Record of February 6, 2019.

#### IN THE NAVY

PN312 NAVY nomination of Jessica M. P. Miller, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN313 NAVY nomination of Rosemary M. Hardesty, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN314 NAVY nomination of Brett T. Thomas, which was received by the Senate and appeared in the Congressional Record of January 24, 2019.

PN385 NAVY nominations (46) beginning SCOTT A. ADAMS, and ending BRET A. YOUNT, which nominations were received by the Senate and appeared in the Congressional Record of February 6, 2019.

PN405 NAVY nominations (14) beginning PETER D. ALLEN, and ending ROBERT D. WILLIAMS, which nominations were received by the Senate and appeared in the Congressional Record of February 12, 2019.

### LEGISLATIVE SESSION

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

### MORNING BUSINESS

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

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

### WOMEN'S EMPOWERMENT AND TRAFFICKING IN PERSONS

Mr. LEAHY. Mr. President, the White House recently unveiled the Women's Global Development and Prosperity Initiative, W-GDP, an inter-agency plan to increase women's global labor force participation and advancement in the workplace, improve access of women entrepreneurs to market opportunities, and remove barriers to economic growth for women.

I support the initiative, although not based on the erroneous claim of some in the White House that it is the first women's initiative ever launched by the United States. On the contrary, I and many other Members of Congress and previous administrations have supported such efforts for many years. However, there is still a lot of work to be done, and I hope W-GDP builds on those efforts.

Too many of this administration's actions have fallen far short of the President's rhetoric or have been the antithesis of what he promised, so while I am ready to do what is necessary to support W-GDP, I worry that this initiative may be part of the same story. From human trafficking at the southern border, to processing asylum applicants, to combating HIV/AIDS, this administration purports to be serious about addressing global problems

while implementing policies or proposing budgets that bear no resemblance to effective solutions and in many cases would make the situation worse.

For example, while the objectives of W-GDP are laudable, it is being implemented by the same White House that sought to cut the budget for the Department of State and foreign assistance programs by roughly 30 percent in fiscal years 2018 and 2019, cuts that would have decimated funding for programs that address the needs of the world's poorest people, for water and sanitation, maternal and child health, education and employment opportunities, to stave off poverty and disease that disproportionately afflict women and girls. In fact, the President's budget did not include a single dollar for W-GDP.

This administration has also waged war on reproductive health, reportedly directing the omission of reporting on reproductive rights in the State Department's annual Country Reports on Human Rights, and one of President Trump's first acts after his inauguration was to reinstate the Global Gag Rule. In fact, egged on by extremists in his administration, he expanded it to condition funding for every nongovernmental organization, NGO, implementing any health programs for the United States overseas, even if their programs have nothing to do with reproductive health. In other words, if an NGO spends millions of dollars in India to combat HIV/AIDS, but spends \$1 of its own private funds—not U.S. taxpayer funds—to provide counseling on abortion, it is ineligible for any U.S. Government funding for either purpose. Such a policy would be unlawful in our own country.

So while I support W-GDP, I caution all those who defend women's rights and support economic opportunities for women to not be distracted by one initiative this administration launched on the backs of the Congress's rejection of President Trump's budget and to call on the White House to adopt a more consistent, comprehensive approach to supporting women around the world.

With that in mind, I hope the White House will speak out forcefully and consistently about the institutionalized and systemic persecution and discrimination of women in Saudi Arabia and other countries whose autocratic and corrupt governments this White House has embraced. If the White House expects to be taken seriously about women's empowerment, it cannot remain silent about governments whose laws and policies treat women as property and that imprison women's rights activists.

This is not the only area in which the administration is purporting to support vulnerable populations while its short-sighted policies are having the opposite effect.

In a November 30, 2018, op-ed in the Washington Post, Ivanka Trump announced that the administration had

decided to limit the number of waivers for assistance for countries that are identified in the State Department's annual Trafficking in Persons Report as failing to meet minimum standards for combating human trafficking. She also noted the administration's pledge of \$45 million to a fund to end modern slavery, funds that, as is true for W-GDP, the President did not include in his budget and from an account the White House proposed to cut.

I agree with the goal of holding governments accountable for failing to meet minimum standards for preventing trafficking in persons, but informed people know that cutting funding for health, education, environmental conservation, counterterrorism, and governance programs does nothing to prevent human trafficking, while it undercuts our ability to make progress on other issues of national interest.

Yet that is exactly what the administration has done. By belatedly approaching human trafficking as if nothing else matters and limiting use of the waiver authority Congress provided, administration officials have spent months tying themselves in knots over which programs to continue and which to suspend. The result is that implementing partners are running out of money, services are not being delivered, and important programs are shutting down.

The Trump administration needs to stop governing by sound bite. If the White House is serious about addressing human trafficking and other complex challenges, it should work with Congress to secure the necessary funding and apply the law in a common sense manner that is consistent with our national interests.

#### EGYPT

Mr. LEAHY. Mr. President, I want to briefly discuss the situation in Egypt, a country where unchecked repression has come to define the government of President el-Sisi.

The 2011 Egyptian revolution brought hope of a democratic future for the country, but it has failed to materialize, subverted by aspiring autocrats. After winning historic democratic elections in 2012, the Morsi government sought to consolidate its control, issuing a declaration to provide the President with sweeping authorities and eliminating checks on Executive power. The response was another popular uprising and a military coup led by then-Defense Minister Abdel Fattah el-Sisi.

Although cheered by some who favor President el-Sisi's crackdown on the leaders of the Muslim Brotherhood and anyone suspected of being affiliated with it, his Presidency has become a model for autocratic rule. His police have arrested human rights lawyers, journalists, civil society activists, and opposition politicians. Anyone who criticizes the regime or calls for a more

democratic system is threatened, arrested, and accused of "terrorism" or some other vague crime against the state. Once detained, they have been subjected to physical and psychological abuse while they wait for months or more often years before being subjected to sham trials that make a mockery of due process.

Earlier this month, President el-Sisi's government took another step to consolidate his rule. Egypt's rubberstamp Parliament approved constitutional amendments that would enable el-Sisi to remain in power until 2034, 12 years beyond the end of his second and final term. Other amendments would enable el-Sisi to tighten his control of the judiciary, create a second Parliamentary chamber dominated by Presidential appointees, and expand the authority of the military to codify its role in civilian political life. Egypt today is a civilian government in name only. The military, led by el-Sisi, effectively wields total control.

In 2011, we all hoped the Egyptian people had a brighter, albeit challenging, political future ahead of them, but 7 years after the overthrow of Hosni Mubarak, the el-Sisi government is erasing any remaining hope for democracy in the country. The calls of those who flooded the streets under Mubarak and Morsi for greater political freedom and civil liberties, less corruption, and more accountability are treated not as visions for Egypt's future, but as threats to el-Sisi himself.

Regrettably, it seems that the only constant in U.S.-Egyptian relations over the last several decades, besides Egyptian Government repression and billions of dollars in U.S. military aid, is the reticence with which successive U.S. administrations have confronted this issue. There always seems to be an excuse for why now is not the time to insist on meaningful progress to advance democracy and human rights by our ally Egypt. If not now, when? What line would the Egyptian government have to cross for the Congress and the administration to recognize the threat that a brutal military dictatorship poses to stability in Egypt, and to our long-term interests in the region?

Every U.S. administration has engaged, in varying degrees, in quiet diplomacy to address human rights abuses and corruption overseas and issued public statements or withheld foreign aid to encourage progress. Diplomacy, if backed up with consequences, can achieve results, but successive Egyptian Governments have gambled that, at the end of the day, we will look the other way in the mistaken belief that doing so serves U.S. security interests, and by and large, that has been the case.

It is interesting to compare the Trump administration's selective condemnation of government repression in other countries, where the number of political prisoners is a fraction of those in Egypt, to President Trump's pro-

nouncement that President el-Sisi as a "great guy." What a sad commentary on what this country purports to stand for.

We must acknowledge what history has repeatedly shown, that upholding our values is the best way to protect our interests. That does not mean cutting off all aid and walking away from Egypt. That kind of reactionary approach is equally short-sighted. What it does mean is that we need a more principled, measured, and consistent policy and make clear that our aid is not a blank check—that Egypt's leaders are not above the law; that freedom of expression is universal; that due process is a right; that torture, cruel and inhuman treatment are forbidden under international law; and that governments should be accountable to their people.

At a time when President el-Sisi is seeking to manipulate the legislative process to cement his hold on power for life, senior officials at the White House, the State Department, and the Pentagon need to stand up for what is first and foremost in our national interest: the principles that define us as Americans.

I hope all Senators will join me in encouraging the Trump administration to learn from the mistakes of its predecessors and realign our policy toward Egypt with our values.

#### OPIOID CRISIS

Mr. LEAHY. Mr. President, this morning, the Senate Appropriations Subcommittee on Labor, Health, and Human Services and Related Agencies held a hearing on the opioid epidemic and how States are responding to the crisis. I was pleased Beth Tanzman, the executive director of Vermont's Blueprint for Health, agreed to be a witness at today's hearing to share the innovative approaches Vermont has taken to combat opioid use disorders. Ms. Tanzman has also served as Vermont's deputy commissioner for mental health and also directed adult mental health services for Vermont's Department of Mental Health.

While certainly not spared from the opioid epidemic, Vermont is ahead of much of the country in many ways: Our State openly identified the problem, and our former Governor, Peter Shumlin, dedicated his entire State of the State address in 2014 to constructively seek ways to not just help addicts get clean, but to halt this scourge in its tracks. Public health leaders, addiction specialists, doctors, and State leaders came together and implemented a system to integrate substance abuse treatment with primary healthcare.

Ms. Tanzman's testimony focused on the system developed through this collaboration, known as the Hub and Spoke Model. The plan helps support those in recovery with nine regional

hubs, offering daily medication assisted treatment for those with complex addictions, and spokes, where patients receive follow-up care, counseling, and general wellness services. This framework has allowed Vermont to virtually eliminate wait times for treatment, which can be enormous barriers for individuals needing help.

Every State in the Nation has seen the impacts of opioid abuse. Ms. Tanzman's testimony was informative and offers an important perspective for other States struggling with treating addiction. I ask unanimous consent to that her testimony from the Appropriations Committee hearing this morning be printed in the RECORD.

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

DEPARTMENT OF VERMONT HEALTH  
ACCESS, VERMONT BLUEPRINT FOR  
HEALTH

TESTIMONY TO THE U.S. SENATE APPROPRIATIONS SUBCOMMITTEE ON LABOR, HEALTH AND HUMAN SERVICES, AND EDUCATION REGARDING THE OPIOID EPIDEMIC—FEBRUARY 28, 2019

BETH TANZMAN, MSW, EXECUTIVE DIRECTOR, VERMONT BLUEPRINT FOR HEALTH, DEPARTMENT OF VERMONT HEALTH ACCESS

Chairman Blunt, Ranking Member Murray, and Senator Leahy and staff thank-you for the opportunity to outline what we are learning in Vermont about addressing the opioid epidemic.

Vermont is here before you because we have successfully scaled treatment availability for Opioid Use Disorder statewide. Through our Hub and Spoke program we are currently treating over 8,000 Vermonters (1.6% of the adult population) with Medication Assisted Treatment (MAT). Vermont treats a higher percentage of people with Opioid Use Disorder than any other state in the nation.

We provide Medication Assisted Treatment in primary care offices (Spokes) and in specialty addictions treatment programs (Hubs). Through a Health Home Medicaid plan we've built a programmatic framework that links primary care (Spokes) and addictions treatment programs (Hubs). Patients can move between Hubs and Spokes based on their needs. Clinical expertise is shared across primary care and substance abuse treatment providers.

There are strong signals that the Hub and Spoke program is facilitating positive outcomes. Vermont has the lowest opioid overdose death rate in New England. Vermonters receiving Medication Assisted Treatment have lower rates of: incarceration, hospitalizations, and emergency department use than do Vermonters with Opioid Use Disorder who receive care as usual. Our system of deploying teams of nurses and counselors to primary care Spokes—2 FTE for every 100 Medicaid Members—combined with a strong back-up from Hub programs has dramatically increased the number of primary care providers offering Medication Assisted Treatment in Vermont.

What we're learning may be helpful to others and a few conclusions stand out.

Medication Assisted Treatment, the combination of medications and counseling, is the most effective treatment for opioid use disorder and as such, it should be consistently available as the standard of care for this condition.

Insurance should pay for Medication Assisted Treatment. In Vermont we developed

a Medicaid Health Home State Plan Amendment under the authority of section 2703 of the Affordable Care Act to create the Hub and Spoke Program. There are other approaches to using Medicaid that states can employ including: 1115 B Substance Use Waivers, State Plan Amendments, including MAT in managed care organization contracts, and increasing reimbursement rates for targeted services. Commercial payers should also participate: in Vermont two of our major commercial plans are piloting payments for Hub and Spoke Services.

The health system—especially primary care—has a key role in treating opioid addiction. The addictions treatment system cannot do this alone; there is simply not enough treatment capacity to meet the need brought on by this epidemic. The participation of primary care can effect greater integration of care, especially by coordinating pharmacological treatments with counseling, rehabilitation, and recovery supports.

The barriers to primary care participation in MAT (not enough provider time, patient complexity, difficulty integrating counseling supports) can be addressed by adding nursing and counseling resources to the primary care prescribing teams, as we did in Vermont.

Treatment is one element of a comprehensive response to the opioid epidemic. Other elements include prevention—reducing peoples' exposure to opioids in the first place, harm reduction such as wide availability of the overdose reversal medication Narcan to help prevent overdose deaths, and recovery supports—including vocational services to help people in recovery participate fully in our communities.

Leadership focus matters. I have had the honor of serving under two consecutive Governors, Democratic and Republican, who have both provided leadership and resources to address the opioid epidemic in Vermont.

In closing, we have made much progress in Vermont, much of it with the support of our federal partners. Yet while we have some of the best access to treatment in the nation, we have not solved this problem. Every week two Vermonters die from a drug overdose. Tragically we've also experienced high numbers of children under the age of five, who come into state custody due to this crisis. We must learn how to do better by our families and communities.

Thank you.

(At the request of Mr. SCHUMER, the following statement was ordered to be printed in the RECORD.)

#### VOTE EXPLANATION

• Ms. SINEMA. Mr. President, I was necessarily absent but, had I been present, would have voted "yes" on rollcall vote 31, the confirmation of Michael J. Desmond to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

I was necessarily absent but, had I been present, would have voted "no" on rollcall vote 32, the motion to invoke cloture on the nomination of Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

I was necessarily absent but, had I been present, would have voted "no" on rollcall vote 33, the confirmation of Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.●

#### SENATE COMMITTEE ON THE BUDGET RULES OF PROCEDURE

Mr. ENZI. Mr. President, the Committee on the Budget has adopted rules governing its procedures for the 116th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, on behalf of myself and Senator SANDERS, I ask unanimous consent that a copy of the Committee rules be printed in the RECORD.

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

#### COMMITTEE ON THE BUDGET U.S. SENATE RULES FOR THE 116TH CONGRESS RULES OF PROCEDURE

##### I. MEETINGS

(1) The committee shall hold its regular meeting on the first Thursday of each month. Additional meetings may be called by the chair as the chair deems necessary to expedite committee business.

(2) Each meeting of the committee, including meetings to conduct hearings, shall be open to the public, except that a portion or portions of any such meeting may be closed to the public if the committee determines by record vote in open session of a majority of the members of the committee present that the matters to be discussed or the testimony to be taken at such portion or portions—

(a) will disclose matters necessary to be kept secret in the interests of national defense or the confidential conduct of the foreign relations of the United States;

(b) will relate solely to matters of the committee staff personnel or internal staff management or procedure;

(c) will tend to charge an individual with crime or misconduct, to disgrace or injure the professional standing of an individual, or otherwise to expose an individual to public contempt or obloquy, or will represent a clearly unwarranted invasion of the privacy of an individual;

(d) will disclose the identity of any informer or law enforcement agent or will disclose any information relating to the investigation or prosecution of a criminal offense that is required to be kept secret in the interests of effective law enforcement; or

(e) will disclose information relating to the trade secrets or financial or commercial information pertaining specifically to a given person if—

(i) an act of Congress requires the information to be kept confidential by Government officers and employees; or

(ii) the information has been obtained by the Government on a confidential basis, other than through an application by such person for a specific Government financial or other benefit, and is required to be kept secret in order to prevent undue injury to the competitive position of such person.

(f) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(3) Notice of, and the agenda for, any business meeting or markup shall be provided to each member and made available to the public at least 72 hours prior to such meeting or markup.

##### II. CONSIDERATION OF BUDGET RESOLUTIONS

(1) If the chair of the committee makes proposed legislative text of a concurrent resolution on the budget available to all committee members by 12:00 p.m., five days prior to the start of a meeting or markup to consider the resolution, during that meeting or markup:

(a) it shall not be in order to consider a first degree amendment unless the amendment has been submitted to the chief clerk

by 5:00 p.m. two days prior to the start of the meeting or markup, except that an amendment in the nature of a substitute offered by the chair of the committee shall not be required to be filed in advance, and

(b) it shall not be in order to consider a second degree amendment unless the amendment has been submitted to the chief clerk by 5:00 p.m. on the day prior to the start of the meeting or markup, and

(c) it shall not be in order to consider a side-by-side amendment unless the amendment has been submitted to the chief clerk by 5:00 p.m. on the day prior to the start of the meeting or markup, and the amendment is filed in relation to a particular first degree amendment that is considered by the committee.

(2) During consideration of a concurrent resolution on the budget, it shall not be in order to consider an amendment that would have no force or effect if adopted.

### III. ORDER OF RECOGNITION

Those members who are present at the start of any meeting of the committee including meetings to conduct hearings, shall be recognized in order of seniority based on time served as a member of the committee. Any members arriving after the start of the meeting shall be recognized, in order of appearance, after the most junior member.

### IV. QUORUMS AND VOTING

(1) Except as provided in paragraphs (2) and (3) of this section, a quorum for the transaction of committee business shall consist of not less than one-third of the membership of the entire committee: Provided, that proxies shall not be counted in making a quorum.

(2) A majority of the committee shall constitute a quorum for reporting budget resolutions, legislative measures or recommendations: Provided, that proxies shall not be counted in making a quorum.

(3) For the purpose of taking sworn or unsworn testimony, a quorum of the committee shall consist of one Senator.

(4)(a) The committee may poll—

(i) internal committee matters including those concerning the committee's staff, records, and budget;

(ii) steps in an investigation, including issuance of subpoenas, applications for immunity orders, and requests for documents from agencies; and

(iii) other committee business that the committee has designated for polling at a meeting, except that the committee may not vote by poll on reporting to the Senate any measure, matter, or recommendation, and may not vote by poll on closing a meeting or hearing to the public.

(b) To conduct a poll, the chair shall circulate polling sheets to each member specifying the matter being polled and the time limit for completion of the poll. If any member requests, the matter shall be held for a meeting rather than being polled. The chief clerk shall keep a record of polls; if the committee determines by record vote in open session of a majority of the members of the committee present that the polled matter is one of those enumerated in rule I(2)(a)–(e), then the record of the poll shall be confidential. Any member may move at the committee meeting following a poll for a vote on the polled decision.

### V. PROXIES

When a record vote is taken in the committee on any bill, resolution, amendment, or any other question, a quorum being present, a member who is unable to attend the meeting may vote by proxy if the absent member has been informed of the matter on which the vote is being recorded and has affirmatively requested to be so recorded; except that no member may vote by proxy dur-

ing the deliberations on Budget Resolutions unless a member is experiencing a health issue and the chair and ranking member agree to allow that member to vote by proxy on amendments to a Budget Resolution.

### VI. HEARINGS AND HEARING PROCEDURES

(1) The committee shall make public announcement of the date, place, time, and subject matter of any hearing to be conducted on any measure or matter at least 1 week in advance of such hearing, unless the chair and ranking member determine that there is good cause to begin such hearing at an earlier date.

(2) At least 24 hours prior to the scheduled start time of the hearing, a witness appearing before the committee shall file a written statement of proposed testimony with the chief clerk who is responsible for circulating the proposed testimony to all members at the same time. The requirement that a witness submit testimony 24 hours prior to a hearing may be waived by the chair and the ranking member, following their determination that there is good cause for the failure of compliance.

### VII. COMMITTEE REPORTS

(1) When the committee has ordered a measure or recommendation reported, following final action, the report thereon shall be filed in the Senate at the earliest practicable time.

(2) A member of the committee, who gives notice of an intention to file supplemental, minority, or additional views at the time of final committee approval of a measure or matter, shall be entitled to not less than 3 calendar days in which to file such views, in writing, with the chief clerk of the committee. Such views shall then be included in the committee report and printed in the same volume, as a part thereof, and their inclusions shall be noted on the cover of the report. In the absence of timely notice, the committee report may be filed and printed immediately without such views.

### VIII. USE OF DISPLAY MATERIALS IN COMMITTEE

Committee members may use the electronic display system provided in the committee hearing room or physical graphic displays during any meetings or hearings of the committee. Physical graphic displays are limited to the following:

Charts, photographs, or renderings:

Size: no larger than 36 inches by 48 inches.

Where: on an easel stand next to the member's seat or at the rear of the committee room.

When: only at the time the member is speaking.

Number: no more than two may be displayed at a time.

### IX. CONFIRMATION STANDARDS AND PROCEDURES

(1) Standards. In considering a nomination, the committee shall inquire into the nominee's experience, qualifications, suitability, and integrity to serve in the position to which he or she has been nominated. The committee shall recommend confirmation if it finds that the nominee has the necessary integrity and is affirmatively qualified by reason of training, education, or experience to carry out the functions of the office to which he or she was nominated.

(2) Information Concerning the Nominee. Each nominee shall submit the following information to the chief clerk, who will distribute to the chairman and ranking member at the same time:

(a) A detailed biographical resume which contains information concerning education, employment, and background which generally relates to the position to which the individual is nominated, and which is to be made public;

(b) Information concerning financial and other background of the nominee which is to be made public; provided, that financial information that does not relate to the nominee's qualifications to hold the position to which the individual is nominated, tax returns or reports prepared by federal agencies that may be submitted by the nominee shall, after review by the chair, ranking member, or any other member of the committee upon request, be maintained in a manner to ensure confidentiality; and,

(c) Copies of other relevant documents and responses to questions as the committee may so request, such as responses to questions concerning the policies and programs the nominee intends to pursue upon taking office.

(3) Report on the Nominee. After a review of all information pertinent to the nomination, a confidential report on the nominee may be prepared by the committee staff for the chair, the ranking member and, upon request, for any other member of the committee. The report shall summarize the steps taken and the results of the committee inquiry, including any unresolved matters that have been raised during the course of the inquiry.

(4) Hearings. The committee shall conduct a hearing during which the nominee shall be called to testify under oath on all matters relating to his or her suitability for office, including the policies and programs which he or she would pursue while in that position. No hearing or meeting to consider the confirmation shall be held until at least 72 hours after the following events have occurred: the nominee has responded to the requirements set forth in subsection (2), and, if a report described in subsection (3) has been prepared, it has been presented to the chairman and ranking member, and is available to other members of the committee, upon request.

### SENATE SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 25, 2019, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Subcommittee on Federal Spending Oversight and Emergency Management adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, today I ask unanimous consent that a copy of the Rules of Procedure of the Subcommittee on Federal Spending Oversight and Emergency Management be printed in the RECORD.

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

116TH CONGRESS—RULES OF PROCEDURE FOR THE SENATE SUBCOMMITTEE ON FEDERAL SPENDING OVERSIGHT AND EMERGENCY MANAGEMENT OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS AS ADOPTED

[February 28, 2019]

1. Subcommittee rules. The Subcommittee shall be governed, where applicable, by the rules of the full Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

## 2. Quorums.

A. Transaction of routine business. One-third of the membership of the Subcommittee shall constitute a quorum for the transaction of routine business, provided that one Member of the Minority is present. For the purpose of this paragraph, the term "routine business" includes the convening of a meeting and the consideration of any business of the Subcommittee other than reporting to the full Committee on Homeland Security and Governmental Affairs any measures, matters, or recommendations.

B. Taking testimony. One Member of the Subcommittee shall constitute a quorum for taking sworn or unsworn testimony.

C. Proxies prohibited in establishment of quorum. Proxies shall not be considered for the establishment of a quorum.

3. Subcommittee subpoenas. The Chairman of the Subcommittee, with the approval of the Ranking Minority Member of the Subcommittee, is authorized to subpoena the attendance of witnesses or the production of memoranda, documents, records, or any other materials at a hearing, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 48 hours, excluding Saturdays and Sundays and legal holidays in which the Senate is not in session, of being notified of the subpoena. If a subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by vote of the Members of the Subcommittee.

Immediately upon authorization of the issuance of a subpoena under these rules, a written notice of intent to issue the subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by them, by the Subcommittee Chairman or a staff officer designated by him/her, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs waive the 48-hour waiting period or unless the Subcommittee Chairman certifies in writing to the Chairman and Ranking Minority Member of the full Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

When the Subcommittee or its Chairman authorizes subpoenas, subpoenas may be issued upon the signature of the Chairman or any other Member of the Subcommittee designated by the Chairman.

#### SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 25, 2019, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Permanent Subcommittee on Investigations adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, today I ask unanimous consent that a

copy of the Rules of Procedure of the Permanent Subcommittee on Investigations be printed in the RECORD.

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

116TH CONGRESS—RULES OF PROCEDURE FOR THE SENATE PERMANENT SUBCOMMITTEE ON INVESTIGATIONS OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS AS ADOPTED

[February 28, 2019]

1. No public hearing connected with an investigation may be held without the approval of either the Chairman and the Ranking Minority Member or a Majority of the Members of the Subcommittee. In all cases, notification to all Subcommittee Members of the intent to hold hearings must be given at least 7 days in advance to the date of the hearing. The Ranking Minority Member should be kept fully apprised of preliminary inquiries, investigations, and hearings. Preliminary inquiries may be initiated by the Subcommittee Majority staff upon the approval of the Chairman and notice of such approval to the Ranking Minority Member, Minority Staff Director, or the Minority Chief Counsel. Preliminary inquiries may be undertaken by the Minority staff upon the approval of the Ranking Minority Member and notice of such approval to the Chairman, Staff Director, or Chief Counsel. Investigations may be undertaken upon the approval of the Chairman and the Ranking Minority Member with notice of such approval to all Members of the Subcommittee.

No public hearing shall be held if the Minority Members of the Subcommittee unanimously object, unless the Committee on Homeland Security and Governmental Affairs (the "Committee") approves of such public hearing by a majority vote.

Senate Rules will govern all closed sessions convened by the Subcommittee (Rule XXVI, Sec. 5(b), Standing Rules of the Senate).

2. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with notice to the Ranking Minority Member. A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the Committee, or staff officers designated by them, by the Chairman or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to the appropriate offices, unless the Chairman and Ranking Minority Member of the Committee waive the 48 hour waiting period or unless the Chairman certifies in writing to the Chairman and Ranking Minority Member of the Committee that, in his or her opinion, it is necessary to issue a subpoena immediately.

3. The Chairman shall have the authority to call meetings of the Subcommittee. This authority may be delegated by the Chairman to any other Member of the Subcommittee when necessary.

4. If at least three Members of the Subcommittee desire the Chairman to call a special meeting, they may file, in the office of the Subcommittee, a written request therefor, addressed to the Chairman. Immediately thereafter, the clerk of the Subcommittee shall notify the Chairman of such request. If, within 3 calendar days after the filing of such request, the Chairman fails to call the requested special meeting, which is to be held within 7 calendar days after the filing of such request, a majority of the Sub-

committee Members may file in the office of the Subcommittee their written notice that a special Subcommittee meeting will be held, specifying the date and hour thereof, and the Subcommittee shall meet on that date and hour. Immediately upon the filing of such notice, the Subcommittee clerk shall notify all Subcommittee Members that such special meeting will be held and inform them of its date and hour. If the Chairman is not present at any regular, additional or special meeting, the Ranking Majority Member present shall preside.

5. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter.

One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of Subcommittee business other than the administering of oaths and the taking of testimony, provided that at least one member of the minority is present.

6. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

7. If, during public or executive sessions, a witness, his or her counsel, or any spectator conducts himself or herself in such a manner as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of such hearing, the Chairman or presiding Member of the Subcommittee present during such hearing may request the Sergeant at Arms of the Senate, his or her representative, or any law enforcement official to eject said person from the hearing room.

8. Counsel retained by any witness and accompanying such witness shall be permitted to be present during the testimony of such witness at any public or executive hearing and to advise such witness while he or she is testifying of his or her legal rights; provided, however, that in the case of any witness who is an officer or employee of the government, or of a corporation or association, the Chairman may rule that representation by counsel from the government, corporation, or association, or by counsel representing another witness, creates a conflict of interest, and that the witness may only be represented during interrogation by Subcommittee staff or during testimony before the Subcommittee by personal counsel not from the government, corporation, or association, or by personal counsel not representing another witness. This rule shall not be construed to excuse a witness from testifying in the event his or her counsel is ejected for conducting himself or herself in such a manner so as to prevent, impede, disrupt, obstruct, or interfere with the orderly administration of the hearings; nor shall this rule be construed as authorizing counsel to coach the witness or answer for the witness. The failure of any witness to secure counsel shall not excuse such witness from complying with a subpoena or deposition notice.

#### 9. Depositions

9.1 Notice. Notices for the taking of depositions in an investigation authorized by the Subcommittee shall be authorized and issued by the Chairman. The Chairman of the Committee and the Ranking Minority Member of the Subcommittee shall be kept fully apprised of the authorization for the taking of depositions. Such notices shall specify a time and place of examination, and the name of the Subcommittee Member or Members or staff officer or officers who will take the deposition. The deposition shall be in private. The Subcommittee shall not initiate procedures leading to criminal or civil enforcement proceedings for a witness's failure to appear unless the deposition notice was accompanied by a Subcommittee subpoena.

9.2 Counsel. Witnesses may be accompanied at a deposition by counsel to advise them of

their legal rights, subject to the provisions of Rule 8.

9.3 Procedure. Witnesses shall be examined upon oath administered by an individual authorized by local law to administer oaths. Questions shall be propounded orally by Subcommittee Members or staff. Objections by the witness as to the form of questions shall be noted for the record. If a witness objects to a question and refuses to testify on the basis of relevance or privilege, the Subcommittee Members or staff may proceed with the deposition, or may, at that time or at a subsequent time, seek a ruling by telephone or otherwise on the objection from the Chairman or such Subcommittee Member as designated by him or her. If the Chairman or designated Member overrules the objection, he or she may refer the matter to the Subcommittee or he or she may order and direct the witness to answer the question, but the Subcommittee shall not initiate procedures leading to civil or criminal enforcement unless the witness refuses to testify after he or she has been ordered and directed to answer by the Chairman or designated Member.

9.4 Filing. The Subcommittee staff shall see that the testimony is transcribed or electronically recorded. If it is transcribed, the witness shall be furnished with a copy for review pursuant to the provisions of Rule 12. The individual administering the oath shall certify on the transcript that the witness was duly sworn in his or her presence, the transcriber shall certify that the transcript is a true record of the testimony, and the transcript shall then be filed with the Subcommittee clerk. Subcommittee staff may stipulate with the witness to changes in this procedure; deviations from this procedure which do not substantially impair the reliability of the record shall not relieve the witness from his or her obligation to testify truthfully.

10. Any witness desiring to read a prepared or written statement in executive or public hearings shall file a copy of such statement with the Chairman, Staff Director, or Chief Counsel 48 hours in advance of the hearings at which the statement is to be presented unless the Chairman and the Ranking Minority Member waive this requirement. The Subcommittee shall determine whether such statement may be read or placed in the record of the hearing.

11. A witness may request, on grounds of distraction, harassment, personal safety, or physical discomfort, that during testimony, television, motion picture, and other cameras and lights, shall not be directed at him or her. Such requests shall be ruled on by the Subcommittee Members present at the hearing.

12. An accurate stenographic record shall be kept of the testimony of all witnesses in executive and public hearings. The record of his or her own testimony, whether in public or executive session, shall be made available for inspection by witness or his or her counsel under Subcommittee supervision; a copy of any testimony given in public session or that part of the testimony given by the witness in executive session and subsequently quoted or made part of the record in a public session shall be made available to any witness at his or her expense if he or she so requests.

13. Interrogation of witnesses at Subcommittee hearings shall be conducted on behalf of the Subcommittee by Subcommittee Members and authorized Subcommittee staff personnel only.

14. Any person who is the subject of an investigation in public hearings may submit to the Chairman questions in writing for the cross-examination of other witnesses called by the Subcommittee. With the consent of a majority of the Members of the Sub-

committee present and voting, these questions, or paraphrased versions of them, shall be put to the witness by the Chairman, by a Member of the Subcommittee, or by counsel of the Subcommittee.

15. Any person whose name is mentioned or who is specifically identified, and who believes that testimony or other evidence presented at a public hearing, or comment made by a Subcommittee Member or counsel, tends to defame him or her or otherwise adversely affect his or her reputation, may (a) request to appear personally before the Subcommittee to testify in his or her own behalf, or, in the alternative, (b) file a sworn statement of facts relevant to the testimony or other evidence or comment complained of. Such request and such statement shall be submitted to the Subcommittee for its consideration and action.

If a person requests to appear personally before the Subcommittee pursuant to alternative (a) referred to herein, said request shall be considered untimely if it is not received by the Chairman, Staff Director, or Chief Counsel in writing on or before thirty (30) days subsequent to the day on which said person's name was mentioned or he or she was otherwise specifically identified during a public hearing held before the Subcommittee, unless the Chairman and the Ranking Minority Member waive this requirement.

If a person requests to file his or her sworn statement pursuant to alternative (b) referred to herein, the Subcommittee may condition the filing of said sworn statement upon said person agreeing to appear personally before the Subcommittee and to testify concerning the matters contained in his or her sworn statement, as well as any other matters related to the subject of the investigation before the Subcommittee.

16. All testimony taken in executive session shall be kept secret and will not be released for public information without the approval of a majority of the Members of the Subcommittee.

17. No Subcommittee report shall be released to the public unless approved by a majority of the Subcommittee and after no less than 10 days' notice and opportunity for comment by the Members of the Subcommittee unless the need for such notice and opportunity to comment has been waived in writing by a majority of the Minority Members of the Subcommittee.

18. The Ranking Minority Member may select for appointment to the Subcommittee staff a Chief Counsel for the Minority and such other professional staff and clerical assistants as he or she deems advisable. The total compensation allocated to such Minority staff shall be not less than one-third the total amount allocated for all Subcommittee staff salaries during any given year. The Minority staff shall work under the direction and supervision of the Ranking Minority Member. The Minority Staff Director and the Minority Chief Counsel shall be kept fully informed as to preliminary inquiries, investigations, and hearings, and shall have access to all material in the files of the Subcommittee.

19. When it is determined by the Chairman and Ranking Minority Member, or by a majority of the Subcommittee, that there is reasonable cause to believe that a violation of law may have occurred, the Chairman and Ranking Minority Member by letter, or the Subcommittee by resolution, are authorized to report such violation to the proper State, local and/or Federal authorities. Such letter or report may recite the basis for the determination of reasonable cause. This rule is not authority for release of documents or testimony.

## SENATE SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT RULES OF PROCEDURE

Mr. JOHNSON. Mr. President, Senate Standing Rule XXVI requires each committee to adopt rules to govern the procedure of the committee and to publish those rules in the CONGRESSIONAL RECORD not later than March 1 of the first year of each Congress. On February 27, 2019, a majority of the members of the Committee on Homeland Security and Governmental Affairs' Subcommittee on Regulatory Affairs and Federal Management adopted subcommittee rules of procedure.

Consistent with Standing Rule XXVI, today I ask unanimous consent that a copy of the rules of procedure of the Subcommittee on Regulatory Affairs and Federal Management be printed in the RECORD.

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

### RULES OF PROCEDURE OF THE COMMITTEE ON HOMELAND SECURITY AND GOVERNMENTAL AFFAIRS SUBCOMMITTEE ON REGULATORY AFFAIRS AND FEDERAL MANAGEMENT

(1) SUBCOMMITTEE RULES. The Subcommittee shall be governed, where applicable, by the rules of the Committee on Homeland Security and Governmental Affairs and the Standing Rules of the Senate.

(2) QUORUMS. For public or executive sessions, one Member of the Subcommittee shall constitute a quorum for the administering of oaths and the taking of testimony in any given case or subject matter. One-third of the Members of the Subcommittee shall constitute a quorum for the transaction of business other than the administering of oaths and the taking of testimony, provided that one Member of the minority is present. Proxies shall not be considered for the establishment of a quorum.

(3) TAKING TESTIMONY. All witnesses at public or executive hearings who testify to matters of fact shall be sworn.

(4) SUBCOMMITTEE SUBPEONAS. Subpoenas for witnesses, as well as documents and records, may be authorized and issued by the Chairman, or any other Member of the Subcommittee designated by him or her, with the approval of the Ranking Minority Member of the Subcommittee, provided that the Chairman may subpoena attendance or production without the approval of the Ranking Minority Member where the Chairman or a staff officer designated by him/her has not received notification from the Ranking Minority Member or a staff officer designated by him/her of disapproval of the subpoena within 24 hours excluding Saturdays and Sundays, of being notified of the subpoena. If the subpoena is disapproved by the Ranking Minority Member as provided herein, the subpoena may be authorized by a vote of the Members of the Subcommittee.

A written notice of intent to issue a subpoena shall be provided to the Chairman and Ranking Minority Member of the full Committee on Homeland Security and Governmental Affairs, or staff officers designated by them, by the Subcommittee Chairman, or a staff officer designated by him or her, immediately upon such authorization, and no subpoena shall be issued for at least 48 hours, excluding Saturdays and Sundays, from delivery to appropriate offices, unless the Chairman and Ranking Minority Member waive the 48 hour waiting period or unless the Subcommittee Chairman certifies in



writing to the Chairman and Ranking Minority Member that, in his or her opinion, it is necessary to issue the subpoena immediately.

#### BAHRAIN

Mr. WYDEN. Mr. President, February marks the anniversary of the massive, peaceful protests against Bahrain's repressive regime in 2011. Bahraini citizens, men and women of all ages and backgrounds, demanded more accountability from their leaders and more agency in their lives.

Instead of sitting down with the protestors as leaders in Oregon or Washington, DC, often do, Bahrain's rulers unleashed the country's security forces on them. I am afraid that it has now become a rather sad tradition of mine to remind the Senate of these events, and so before February gives way to March, I just wanted to offer a few words on why this issue continues to resonate.

Bahrain held elections in November 2018, but they were hardly on the level. "The Economist" termed them "unfair." The head of Human Rights First called them "fake elections." The Project on Middle East Democracy and Americans for Democracy & Human Rights in Bahrain said they were a "sham." The list goes on.

This should come as no surprise to anybody paying attention to development in Bahrain because the regime banned opposition parties from participating altogether. That is not exactly a recipe for a free, fair, or legitimate outcome.

Indeed, the regime has spent the past couple years detaining, intimidating, and silencing the political opposition.

But don't take my word for it, that's how Amnesty International characterized the situation before the November elections.

The repression extends far beyond the ballot box. Human rights advocates say the regime has arbitrarily stripped hundreds of individuals of their citizenship in the past few years.

Human Right Watch indicates that the regime closed the last remaining independent newspaper in 2017. Freedom House says the regime continues to bully journalists and to persecute those who are critical of the regime.

Bahrain is a longtime U.S. ally in a tumultuous region. My intent with these annual statements is neither to insult the Kingdom nor to demand the administration cut ties.

No, the point of these statements is to make it clear that I believe the United States should always promote basic rights and values and further, that I believe the United States must—must—hold its friends and partners to a higher moral standard.

I was concerned that the previous administration did not do more to push Bahrain's rulers on this point, but I am deeply disappointed that the Trump administration seems hell-bent on setting a new low.

The President himself has made clear that he views the world through a transactional lens and is willing to overlook rights violations in the name of arms sales or greater defense cooperation.

So it is hardly surprising to read that Trump administration officials fail to raise human rights concerns with their Bahraini counterparts.

This must change. I hope it will change. And I hope that the influx of new members of Congress following the 2018 midterm elections will cause it to change.

Today I renew my call on Bahrain's monarchy to stop brutally repressing peaceful protest, to release political prisoners like Abdulhadi al-Khawaja and Nabeel Rajab, and to offer Bahrainis a greater voice in their country's future.

#### ADDITIONAL STATEMENTS

##### TRIBUTE TO CHRIS CORREALE

• Mr. CARDIN. Mr. President, today I wish to recognize the service and achievements of Ms. Chris Correale, director of harbor development for the Maryland Port Administration, upon her retirement.

Chris Correale is the ultimate example of a public servant whose expertise and efforts while unknown to the majority of Maryland's residents, have been critical to Maryland's economy and environment.

An expert in U.S. Army Corps of Engineers processes, Chris has spent more than 25 years crafting and implementing innovative and collaborative Federal and State beneficial reuse projects that kept the Port of Baltimore's shipping channels open and improved the environment in the Chesapeake Bay. From dredging, construction, beach replenishment, habitat restoration, and permitting, Chris has been the visionary behind the development of projects that have significantly improved the infrastructure, environment, business climate, regional partnerships, and economic development opportunities throughout the State of Maryland.

At the Maryland Port Administration, Chris ensured the Port of Baltimore's channels are in top condition for maritime traffic serving the port. She oversaw the planning and policy of what to do with the dredged material, she secured State and Federal funding for the port, and she coordinated multi-agency management of the port's aids to navigation systems.

Prior to joining the Maryland Port Administration, Chris had a distinguished career as the chief of the operations division of the U.S. Army Corps' Baltimore District. By overseeing the Baltimore District's navigation program, Chris was instrumental in the operations, maintenance, protection, and restoration of Maryland's ports, military installations, levees, Federal

channels, island habitats, and reservoirs.

Chris's retirement is a loss for the State of Maryland. Her vision, expertise, and extraordinary social skills have enabled her to successfully navigate the Federal, State, and local forces to bring so many critical projects to fruition. She has significantly improved the infrastructure, environment, and business climate throughout the State of Maryland, and she will be missed. Therefore, it is my honor to recognize the contributions of Ms. Chris Correale to the State of Maryland and thank her for her years of valuable service.●

##### TRIBUTE TO PATRICK ARMSTRONG, JR.

• Mr. DAINES. Mr. President, this week I have the honor of recognizing Patrick Armstrong, Jr., of Heart Butte, for his dedication to Glacier County.

A member of the Blackfeet Nation, Mr. Armstrong was born and raised in Browning, MT, where he attended Browning Public School Systems, K-12. He has been an educator at Browning Elementary for 5 years, where he currently teaches fourth grade. Patrick and his wife, Anna, have three children.

Mr. Armstrong has always been actively involved in sports and has been officiating for 20 years. Since then, Patrick has been heavily involved in officiating high school basketball. He was recently nominated as this year's boys basketball official of the year by the National Federation of High School Association, Montana High School Association, and the Montana Officials Association. To be nominated for this award, you must exemplify upstanding character. Mr. Armstrong is a prominent mentor in his community. He is a humble man who knows the value of a strong community.

I congratulate Patrick on his role in bringing together and growing the Browning community.●

##### MESSAGE FROM THE HOUSE

At 10:01 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 bill, in which it requests the concurrence of the Senate:

H.R. 8. An act to require a background check for every firearm sale.

##### MEASURES READ THE FIRST TIME

The following bills were read the first time:

H.R. 8. An act to require a background check for every firearm sale.

S. 617. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, to provide disaster tax relief, and for other purposes.



EXECUTIVE AND OTHER  
COMMUNICATIONS

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

EC-412. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Bioengineered Food Disclosure Standard" (AMS-TM-17-0050) received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-413. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled "Report to Congress on Corrosion Policy and Oversight Budget Materials for Fiscal Year 2020"; to the Committee on Armed Services.

EC-414. A communication from the Assistant Secretary of Defense (Sustainment), transmitting, pursuant to law, a notice of additional time required to complete a report relative to the ongoing use of open burn pits and the feasibility of phasing out the use of open burn pits by using technology incinerators; to the Committee on Armed Services.

EC-415. A communication from the Assistant Secretary of Defense (Manpower and Reserve Affairs) performing the duties of the Under Secretary of Defense (Personnel and Readiness), transmitting, pursuant to law, a notice of additional time required to complete the annual report on defense manpower requirements; to the Committee on Armed Services.

EC-416. A communication from the Assistant Secretary of Defense (Special Operations and Low Intensity Conflict), transmitting, pursuant to law, a report relative to the report on activities of the National Guard Counterdrug Schools for fiscal year 2018; to the Committee on Armed Services.

EC-417. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Defense (Readiness), Department of Defense, received in the Office of the President of the Senate on February 25, 2019; to the Committee on Armed Services.

EC-418. A communication from the Assistant Director, Senior Executive Management Office, Department of Defense, transmitting, pursuant to law, a report relative to a vacancy in the position of Assistant Secretary of Defense (Health Affairs), Department of Defense, received in the Office of the President of the Senate on February 25, 2019; to the Committee on Armed Services.

EC-419. A communication from the Alternate Federal Register Liaison Officer, Office of the Secretary, Department of Defense, transmitting, pursuant to law, the report of a rule entitled "Establishment of TRICARE Select and Other TRICARE Reforms" (RIN0720-AB70) received in the Office of the President of the Senate on February 25, 2019; to the Committee on Armed Services.

EC-420. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the continuation of the national emergency with respect to Libya declared in Executive Order 13566; to the Committee on Banking, Housing, and Urban Affairs.

EC-421. A communication from the General Counsel, Department of Housing and Urban Development, transmitting, pursuant to law, eight (8) reports relative to vacancies in the

Department of Housing and Urban Development, received during adjournment of the Senate in the Office of the President of the Senate on February 22, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-422. A communication from the Secretary, Securities and Exchange Commission, transmitting, pursuant to law, the report of a rule entitled "Adjustments to Civil Monetary Penalty Amounts" (Rel. No. 33-10604) received in the Office of the President of the Senate on February 26, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-423. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation for Overseas Contingency Operations/Global War on Terrorism all funding (including rescissions) so designated by the Congress, pursuant to section 251(b)(2)(A) of the Balanced Budget and Emergency Deficit Control Act of 1985, for the enclosed list of accounts; to the Committee on the Budget.

EC-424. A communication from the President of the United States, transmitting, pursuant to law, a report relative to the designation as an emergency requirement all funding so designated by the Congress in the Consolidated Appropriations Act, 2019, pursuant to section 251 (b) (2) (A) of the Balanced Budget and Emergency Deficit Control Act of 1985, for the accounts referenced in section 7058 (d); to the Committee on the Budget.

EC-425. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 199A Determination of W-2 Wages" (Rev. Proc. 2019-11) received in the Office of the President of the Senate on February 26, 2019; to the Committee on Finance.

EC-426. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Rulings and Determination Letters" (Rev. Proc. 2019-5) received in the Office of the President of the Senate on February 26, 2019; to the Committee on Finance.

EC-427. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Section 199A Trade or Business Safe Harbor: Rental Real Estate" (Notice 2019-07) received in the Office of the President of the Senate on February 26, 2019; to the Committee on Finance.

EC-428. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Revenue Procedure Providing Safe Harbor Method of Accounting for Determining Depreciation Deductions for Certain Passenger Automobiles" (Rev. Proc. 2019-13) received in the Office of the President of the Senate on February 26, 2019; to the Committee on Finance.

EC-429. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the report of a rule entitled "Regulations Regarding the Transition Tax Under Section 965 and Related Provisions" (RIN1545-B051) received in the Office of the President of the Senate on February 26, 2019; to the Committee on Finance.

EC-430. A communication from the Chief of the Publications and Regulations Branch, Internal Revenue Service, Department of the Treasury, transmitting, pursuant to law, the

report of a rule entitled "Centralized Partnership Audit Regime" (RIN1545-B003 and RIN1545-B004) received in the Office of the President of the Senate on February 26, 2019; to the Committee on Finance.

EC-431. A communication from the Deputy Director of Regulations and Policy Management Staff, Food and Drug Administration, Department of Health and Human Services, transmitting, pursuant to law, the report of a rule entitled "List of Bulk Drug Substances That Can Be Used To Compound Drug Products In Accordance With Section 503A of the Federal Food, Drug, and Cosmetic Act" ((21 CFR Part 216) (Docket No. FDA-2016-N-3464)) received in the Office of the President of the Senate on February 25, 2019; to the Committee on Health, Education, Labor, and Pensions.

EC-432. A communication from the Senior Procurement Executive, Office of Acquisition Policy, General Services Administration, transmitting, pursuant to law, the report of a rule entitled "General Services Administration Acquisition Regulation (GSAR); Construction Contract Administration" ((RIN3090-AJ63) (48 CFR Parts 501, 511, 517, 532, 536, 543, 546, and 552)) received in the Office of the President of the Senate on February 25, 2019; to the Committee on Homeland Security and Governmental Affairs.

EC-433. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, a report relative to applications for delayed-notice search warrants and extensions during fiscal year 2017; to the Committee on the Judiciary.

EC-434. A communication from the Director, Administrative Office of the United States Courts, transmitting, pursuant to law, two reports entitled "2018 Annual Report of the Director of the Administrative Office of the United States Courts" and "Judicial Business of the United States Courts", and their accompanying Uniform Resource Locators (URLs); to the Committee on the Judiciary.

EC-435. A communication from the Chief Counsel for Regulation, Office of the Secretary, Department of Commerce, transmitting, pursuant to law, the report of a rule entitled "Public Information, Freedom of Information Act and Privacy Act Regulations" (RIN0605-AA45) received in the Office of the President of the Senate on February 25, 2019; to the Committee on Commerce, Science, and Transportation.

EC-436. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "National Organic Program; Amendments to the National List of Allowed and Prohibited Substances (Crops, Livestock, and Handling)" ((RIN0581-AD60) (Docket No. AMS-NOP-14-0079; NOP-14-05)) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-437. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Removal of United States Grade Standards" ((7 CFR Part 51) (Docket No. AMS-SC-18-0081; SC-19-326)) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-438. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Raisins Produced From Grapes Grown in California; Increased Assessment Rate" ((7 CFR Part 989) (Docket No. AMS-SC-18-0069; SC-18-989-1 FR)) received in the Office of the

President of the Senate on February 27, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-439. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Oranges, Grapefruit, Tangerines, and Pummelos Grown in Florida; Decreased Assessment Rate" ((7 CFR Part 905) (Docket No. AMS-SC-18-0065; SC-18-905-4 FR)) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-440. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Olives Grown in California; Establish Procedures To Meet Via Electronic Communications" ((7 CFR Part 932) (Docket No. AMS-SC-18-0061; SC-18-932-1 FR)) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-441. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Removal of Specific Fee Reference" ((7 CFR Part 800) (Docket No. AMS-FGIS-18-0063)) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-442. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Irish Potatoes Grown in Southeastern States; Termination of Marketing Order 953" ((7 CFR Part 953) (Docket No. AMS-SC-18-0037; SC-18-935-1 FR)) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-443. A communication from the Administrator, Agricultural Marketing Service, Department of Agriculture, transmitting, pursuant to law, the report of a rule entitled "Honey Packers and Importers Research, Promotion, Consumer Education, and Industry Information Order; Change in Membership" ((7 CFR Part 1212) (Docket No. AMS-SC-18-0016)) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-444. A communication from the Assistant Secretary of Defense (Special Operations/Low Intensity Conflict), transmitting, pursuant to law, a report entitled "Report to Congress on Procedures for Status Review of Detainees outside the United States"; to the Committees on Armed Services; and the Judiciary.

EC-445. A communication from the Acting Deputy Assistant Secretary of Defense for Industrial Policy (Acquisition and Sustainment), transmitting, pursuant to law, a notice of additional time required to complete a report relative to the relocation of steam turbine production from Nimitz-class and Ford-class aircraft carriers and Virginia-class and Columbia-class submarines; to the Committee on Armed Services.

EC-446. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled "Annual National Defense Stockpile Operations and Planning Report"; to the Committee on Armed Services.

EC-447. A communication from the Under Secretary of Defense (Acquisition and Sustainment), transmitting, pursuant to law, a report entitled "Defense Production

Act Fund Annual Report For Fiscal Year 2018"; to the Committee on Banking, Housing, and Urban Affairs.

EC-448. A communication from the Chief Counsel, Federal Emergency Management Agency, Department of Homeland Security, transmitting, pursuant to law, the report of a rule entitled "Suspension of Community Eligibility; Mississippi: Aberdeen, City of, Monroe County" ((44 CFR Part 64) (Docket No. FEMA-2018-0002)) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Banking, Housing, and Urban Affairs.

EC-449. A communication from the Principal Deputy Assistant Secretary for Fish and Wildlife and Parks, National Park Service, Department of the Interior, transmitting, pursuant to law, the report of a rule entitled "Civil Penalties Inflation Adjustments" (RIN1024-AE56) received in the Office of the President of the Senate on February 26, 2019; to the Committee on Indian Affairs.

EC-450. A communication from the Staff Director of the United States Commission on Civil Rights, transmitting, pursuant to law, a report relative to the United States Commission on Civil Rights renewing the charter of its federal advisory committees; to the Committee on the Judiciary.

EC-451. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Alabama; Regional Haze Progress Report" (FRL No. 9990-31-Region 4) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Environment and Public Works.

EC-452. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Air Plan Approval; Massachusetts; Air Emissions Inventory, Emissions Statements, Source Registration, and Emergency Episode Planning Provisions" (FRL No. 9989-90-Region 1) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Environment and Public Works.

EC-453. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval of Operating Permits Program; Kansas; Reporting Emission Data, Emission Fees and Process Information" (FRL No. 9989-43-Region 7) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Environment and Public Works.

EC-454. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Commonwealth of Pennsylvania; Allegheny County Health Department, Withdrawal of Section 112(l) Delegation Authority for the Chemical Accident Prevention Regulations" (FRL No. 9990-12-Region 3) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Environment and Public Works.

EC-455. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Emissions Monitoring Provisions in State Implementation Plans Required Under the NOX" (FRL No. 9990-33-OAR) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Environment and Public Works.

EC-456. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmit-

ting, pursuant to law, the report of a rule entitled "Massachusetts: Final Approval of State Underground Storage Tank Program Revisions, Codification, and Incorporation by Reference" (FRL No. 9989-82-Region 1) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Environment and Public Works.

EC-457. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "National Emission Standards for Hazardous Air Pollutants: Surface Coating of Large Appliances; Printing, Coating, and Dyeing of Fabrics and Other Textiles; and Surface Coating of Metal Furniture Residual Risk and Technology Reviews" (FRL No. 9988-80-OAR) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Environment and Public Works.

EC-458. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Review of the Primary National Ambient Air Quality Standards for Sulfur Oxides" (FRL No. 9990-28-OAR) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Environment and Public Works.

EC-459. A communication from the Assistant Legal Adviser for Treaty Affairs, Department of State, transmitting, pursuant to the Case-Zablocki Act, 1 U.S.C. 112b, as amended, the report of the texts and background statements of international agreements, other than treaties (List 2019-0011 - 2019-0012); to the Committee on Foreign Relations.

EC-460. A communication from the Program Specialist, Office of Regulation Policy and Management, Department of Veterans Affairs, transmitting, pursuant to law, the report of a rule entitled "Prohibition of Interment of Memorialization of Persons Who Have Been Convicted of Federal or State Capital Crimes or Certain Sex Offenses" (RIN2900-AQ36) received in the Office of the President of the Senate on February 27, 2019; to the Committee on Veterans' Affairs.

EC-461. A communication from the Attorney Advisor, Pipeline and Hazardous Materials Safety Administration, Department of Transportation, transmitting, pursuant to law, the report of a rule entitled "Hazardous Materials: Revisions to Hazardous Materials Grant Requirements (FAST Act)" (RIN2137-AF19) received in the Office of the President of the Senate on February 26, 2019; to the Committee on Commerce, Science, and Transportation.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. GRAHAM for the Committee on the Judiciary.

Neomi J. Rao, of the District of Columbia, to be United States Circuit Judge for the District of Columbia Circuit.

Drew H. Wrigley, of North Dakota, to be United States Attorney for the District of North Dakota for the term of four years.

Aditya Bamzai, of Virginia, to be a Member of the Privacy and Civil Liberties Oversight Board for the remainder of the term expiring January 29, 2020.

Travis LeBlanc, of Maryland, to be a Member of the Privacy and Civil Liberties Oversight Board for a term expiring January 29, 2022.

By Mr. BURR for the Select Committee on Intelligence.

William R. Evanina, of Pennsylvania, to be Director of the National Counterintelligence and Security Center.

(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 Mr. REED (for himself, Ms. COLLINS, Mr. WARNER, Mr. KENNEDY, and Mr. JONES):

S. 592. A bill to amend the Securities and Exchange Act of 1934 to promote transparency in the oversight of cybersecurity risks at publicly traded companies; to the Committee on Banking, Housing, and Urban Affairs.

By Ms. HARRIS (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. CARPER, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. FEINSTEIN, Ms. HASSAN, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Mrs. MURRAY, Mr. MURPHY, Mr. REED, Ms. ROSEN, Ms. SMITH, Ms. WARREN, and Mr. WYDEN):

S. 593. A bill to amend the Religious Freedom Restoration Act of 1993 to protect civil rights and otherwise prevent meaningful harm to third parties, and for other purposes; to the Committee on the Judiciary.

By Mr. CASSIDY (for himself and Mr. DURBIN):

S. 594. A bill to amend title XVIII of the Social Security Act to preserve access to rehabilitation innovation centers under the Medicare program; to the Committee on Finance.

By Mr. CASSIDY (for himself, Mr. CARPER, Mrs. CAPITO, Mr. COONS, Mrs. BLACKBURN, Mr. HEINRICH, Ms. MURKOWSKI, and Ms. KLOBUCHAR):

S. 595. A bill to amend title XVIII of the Social Security Act to provide for the coordination of programs to prevent and treat obesity, and for other purposes; to the Committee on Finance.

By Mr. BARRASSO (for himself and Mr. CARPER):

S. 596. A bill to amend title XVIII of the Social Security Act to provide for direct payment to physician assistants under the Medicare program for certain services furnished by such physician assistants; to the Committee on Finance.

By Mr. BOOKER (for himself, Mr. WYDEN, Mr. MERKLEY, Ms. WARREN, Ms. HARRIS, Mrs. GILLIBRAND, Mr. SANDERS, and Mr. BENNETT):

S. 597. A bill to amend the Controlled Substances Act to provide for a new rule regarding the application of the Act to marijuana, and for other purposes; to the Committee on the Judiciary.

By Mr. PETERS (for himself and Mr. RUBIO):

S. 598. A bill to amend title 38, United States Code, to increase certain funeral benefits for veterans, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. COTTON (for himself, Mrs. BLACKBURN, Mr. CRAMER, Mr. GRASSLEY, and Mr. TILLIS):

S. 599. A bill to amend the Immigration and Nationality Act with respect to aliens associated with criminal gangs, and for other purposes; to the Committee on the Judiciary.

By Mr. HOEVEN (for himself, Mr. BENNETT, Mr. DAINES, Ms. SMITH, Mr.

ROUNDS, Mr. CRAPO, Mr. RISCH, Mr. JONES, Ms. ERNST, Mrs. HYDE-SMITH, and Mr. TESTER):

S. 600. A bill to require the Secretary of Transportation to establish a working group to study regulatory and legislative improvements for the livestock, insect, and agricultural commodities transport industries, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mr. BRAUN (for himself and Mr. SCOTT of Florida):

S. 601. A bill to amend title 18, United States Code, to prohibit former Members and elected officers of Congress from lobbying Congress at any time after leaving office; to the Committee on the Judiciary.

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

S. 602. A bill to address state-sponsored cyber activities against the United States, and for other purposes; to the Committee on Foreign Relations.

By Mr. ROUNDS (for himself, Mr. JONES, Mr. TILLIS, and Ms. SINEMA):

S. 603. A bill to amend the Financial Stability Act of 2010 to require the Financial Stability Oversight Council to consider alternative approaches before determining that a U.S. nonbank financial company shall be supervised by the Board of Governors of the Federal Reserve System, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. THUNE (for himself, Mr. BROWN, Ms. BALDWIN, Mr. BARRASSO, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Ms. COLLINS, Ms. CORTEZ MASTO, Mr. CRAPO, Mr. CRUZ, Ms. ERNST, Ms. HASSAN, Mr. HOEVEN, Mr. ISAKSON, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mrs. MURRAY, Mr. PORTMAN, Mr. REED, Mr. SCHATZ, Mrs. SHAHEEN, Mr. TILLIS, Mr. TOOMEY, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. WICKER, Mrs. HYDE-SMITH, Mr. MURPHY, Mr. PETERS, Mr. RISCH, and Mr. LEE):

S. 604. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself and Mr. SULLIVAN):

S. 605. A bill to assist States in carrying out projects to expand the child care workforce and child care facilities in the States, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. BOOZMAN, Mr. SULLIVAN, Ms. HIRONO, and Mr. BROWN):

S. 606. A bill to improve oversight and evaluation of the mental health and suicide prevention media outreach campaigns of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

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

S. 607. A bill to amend the Department of Energy Organization Act to address insufficient compensation of employees and other personnel of the Federal Energy Regulatory Commission, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Ms. WARREN, Mr. REED, Mr. BROWN, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. MARKEY):

S. 608. A bill to provide that chapter 1 of title 9 of the United States Code, relating to the enforcement of arbitration agreements, shall not apply to enrollment agreements made between students and certain institutions of higher education, and to prohibit limitations on the ability of students to pursue

sue claims against certain institutions of higher education; to the Committee on Health, Education, Labor, and Pensions.

By Mr. RUBIO (for himself and Ms. WARREN):

S. 609. A bill to prohibit States from suspending, revoking, or denying State-issued professional licenses or issuing penalties due to student default; to the Committee on Health, Education, Labor, and Pensions.

By Mr. BLUMENTHAL (for himself, Mr. MARKEY, Mr. SCHATZ, Mr. WHITEHOUSE, Mr. DURBIN, Mr. BROWN, Ms. SMITH, Ms. HARRIS, Mr. UDALL, Mr. VAN HOLLEN, Ms. KLOBUCHAR, Mr. HEINRICH, Ms. HASSAN, Mr. WYDEN, Mr. MERKLEY, Ms. HIRONO, Mr. CASEY, Mr. KATIE, Ms. WARREN, Mr. BOOKER, Mr. REED, Ms. CORTEZ MASTO, Mrs. SHAHEEN, Mr. MENENDEZ, Mrs. GILLIBRAND, Mrs. MURRAY, Ms. DUCKWORTH, Ms. BALDWIN, Mr. LEAHY, Mr. MURPHY, Mr. SANDERS, Ms. ROSEN, and Mr. PETERS):

S. 610. A bill to amend title 9 of the United States Code with respect to arbitration; to the Committee on the Judiciary.

By Mr. SANDERS (for himself and Mr. MERKLEY):

S. 611. A bill to provide adequate funding for water and sewer infrastructure, and for other purposes; to the Committee on Environment and Public Works.

By Mr. MARKEY (for himself and Mr. RUBIO):

S. 612. A bill to require a joint resolution of approval for the entry into effect of a civilian nuclear cooperation agreement with Saudi Arabia, and for other purposes; to the Committee on Foreign Relations.

By Mrs. HYDE-SMITH:

S. 613. A bill to amend the Animal Health Protection Act to provide chronic wasting disease support for States and coordinated response efforts, and for other purposes; to the Committee on Agriculture, Nutrition, and Forestry.

By Mr. ENZI:

S. 614. A bill to direct the Secretary of the Interior to reissue a final rule relating to removing the Greater Yellowstone Ecosystem population of grizzly bears from the Federal list of endangered and threatened wildlife; to the Committee on Environment and Public Works.

By Mr. PORTMAN:

S. 615. A bill to free States to spend gas taxes on their transportation priorities, and for other purposes; to the Committee on Environment and Public Works.

By Mrs. SHAHEEN:

S. 616. A bill to impose user fees on manufacturers and importers of electronic nicotine delivery systems; to the Committee on Health, Education, Labor, and Pensions.

By Mr. GRASSLEY (for himself and Mr. WYDEN):

S. 617. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, to provide disaster tax relief, and for other purposes; read the first time.

By Mr. COONS (for himself, Mr. CASSIDY, Mr. BARRASSO, and Mr. BENNETT):

S. 618. A bill to amend title XVIII of the Social Security Act to encourage Medicare beneficiaries to voluntarily adopt advance directives guiding the medical care they receive; to the Committee on Finance.

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

S. 619. A bill to amend the Federal Home Loan Bank Act to provide investment authority to support rural infrastructure development, and for other purposes; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. WHITEHOUSE (for himself, Mr. LEAHY, Mrs. MURRAY, Mr. DURBIN,

Mr. MERKLEY, Ms. HIRONO, and Mr. MARKEY):

S. 620. A bill to amend title 9, United States Code, with respect to arbitration; to the Committee on the Judiciary.

By Ms. DUCKWORTH (for herself, Mr. WHITEHOUSE, Mr. BROWN, Mr. BLUMENTHAL, Mr. JONES, Ms. HIRONO, Mr. BENNET, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Mr. MERKLEY, Mr. WYDEN, Mr. VAN HOLLEN, Ms. HARRIS, Mr. CARDIN, Ms. SMITH, and Mr. MURPHY):

S. 621. A bill to amend the National Voter Registration Act of 1993 to require each State to implement a process under which individuals who are 16 years of age may apply to register to vote in elections for Federal office in the State, to direct the Election Assistance Commission to make grants to States to increase the involvement of minors in public election activities, and for other purposes; to the Committee on Rules and Administration.

By Mr. JONES (for himself, Ms. COLLINS, Mr. COONS, Ms. WARREN, Mr. WYDEN, Mr. INHOFE, Mr. MERKLEY, Mr. CASEY, Mr. CRAPO, Mr. TESTER, Ms. HARRIS, Mr. HOEVEN, Mrs. MURRAY, Mr. LEAHY, Mrs. HYDE-SMITH, Ms. DUCKWORTH, Ms. BALDWIN, Ms. KLOBUCHAR, Mr. VAN HOLLEN, Ms. STABENOW, Mr. MARKEY, Mr. MENENDEZ, Mr. BOOZMAN, Mr. CRAMER, Mr. BENNET, Mr. RUBIO, Mr. RISCH, Mrs. BLACKBURN, and Mr. MANCHIN):

S. 622. A bill to amend title 10, United States Code, to repeal the requirement for reduction of survivor annuities under the Survivor Benefit Plan by veterans' dependency and indemnity compensation, and for other purposes; to the Committee on Armed Services.

By Mr. PAUL:

S. 623. A bill to provide guidance and priorities for Federal Government obligations in the event that the debt limit is reached and to provide a limited and temporary authority to exceed the debt limit for priority obligations; to the Committee on Finance.

By Ms. KLOBUCHAR (for herself, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. COONS, Ms. CORTEZ MASTO, Mr. DURBIN, Ms. HIRONO, Mr. KING, Mr. MARKEY, Mr. MENENDEZ, Mr. MERKLEY, Ms. SMITH, Mr. TESTER, Mr. VAN HOLLEN, and Mr. WYDEN):

S. 624. A bill to amend the Help America Vote Act of 2002 to require States to provide for same day registration; to the Committee on Rules and Administration.

By Ms. KLOBUCHAR (for herself, Mr. BLUMENTHAL, Ms. HIRONO, Mr. KING, Mrs. SHAHEEN, Ms. SMITH, and Mr. WYDEN):

S. 625. A bill to direct the Election Assistance Commission to carry out a pilot program under which the Commission shall provide funds to local educational agencies for initiatives to provide voter registration information to secondary school students in the 12th grade; to the Committee on Rules and Administration.

By Mr. MARKEY (for himself and Mr. LEE):

S. 626. A bill to repeal debt collection amendments made by the Bipartisan Budget Act of 2015, and for other purposes; to the Committee on Commerce, Science, and Transportation.

By Mrs. MURRAY (for herself, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. CARDIN, Mrs. GILLIBRAND, Ms. HIRONO, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MENENDEZ, Mr. SANDERS, Ms. WARREN, Ms. HARRIS, Mr. BROWN, and Mrs. FEINSTEIN):

S. 627. A bill to promote the economic security and safety of survivors of domestic violence,

dating violence, sexual assault, or stalking, and for other purposes; to the Committee on Health, Education, Labor, and Pensions.

By Mr. KING (for himself and Ms. COLLINS):

S. 628. A bill to amend the Internal Revenue Code of 1986 to include biomass heating appliances for tax credits available for energy-efficient building property and energy property; to the Committee on Finance.

By Mr. TESTER (for himself, Mrs. MURRAY, Mr. BLUMENTHAL, and Mr. BROWN):

S. 629. A bill to require the Secretary of Veterans Affairs to review the processes and requirements of the Department of Veterans Affairs for scheduling appointments for health care and conducting consultations under the laws administered by the Secretary, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. BROWN:

S. 630. A bill to amend the Consumer Financial Protection Act of 2010 with respect to arbitration; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CARPER (for himself, Ms. BALDWIN, Mr. BENNET, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Mr. CARDIN, Mr. COONS, Ms. CORTEZ MASTO, Ms. DUCKWORTH, Mr. DURBIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. HASSAN, Ms. HIRONO, Mr. KAINE, Ms. KLOBUCHAR, Mr. LEAHY, Mr. MARKEY, Mr. MERKLEY, Mr. MURPHY, Mrs. MURRAY, Mr. SANDERS, Mr. SCHATZ, Mr. SCHUMER, Ms. SMITH, Mr. VAN HOLLEN, Mr. WARNER, and Ms. WARREN):

S. 631. A bill to provide for the admission of the State of Washington, D.C. into the Union; to the Committee on Homeland Security and Governmental Affairs.

By Mr. LANKFORD (for himself and Mr. COONS):

S. 632. A bill to amend the Internal Revenue Code of 1986 to repeal the inclusion of certain fringe benefit expenses for which a deduction is disallowed in unrelated business taxable income; to the Committee on Finance.

By Mr. MORAN (for himself, Mr. ROBERTS, Mr. ROUNDS, Ms. ROSEN, Mr. WICKER, Mrs. HYDE-SMITH, and Mr. TILLIS):

S. 633. A bill to award a Congressional Gold Medal to the members of the Women's Army Corps who were assigned to the 6888th Central Postal Directory Battalion, known as the "Six Triple Eight"; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. CRUZ (for himself, Mr. SCOTT of South Carolina, Mr. ALEXANDER, Ms. ERNST, Mr. COTTON, and Mr. TOOMEY):

S. 634. A bill to amend the Internal Revenue Code of 1986 to establish tax credits to encourage individual and corporate taxpayers to contribute to scholarships for students through eligible scholarship-granting organizations and eligible workforce training organizations, and for other purposes; to the Committee on Finance.

By Mr. LEAHY (for himself, Mr. BLUMENTHAL, Mr. DURBIN, Mr. WHITEHOUSE, Mr. MARKEY, Mr. WARNER, Ms. HIRONO, and Mr. COONS):

S. 635. A bill to restore statutory rights to the people of the United States from forced arbitration; to the Committee on the Judiciary.

By Mr. MENENDEZ (for himself, Mr. DURBIN, Mr. RUBIO, Mr. LEAHY, and Mr. BOOKER):

S. 636. A bill to designate Venezuela under section 244 of the Immigration and Nationality Act to permit nationals of Venezuela to be eligible for temporary protected status

under such section; to the Committee on the Judiciary.

By Mr. BLUMENTHAL (for himself, Mr. MERKLEY, Ms. HARRIS, Ms. KLOBUCHAR, Mr. SCHATZ, and Mr. SANDERS):

S. 637. A bill to prohibit price gouging in the sale of drugs; to the Committee on Health, Education, Labor, and Pensions.

By Mr. CARPER (for himself, Mrs. CAPITO, Mr. PETERS, Mr. TILLIS, Ms. STABENOW, Mr. RUBIO, Mr. MERKLEY, Mr. GARDNER, Mr. REED, Ms. MURKOWSKI, Mrs. SHAHEEN, Mr. BURR, Mr. BENNET, Mr. MANCHIN, Mr. SCHUMER, Mr. UDALL, Mr. HEINRICH, Ms. HASSAN, Mrs. GILLIBRAND, and Ms. BALDWIN):

S. 638. A bill to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, Liability Act of 1980, and for other purposes; to the Committee on Environment and Public Works.

By Mr. CARPER (for himself, Mr. MERKLEY, Mr. MARKEY, Mr. COONS, Mr. WHITEHOUSE, Mr. JONES, Mr. SCHATZ, Mr. BOOKER, Mr. SCHUMER, Mr. BENNET, Mr. REED, Mr. VAN HOLLEN, Ms. STABENOW, Mr. MURPHY, Mr. MANCHIN, Mr. HEINRICH, Ms. BALDWIN, Mr. BROWN, Mrs. MURRAY, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. CARDIN, Mr. WARNER, Mr. LEAHY, Ms. ROSEN, Ms. SMITH, Mr. WYDEN, Mrs. SHAHEEN, Ms. HIRONO, Ms. DUCKWORTH, Mr. DURBIN, Ms. HASSAN, Mr. CASEY, Mr. PETERS, Mr. MENENDEZ, Ms. CORTEZ MASTO, Mr. SANDERS, Mr. KAINE, Mr. TESTER, Ms. HARRIS, Ms. CANTWELL, Ms. SINEMA, Ms. WARREN, Mr. KING, and Mr. UDALL):

S.J. Res. 9. A joint resolution calling on the United States and Congress to take immediate action to address the challenge of climate change; to the Committee on Environment and Public Works.

By Mr. UDALL (for himself, Ms. COLLINS, Mrs. SHAHEEN, and Ms. MURKOWSKI):

S.J. Res. 10. A joint resolution relating to a national emergency declared by the President on February 15, 2019; to the Committee on Armed Services.

By Mr. MERKLEY:

S.J. Res. 11. A joint resolution to prohibit the unauthorized use of United States Armed Forces in hostilities with respect to Venezuela; to the Committee on Foreign Relations.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. BROWN (for himself and Mr. PORTMAN):

S. Res. 85. A resolution recognizing the 100th anniversary of the founding of Easterseals, a leading advocate and service provider for children and adults with disabilities, including veterans and older adults, and their caregivers and families; to the Committee on the Judiciary.

By Mr. BLUNT:

S. Res. 86. A resolution providing for members on the part of the Senate of the Joint Committee on Printing and the Joint Committee of Congress on the Library; considered and agreed to.

By Mr. BLUNT (for himself and Ms. KLOBUCHAR):

S. Res. 87. A resolution authorizing the printing of a collection of the rules of the committees of the Senate; considered and agreed to.

By Ms. COLLINS (for herself, Mr. REED, Mr. BRAUN, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. DURBIN, Mr. CARPER, Ms. KLOBUCHAR, Ms. HASSAN, and Mr. WICKER):

S. Res. 88. A resolution designating March 1, 2019, as “Read Across America Day”; considered and agreed to.

By Mr. DURBIN (for himself and Ms. DUCKWORTH):

S. Res. 89. A resolution expressing the condolences of the Senate and honoring the memory of the victims of the mass shooting in Aurora, Illinois, on February 15, 2019; considered and agreed to.

By Mr. BROWN (for himself, Mr. BARRASSO, Mr. WHITEHOUSE, Mr. MARKEY, Mr. BLUMENTHAL, Mr. COONS, Ms. STABENOW, Mr. BOOKER, and Ms. WARREN):

S. Res. 90. A resolution designating February 28, 2019, as “Rare Disease Day”; considered and agreed to.

By Mr. COONS (for himself and Mr. PORTMAN):

S. Res. 91. A resolution designating March 3, 2019, as “World Wildlife Day”; to the Committee on the Judiciary.

By Mr. BLUNT (for himself and Ms. KLOBUCHAR):

S. Con. Res. 6. A concurrent resolution authorizing the printing of a commemorative document in memory of the late President of the United States, George Herbert Walker Bush; considered and agreed to.

By Mr. BLUNT (for himself and Ms. KLOBUCHAR):

S. Con. Res. 7. A concurrent resolution authorizing the printing of the 26th edition of the pocket version of the Constitution of the United States; considered and agreed to.

#### ADDITIONAL COSPONSORS

S. 72

At the request of Mr. SCHATZ, the name of the Senator from Illinois (Ms. DUCKWORTH) was added as a cosponsor of S. 72, a bill to suspend the enforcement of certain civil liabilities of Federal employees and contractors during a lapse in appropriations, and for other purposes.

S. 261

At the request of Mr. HEINRICH, the names of the Senator from Minnesota (Ms. KLOBUCHAR), the Senator from North Carolina (Mr. TILLIS), the Senator from Michigan (Mr. PETERS) and the Senator from Colorado (Mr. GARDNER) were added as cosponsors of S. 261, a bill to extend the authorization of appropriations for allocation to carry out approved wetlands conservation projects under the North American Wetlands Conservation Act through fiscal year 2024, and for other purposes.

S. 285

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

S. 286

At the request of Ms. STABENOW, the names of the Senator from Vermont (Mr. LEAHY) and the Senator from Delaware (Mr. COONS) 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. 296

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

S. 316

At the request of Mrs. FEINSTEIN, the name of the Senator from California (Ms. HARRIS) was added as a cosponsor of S. 316, a bill to establish the Sacramento-San Joaquin Delta National Heritage Area.

S. 349

At the request of Ms. COLLINS, the name of the Senator from New Hampshire (Mrs. SHAHEEN) was added as a cosponsor of S. 349, a bill to require the Secretary of Transportation to request nominations for, and make determinations regarding, roads to be designated under the national scenic byways program, and for other purposes.

S. 362

At the request of Mr. WYDEN, the names of the Senator from New Hampshire (Mrs. SHAHEEN) and the Senator from Missouri (Mr. HAWLEY) were added as cosponsors of S. 362, a bill to amend the Internal Revenue Code of 1986 to reform taxation of alcoholic beverages.

S. 385

At the request of Ms. HARRIS, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 385, a bill to amend the Fair Labor Standards Act of 1938 to provide increased labor law protections for agricultural workers, and for other purposes.

S. 500

At the request of Mr. PORTMAN, the name of the Senator from West Virginia (Mr. MANCHIN) was added as a cosponsor of S. 500, a bill to amend title 54, United States Code, to establish, fund, and provide for the use of amounts in a National Park Service Legacy Restoration Fund to address the maintenance backlog of the National Park Service, and for other purposes.

S. 507

At the request of Ms. KLOBUCHAR, the name of the Senator from Michigan (Mr. PETERS) was added as a cosponsor of S. 507, a bill to amend the National Voter Registration Act of 1993 to clarify that a State may not use an individual's failure to vote as the basis for

initiating the procedures provided under such Act for the removal of the individual from the official list of registered voters in the State on the grounds that the individual has changed residence, and for other purposes.

S. 514

At the request of Mr. TESTER, the name of the Senator from Arizona (Ms. MCSALLY) was added as a cosponsor of S. 514, a bill to amend title 38, United States Code, to improve the benefits and services provided by the Department of Veterans Affairs to women veterans, and for other purposes.

S. 530

At the request of Mr. SCHATZ, the names of the Senator from Massachusetts (Ms. WARREN), the Senator from Maryland (Mr. CARDIN) and the Senator from Connecticut (Mr. BLUMENTHAL) were added as cosponsors of S. 530, a bill to establish the Federal Labor-Management Partnership Council.

S. 578

At the request of Mr. WHITEHOUSE, the name of the Senator from New York (Mrs. GILLIBRAND) was added as a cosponsor of S. 578, a bill to amend title II of the Social Security Act to eliminate the five month waiting period for disability insurance benefits under such title for individuals with amyotrophic lateral sclerosis.

S. 579

At the request of Mr. MERKLEY, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 579, a bill to provide grants to eligible local educational agencies to help public schools reduce class size in the early elementary grades, and for other purposes.

S.J. RES. 3

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

S. CON. RES. 5

At the request of Mr. BARRASSO, the names of the Senator from New Hampshire (Mrs. SHAHEEN), the Senator from Montana (Mr. TESTER), the Senator from North Carolina (Mr. BURR) and the Senator from Wisconsin (Mr. JOHNSON) were added as cosponsors of S. Con. Res. 5, a concurrent resolution supporting the Local Radio Freedom Act.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. REED (for himself, Ms. COLLINS, Mr. WARNER, Mr. KENNEDY, and Mr. JONES):

S. 592. A bill to amend the Securities and Exchange Act of 1934 to promote transparency in the oversight of cybersecurity risks at publicly traded companies; to the Committee on Banking, Housing, and Urban Affairs.



Mr. REED. Mr. President, today I am reintroducing the Cybersecurity Disclosure Act along with two members of the Select Committee on Intelligence, Senator COLLINS, and the ranking member, Senator WARNER, in addition to Senator KENNEDY and Senator JONES, who also serve with me on the Senate Banking Committee. In response to data breaches of various companies that exposed the personal information of millions of customers, our legislation asks each publicly traded company to include—in Securities and Exchange Commission, SEC, disclosures to investors—information on whether any member of the board of directors is a cybersecurity expert, and if not, why having this expertise on the board of directors is not necessary because of other cybersecurity steps taken by the publicly traded company. To be clear, the legislation does not require companies to take any actions other than to provide this disclosure to its investors.

In Deloitte's 11th Global Risk Management Survey of financial services institutions, published last month, "sixty-seven percent of respondents named cybersecurity as one of the three risks that would increase the most in importance for their business over the next two years, far more than for any other risk. Yet, only about one-half of the respondents felt their institutions were extremely or very effective in managing this risk." According to the 2018-2019 National Association of Corporate Directors Public Company Governance Survey, only 52 percent of directors "are confident that they sufficiently understand cyber risks to provide effective cyber-risk oversight," and 58 percent "believe their boards collectively know enough about cyber risk to provide effective oversight." Indeed, Yahoo, in its 2016 annual report, disclosed, "the Independent Committee found that failures in communication, management, inquiry and internal reporting contributed to the lack of proper comprehension and handling of the 2014 Security Incident. The Independent Committee also found that the Audit and Finance Committee and the full board were not adequately informed of the full severity, risks, and potential impacts of the 2014 Security Incident and related matters." The 2014 Security Incident here refers to the fact that "a copy of certain user account information for approximately 500 million user accounts was stolen from Yahoo's network in late 2014."

This is particularly troubling given that data breaches expose more and more records containing personally identifiable information. Indeed, according to the Identity Theft Resource Center, the number of these types of records exposed by data breaches in the business industry grew from 181,630,520 in 2017 to 415,233,143 in 2018 and in the medical and healthcare industry from 5,302,846 in 2017 to 9,927,798 last year. Across all industries, the number of records containing personally identifiable

information exposed by data breaches rose 126 percent, from 197,612,748 in 2017 to 446,515,334 in 2018.

Investors and customers deserve a clear understanding of whether publicly traded companies are prioritizing cybersecurity and have the capacity to protect investors and customers from cyber related attacks. Our legislation aims to provide a better understanding of these issues through improved SEC disclosure.

In testimony given to the Senate Banking Committee last June, Harvard Law Professor John Coates, who also practiced securities law as a partner at Wachtell, Lipton, Rosen & Katz, expressed support for our legislation by stating that "[the Cybersecurity Disclosure Act] is well designed. It does not attempt to second-guess SEC guidance and rules regarding disclosures generally, or even as to cyber-risk overall. The bill simply asks publicly traded companies to disclose whether a cybersecurity expert is on the board of directors, and if not, why one is not necessary. To be clear, the bill does not require every publicly traded company to have a cybersecurity expert on its board. Publicly traded companies will still decide for themselves how to tailor their resources to their cybersecurity needs and disclose what they have decided. Some companies may choose to hire outside cyber consultants. Some may choose to boost cybersecurity expertise on staff. And some may decide to have a cybersecurity expert on the board of directors. The disclosure required would typically amount to a sentence or two."

While this legislation is a matter for consideration by the Banking Committee, of which I am a member, this bill is also informed by my service on the Armed Services Committee and the Select Committee on Intelligence. Through this Banking-Armed Services-Intelligence perspective, I see that our economic security is indeed a matter of our national security, and this is particularly the case as our economy becomes ever more dependent on technology and the internet.

Indeed, General Darren W. McDew, the former commander of U.S. Transportation Command, which is charged with moving our military assets to meet our national security objectives in partnership with the private sector, offered several sobering assessments during an April 10, 2018 hearing before the Senate Armed Services Committee. He stated that "cyber is the number one threat to U.S. Transportation Command, but I believe it is the number one threat to the nation . . . in our headquarters, cyber is the commander's business, but not everywhere across our country is cyber a CEO's business . . . in our cyber roundtables, which is one of the things we are doing to raise our level of awareness, some of the CEO's chief security officers cannot even get to the see the board, they cannot even . . . see the CEO. So that is a problem."

In my view, this is a real problem because, if we are attacked, the first strike will likely not be a physical one against the military but a cyber strike against the infrastructure of movement, logistics, and other critical assets in the civilian space.

With growing cyber threats, we all need to be more proactive in ensuring our Nation's cybersecurity before there are additional serious breaches. This legislation seeks to take one step towards that goal by encouraging publicly traded companies to be more transparent to their investors and customers on whether and how their boards of directors and senior management are prioritizing cybersecurity.

I thank the bill's supporters, including the North American Securities Administrators Association, the Council of Institutional Investors, the National Association of State Treasurers, the California Public Employees' Retirement System, the Bipartisan Policy Center, MIT Professor Simon Johnson, Columbia Law Professor Jack Coffee, Harvard Law Professor John Coates, K&L Gates LLP, and the Consumer Federation of America, and I urge my colleagues to join Senator COLLINS, Senator WARNER, Senator KENNEDY, Senator JONES, and me in supporting this legislation.

By Mr. THUNE (for himself, Mr. BROWN, Ms. BALDWIN, Mr. BARASSO, Mr. BLUMENTHAL, Mr. BOOKER, Ms. CANTWELL, Ms. COLLINS, Ms. CORTEZ MASTO, Mr. CRAPO, Mr. CRUZ, Ms. ERNST, Ms. HASSAN, Mr. HOEVEN, Mr. ISAKSON, Mr. KING, Ms. KLOBUCHAR, Mr. LEAHY, Mrs. MURRAY, Mr. PORTMAN, Mr. REED, Mr. SCHATZ, Mrs. SHAHEEN, Mr. TILLIS, Mr. TOOMEY, Mr. VAN HOLLEN, Mr. WHITEHOUSE, Mr. WICKER, Mrs. HYDE-SMITH, Mr. MURPHY, Mr. PETERS, Mr. RISCH, and Mr. LEE):

S. 604. A bill to limit the authority of States to tax certain income of employees for employment duties performed in other States; to the Committee on Finance.

Mr. THUNE. Mr. President, I ask unanimous consent that the text of the bill be printed in the RECORD.

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

S. 604

*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 "Mobile Workforce State Income Tax Simplification Act of 2019".

#### SEC. 2. LIMITATIONS ON STATE WITHHOLDING AND TAXATION OF EMPLOYEE INCOME.

(a) IN GENERAL.—No part of the wages or other remuneration earned by an employee who performs employment duties in more than one State shall be subject to income tax in any State other than—



(1) the State of the employee's residence; and

(2) the State within which the employee is present and performing employment duties for more than 30 days during the calendar year in which the wages or other remuneration is earned.

(b) **WAGES OR OTHER REMUNERATION.**—Wages or other remuneration earned in any calendar year shall not be subject to State income tax withholding and reporting requirements unless the employee is subject to income tax in such State under subsection (a). Income tax withholding and reporting requirements under subsection (a)(2) shall apply to wages or other remuneration earned as of the commencement date of employment duties in the State during the calendar year.

(c) **OPERATING RULES.**—For purposes of determining penalties related to an employer's State income tax withholding and reporting requirements—

(1) an employer may rely on an employee's annual determination of the time expected to be spent by such employee in the States in which the employee will perform duties absent—

(A) the employer's actual knowledge of fraud by the employee in making the determination; or

(B) collusion between the employer and the employee to evade tax;

(2) except as provided in paragraph (3), if records are maintained by an employer in the regular course of business that record the location of an employee, such records shall not preclude an employer's ability to rely on an employee's determination under paragraph (1); and

(3) notwithstanding paragraph (2), if an employer, at its sole discretion, maintains a time and attendance system that tracks where the employee performs duties on a daily basis, data from the time and attendance system shall be used instead of the employee's determination under paragraph (1).

(d) **DEFINITIONS AND SPECIAL RULES.**—For purposes of this Act:

(1) **DAY.**—

(A) Except as provided in subparagraph (B), an employee is considered present and performing employment duties within a State for a day if the employee performs more of the employee's employment duties within such State than in any other State during a day.

(B) If an employee performs employment duties in a resident State and in only one nonresident State during one day, such employee shall be considered to have performed more of the employee's employment duties in the nonresident State than in the resident State for such day.

(C) For purposes of this paragraph, the portion of the day during which the employee is in transit shall not be considered in determining the location of an employee's performance of employment duties.

(2) **EMPLOYEE.**—The term "employee" has the same meaning given to it by the State in which the employment duties are performed, except that the term "employee" shall not include a professional athlete, professional entertainer, qualified production employee, or certain public figures.

(3) **PROFESSIONAL ATHLETE.**—The term "professional athlete" means a person who performs services in a professional athletic event, provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional athlete.

(4) **PROFESSIONAL ENTERTAINER.**—The term "professional entertainer" means a person of prominence who performs services in the professional performing arts for wages or other remuneration on a per-event basis,

provided that the wages or other remuneration are paid to such person for performing services in his or her capacity as a professional entertainer.

(5) **QUALIFIED PRODUCTION EMPLOYEE.**—The term "qualified production employee" means a person who performs production services of any nature directly in connection with a State qualified, certified or approved film, television or other commercial video production for wages or other remuneration, provided that the wages or other remuneration paid to such person are qualified production costs or expenditures under such State's qualified, certified or approved film incentive program, and that such wages or other remuneration must be subject to withholding under such film incentive program as a condition to treating such wages or other remuneration as a qualified production cost or expenditure.

(6) **CERTAIN PUBLIC FIGURES.**—The term "certain public figures" means persons of prominence who perform services for wages or other remuneration on a per-event basis, provided that the wages or other remuneration are paid to such person for services provided at a discrete event, in the nature of a speech, public appearance, or similar event.

(7) **EMPLOYER.**—The term "employer" has the meaning given such term in section 3401(d) of the Internal Revenue Code of 1986 (26 U.S.C. 3401(d)), unless such term is defined by the State in which the employee's employment duties are performed, in which case the State's definition shall prevail.

(8) **STATE.**—The term "State" means any of the several States.

(9) **TIME AND ATTENDANCE SYSTEM.**—The term "time and attendance system" means a system in which—

(A) the employee is required on a contemporaneous basis to record his work location for every day worked outside of the State in which the employee's employment duties are primarily performed; and

(B) the system is designed to allow the employer to allocate the employee's wages for income tax purposes among all States in which the employee performs employment duties for such employer.

(10) **WAGES OR OTHER REMUNERATION.**—The term "wages or other remuneration" may be limited by the State in which the employment duties are performed.

### SEC. 3. EFFECTIVE DATE; APPLICABILITY.

(a) **EFFECTIVE DATE.**—This Act shall take effect on January 1 of the second calendar year that begins after the date of the enactment of this Act.

(b) **APPLICABILITY.**—This Act shall not apply to any tax obligation that accrues before the effective date of this Act.

By Mr. DURBIN (for himself, Mr. WHITEHOUSE, Ms. WARREN, Mr. REED, Mr. BROWN, Mr. BLUMENTHAL, Ms. HIRONO, and Mr. MARKEY):

S. 608. A bill to provide that chapter 1 of title 9 of the United States Code, relating to the enforcement of arbitration agreements, shall not apply to enrollment agreements made between students and certain institutions of higher education, and to prohibit limitations on the ability of students to pursue claims against certain institutions of higher education; 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. 608

*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 "Court Legal Access and Student Support (CLASS) Act of 2019".

### SEC. 2. INAPPLICABILITY OF CHAPTER 1 OF TITLE 9, UNITED STATES CODE, TO ENROLLMENT AGREEMENTS MADE BETWEEN STUDENTS AND CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

(a) **IN GENERAL.**—Chapter 1 of title 9 of the United States Code (relating to the enforcement of arbitration agreements) shall not apply to an enrollment agreement made between a student and an institution of higher education.

(b) **DEFINITION.**—In this section, the term "institution of higher education" has the meaning given such term in section 102 of the Higher Education Act of 1965 (20 U.S.C. 1002).

### SEC. 3. PROHIBITION ON LIMITATIONS ON ABILITY OF STUDENTS TO PURSUE CLAIMS AGAINST CERTAIN INSTITUTIONS OF HIGHER EDUCATION.

Section 487(a) of the Higher Education Act of 1965 (20 U.S.C. 1094(a)) is amended by adding at the end the following:

"(30) The institution will not require any student to agree to, and will not enforce, any limitation or restriction (including a limitation or restriction on any available choice of applicable law, a jury trial, or venue) on the ability of a student to pursue a claim, individually or with others, against an institution in court."

### SEC. 4. EFFECTIVE DATE.

This Act and the amendments made by this Act shall take effect 1 year after the date of enactment of this Act.

By Mr. GRASSLEY (for himself and Mr. WYDEN):

S. 617. A bill to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, to provide disaster tax relief, and for other purposes; read the first time.

Mr. GRASSLEY. Mr. President, before the Presidents Day recess, I announced that I would introduce legislation if the tax extenders weren't included in the legislation that we passed at that time that would keep government open.

Today I am following through on that promise with a bill that I am introducing with Finance Committee ranking member Senator WYDEN of Oregon.

It is fitting that I am taking this step in the same month as Groundhog Day, as the subject of my remarks is something that Congress has had to deal with too many times already.

Next to me is a depiction from the movie "Groundhog Day," which is about a man named Phil who must relive the same day over and over until he gets everything right. While we still need to break the cycle of repetitive short-term extensions, the right thing to do right now is to extend these already-expired provisions for 2018 and 2019.

As I have said before, the tax extenders are a collection of temporary tax

incentives that have required extension on a very regular basis in order to keep them available to the taxpayers. Currently, there are 26 provisions. At one time there were as many as 50-some. We have done away with some of them and made some of those laws permanent, but these 26 provisions expired at the end of 2017. They need to be extended, as well as three others that expired at the end of last year.

Today we are in the middle of filing season for 2018 tax returns, and taxpayers affected by these expired provisions need a resolution so that they can file. I want to stress that I want to find a long-term resolution so that we don't have to have temporary tax policy, but it is critical we make it clear to the taxpayers that these provisions are available for the 2018 filing season and extending them for this year will give us room to take a needed long-term view of this temporary tax policy.

Many of the tax extenders are intended to be incentives, and to be successful, then, these incentives need to be in effect before decisions can be made. That is why we should provide extensions for at least 2 years, to maximize that incentive effect. But it is also important that we extend these provisions for 2018, even though the year has obviously already ended. We have developed a very bad policy and a very bad habit of extending these tax provisions year after year, and people and businesses have come to expect that the extension will happen.

As a result, decisions were made by various businesses in 2018 based upon the expectation of extension, and that is a reasonable expectation because we have done it over decades. In other words, people did what we wanted them to do in their business decisions when these provisions were created. We should not retroactively punish these businesspeople for Congress's inaction.

Today, a diverse group of organizations, including the National Biodiesel Board, the American Trucking Associations, and the National Corn Growers Association, among others, sent a letter to congressional leaders requesting that the expired provisions be extended through 2019 as quickly as possible. I want to quote a few sentences from that letter:

Providing taxpayers with a predictable planning outlook as it pertains to tax rules is conducive to increased private sector investment and economic activity. Accordingly, we respectfully ask that you act to retroactively extend these expired tax provisions through 2019 on the first appropriate legislative vehicle.

Mr. President, I ask unanimous consent that the complete letter be printed in the RECORD.

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

Hon. NANCY PELOSI,  
*Speaker of the U.S. House,*  
*Washington, DC.*  
Hon. KEVIN MCCARTHY,  
*U.S. House Republican Leader,*  
*Washington, DC.*  
Hon. MITCH MCCONNELL,  
*U.S. Senate Majority Leader,*  
*Washington, DC.*  
Hon. CHARLES SCHUMER,  
*U.S. Senate Democratic Leader,*  
*Washington, DC.*  
Hon. RICHARD NEAL,  
*Chairman, U.S. House Committee on Ways and Means,*  
*Washington, DC.*  
Hon. KEVIN BRADY,  
*Ranking Republican Member, U.S. House Committee on Ways and Means,*  
*Washington, DC.*  
Hon. CHARLES GRASSLEY,  
*Chairman, U.S. Senate Finance Committee,*  
*Washington, DC.*  
Hon. RON WYDEN,  
*Ranking Democratic Member, U.S. Senate Finance Committee,*  
*Washington, DC.*

DEAR SPEAKER PELOSI, REPUBLICAN LEADER MCCARTHY, MAJORITY LEADER MCCONNELL, DEMOCRATIC LEADER SCHUMER, CHAIRMAN NEAL, RANKING MEMBER BRADY, CHAIRMAN GRASSLEY AND RANKING MEMBER WYDEN: The following organizations, representing diverse business, energy, transportation, real estate and agriculture sectors, are writing to you regarding the pressing need to address the expired tax provisions ("tax extenders"). We respectfully ask that at a minimum, the House and Senate retroactively extend these provisions through 2019 promptly in order to minimize potentially severe disruptions to the recently opened tax filing season.

These temporary tax provisions have remained lapsed since the end of 2017. This has created confusion for the numerous industry sectors that utilize these tax incentives and has threatened thousands of jobs in the U.S. economy. The continued uncertainty with regard to eventual congressional action on tax extenders is undermining the effectiveness of these incentives and stands as a needless barrier to additional job creation and economic growth in the private sector.

Providing taxpayers with a predictable planning outlook as it pertains to tax rules is conducive to increased private sector investment and economic activity. Accordingly, we respectfully ask that you act to retroactively extend these expired tax provisions through 2019 on the first appropriate legislative vehicle.

We sincerely appreciate your attention to this matter, and stand ready to work with you to achieve this important objective.

Sincerely,  
Advanced Biofuels Association; Advanced Biofuels Business Council; Air Conditioning Contractors of America (ACCA); Air-Conditioning, Heating, and Refrigeration Institute; Algae Biomass Organization; Alliantgroup; American Biogas Council; American Council of Engineering Companies; American Council On Renewable Energy (ACORE); American Horse Council; American Public Gas Association; American Public Transportation Association; American Short Line and Regional Railroad Association; American Soybean Association; American Trucking Associations; American Veterinary Medical Association; Association of American Railroads; Biomass Power Association; Biotechnology Innovation Organization; Business Council for Sustainable Energy; CCIM Institute; Citizens for Responsible Energy Solutions; Coalition for Energy Efficient Jobs & Investment; Coalition for Renewable Natural Gas (RNG Coalition);

February 28, 2019.

Community Transportation Association of America; Copper Development Association; Directors Guild of America; E2 (Environmental Entrepreneurs); Education Theatre Association EDTA; Electric Drive Transportation Association; Energy Recovery Council; Fuel Cell and Hydrogen Energy Association; Growth Energy; and Hearth, Patio & Barbecue Association.

Independent Electrical Contractors; Independent Film and Television Alliance; Independent Fuel Terminal Operators Association; Institute of Real Estate Management®; NAESCO (National Association of Energy Service Companies); National Association of Home Builders; NAHB; National Association of REALTORS®; National Association of State Energy Officials (NASEO); National Association of Truckstop Operators; National Biodiesel Board; National Corn Growers Association; National Council of Farmer Cooperatives; National Employment Opportunity Network (NEON); National Hydro-power Association; National Lumber and Building Material Dealers Association; National Propane Gas Association; National Railroad Construction and Maintenance Association; National Real Estate Investors Association; National Renderers Association; National Thoroughbred Racing Association; NEFI; NGV America; Pellet Fuels Institute; Renewable Fuels Association; South West Transit Association; The American Society of Cost Segregation Professionals; The Railway Engineering-Maintenance Suppliers Association (REMSA); The Sheet Metal and Air Conditioning Contractors National Association (SMACNA); Tile Roofing Industry Alliance; U.S. Canola Association.

Mr. GRASSLEY. Mr. President, another very important point I want to make has to do with the question about whether an extender package should be offset or not. Around here, the word "offset" means if you have tax provisions that might lose revenue, then do you have other revenue coming in to take its place? The House has decided that is what you should do—pay as you go, or PAYGO, as they might call it. It is a rule of the House.

I have a long record of promoting budget responsibility, and I am as concerned about the deficit and debt as anyone. However, we also have bipartisan precedent for treating the extension of temporary tax policy, like these extenders, just as we treat the extension of annual spending policy. In neither case do we need offset for such extensions. In other words, it is all right to spend more money or continue to spend the same amount of money after a program has expired, and you don't have to offset it when you have tax law that has been on the books for a couple of decades, and it is sunset. Why should you have to sunset that? There are a few people around here who think it is all right to spend money without offsets, but it is wrong to do tax policy unless you have offsets.

There are a few specific items in this legislation that I want to take time to mention. Significant work has already been done to provide long-term solutions on two extenders—the short line railroad tax credit and the biodiesel tax credit.

The bill I am introducing extends those credits at their current levels for 2018 and 2019. I want my colleagues to

know that I still remain committed to enacting the compromises that several of our colleagues and I worked with the stakeholders to achieve.

The bill also includes an extension of a proposal adopted last Congress that would extend the 7.5-percent floor for itemized deductions of medical expenses. Without this provision, the floor on deductions will be 10 percent for 2019. This means that without this provision, individuals with chronic illnesses and high medical expenses would have to pay more for healthcare before that excess can be deducted in the expenses on their 2019 tax returns.

This proposal is a very important priority for one of our best colleagues, Senator COLLINS. She deserves a lot of credit for getting what has turned into a bipartisan proposal to help many Americans facing catastrophic medical expenses.

Finally, the legislation includes provisions to assist Americans who have been affected by natural disasters in 2018. This package includes proposals that we have adopted in prior years to help Americans recover from natural disasters across our country. For example, the package would allow increased access to retirement funds and relax restrictions around charitable giving. I am sure everyone here would like to help people affected by these natural disasters as soon as we are able to.

I don't want my comments today to imply that each tax extender should be permanently extended, but the right thing to do now is to provide extensions for at least 2018 and 2019. In the long term, Congress needs to decide if these provisions should be allowed to expire or if they should be phased out or if they should be made permanent as current tax policy or modified in some way beyond expiring, phasing out, or being made permanent.

Those decisions need to be made after we resolve the short-term crisis caused by the current lapse. These provisions have support of Members on both sides of the aisle. For people who think that things around here get done only with Republicans fighting Democrats or vice versa, these provisions have wide bipartisan support.

There is a solid foundation for a long-term package consisting of many of these provisions in one form or another. We need to get past today so that we can chart the course for a reliable future for the tax extenders and give business some certainty.

Just as Phil wants to stop living the same day over and over again, I think all of us want to break the cycle of short-term extensions of, in many cases, very popular tax policy. The legislation I introduce today with the ranking member, Senator WYDEN of Oregon, is a critical first step toward helping taxpayers complete their 2018 returns and helping us begin work on a long-term solution to temporary tax policy.

I have asked our majority leader to rule XIV this bill onto the calendar,

and I urge the House to send us a tax bill to address the extenders without further delay.

Just this morning, I had discussions with Iowa Congressmen of both political parties about this issue to contact the leadership of the House and the leadership of the Ways and Means Committee on the importance of moving legislation since the Constitution doesn't allow the Senate to move tax legislation in the first place.

By Mr. CARPER (for himself, Mrs. CAPITO, Mr. PETERS, Mr. TILLIS, Ms. STABENOW, Mr. RUBIO, Mr. MERKLEY, Mr. GARDNER, Mr. REED, Ms. MURKOWSKI, Mrs. SHAHEEN, Mr. BURR, Mr. BENNET, Mr. MANCHIN, Mr. SCHUMER, Mr. UDALL, Mr. HEINRICH, Ms. HASSAN, Mrs. GILLIBRAND, and Ms. BALDWIN):

S. 638. A bill to require the Administrator of the Environmental Protection Agency to designate per- and polyfluoroalkyl substances as hazardous substances under the Comprehensive Environmental Response, Compensation, Liability Act of 1980, and for other purposes; to the Committee on Environment and Public Works.

Mr. CARPER. Mr. President, during the debate on the nomination of Andrew Wheeler to be Administrator of the Environmental Protection Agency I came to the floor to express concerns on a number of issues, including EPA's regulation of per- and poly-fluorinated alkyl substances—PFAS.

PFAS are a class of man-made 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. These chemicals have a long and tragic history—suffice it to say that their widespread use resulted too many Americans without access to safe drinking water.

This very issue is a matter of some controversy as EPA has failed to provide meaningful and swift action on these chemicals under this administration. That is why I am here today to introduce a bipartisan bill to designate PFAS chemicals as hazardous substances under the Federal superfund law. The Carper-Capito-Peters-Tillis-Stabenow-Rubio-Merkley-Gardner-Reed-Murkowski-Shaheen-Burr-Bennet-Manchin bill will force EPA to begin the rulemaking process to protecting Americans from overexposure to these harmful chemicals and hold polluters accountable. It is very similar to legislation that has already been introduced in the House of Representatives by Congresswoman DEBBIE DINGELL.

In his confirmation hearing, Andrew Wheeler said, and I quote:

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 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.

One would think those words might mean that there could be some common ground at least on addressing PFAS. After all, who wouldn't agree that we should be acting with urgency to address contamination from these hazardous chemicals?

According to one 2017 study, drinking water supplies for 6 million U.S. residents have exceeded the EPA's lifetime health advisory for these chemicals.

Another 2018 study performed by the Environmental Working Group reports that up to 110 million Americans could have PFAS-contaminated water.

In 2016, the Department of Defense announced that it was assessing the risk of groundwater contamination from firefighting foam at dozens of fire and crash testing sites across the country. It is likely that they are all contaminated.

Just last year, the town of Blades in my home State of Delaware alerted its 1,250 residents, as well as businesses and schools that use public water, to stop using public water for drinking or cooking because PFAS chemicals were present at nearly twice the Federal health advisory level. Reportedly, 36 of 67 sampled groundwater wells on Dover Air Force Base showed dangerously high levels of PFOA and PFOS. And it is not just Delaware—contamination is widespread, in red States and blue States, in small water systems and large ones, on military sites and in residential areas, from Maine to Alaska.

It is essential that we legislate to require EPA to designate PFOA and PFOS as "hazardous substances," which means that polluters could be held responsible for cleaning it up under the superfund law. In its recently released PFAS Action Plan, EPA has said again that it would issue this proposal in the future but did not indicate how long it will take to complete. Unfortunately, it has no sense of urgency to address these emerging contaminants and to protect American's from harmful levels of contamination.

EPA had an opportunity to take action to address PFAS chemicals in a real and comprehensive way; however, time and again, it has failed to move in an expeditious and meaningful way. That is why this bill is so important. Designating these chemicals as hazardous substances will, at a minimum, start the process to getting these contaminated sites cleaned up. This not the silver bullet to the broader contamination problems, but it is a start.

By Mr. CARPER (for himself, Mr. MERKLEY, Mr. MARKEY, Mr. COONS, Mr. WHITEHOUSE, Mr. JONES, Mr. SCHATZ, Mr. BOOKER, Mr. SCHUMER, Mr. BENNET,

Mr. REED, Mr. VAN HOLLEN, Ms. STABENOW, Mr. MURPHY, Mr. MANCHIN, Mr. HEINRICH, Ms. BALDWIN, Mr. BROWN, Mrs. MURRAY, Mrs. FEINSTEIN, Ms. KLOBUCHAR, Mr. BLUMENTHAL, Mrs. GILLIBRAND, Mr. CARDIN, Mr. WARNER, Mr. LEAHY, Ms. ROSEN, Ms. SMITH, Mr. WYDEN, Mrs. SHAHEEN, Ms. HIRONO, Ms. DUCKWORTH, Mr. DURBIN, Ms. HASSAN, Mr. CASEY, Mr. PETERS, Mr. MENENDEZ, Ms. CORTEZ MASTO, Mr. SANDERS, Mr. KAINE, Mr. TESTER, Ms. HARRIS, Ms. CANTWELL, Ms. SINEMA, Ms. WARREN, Mr. KING, and Mr. UDALL):

S.J. Res. 9. A joint resolution calling on the United States and Congress to take immediate action to address the challenge of climate change; to the Committee on Environment and Public Works.

Mr. SCHUMER. Mr. President, I am joined this morning by a group of my Democratic colleagues to talk about the greatest threat facing our country and our planet—climate change. Despite the gravity and scale of the problem, at no time in the past 5 years have Republicans brought even a single bill to the floor to meaningfully address climate change. They brought CRAs to the floor to repeal critical environmental protections that limited the emission of greenhouse gases like methane. They brought legislation to open up more Federal lands to oil drilling, but they haven't brought forward a single meaningful bill to address climate change.

Ironically, the first bill Leader MCCONNELL would bring to the floor on climate change is a bill that he and his party intend to vote against. What a ridiculous sham; what a pathetic political stunt. It would be a stunt on its own from a leader who just a month ago claimed he didn't bring sham bills to the floor, but it is an even greater stunt because they have nothing positive to say about dealing with this climate crisis.

So today, Democrats will be introducing a resolution to steer the direction of this conversation about climate change back in the right direction—all 47 Democrats, every single one.

We are introducing a resolution that affirms three simple things: First, climate change is real; second, climate change is changed by human activity; and third, Congress must act immediately to address this problem. These are three simple things—three things that the vast majority of the American people agree with. Two are plain facts, and the third is just a statement that Congress should take action in light of those two facts.

Our resolution does not prescribe what action we should take. It doesn't say that someone has to be for this solution or that solution. It simply states that climate change is happening, and we ought to do something about it. It is like saying that opioid

abuse is a problem, and we should do something. Surely every Senator agrees with that.

In an ideal world, every single Republican Senator would sign on to our climate change resolution because there should be nothing controversial about it at all. But because one political party in America largely denies the science or, as I am sure my colleague from Rhode Island will address, is so in the pocket of Big Oil that it refuses to admit the severity of it, I suspect many of our Republican colleagues will not sign on, and what a shame—that a shame—that would be. At least the American people will know which of their Senators denies the overwhelming consensus of the scientific community.

So if and when Leader MCCONNELL moves to proceed to the Green New Deal, Democrats will demand a vote on our resolution, and we will see if Leader MCCONNELL is so eager to take that vote.

Again, I have asked him every day; I asked him earlier this morning: Leader MCCONNELL, do you believe climate change is real? Leader MCCONNELL, do you believe it is caused by human activity? And, Leader MCCONNELL, do you believe Congress has to act to deal with climate change? We have simply heard silence from the leader and from just about every other Republican so far.

So we are going to push this resolution, and we hope the American people will let their Senators who are not on this resolution know that they should be on it. It is the first step to moving something in a positive direction because we intend to go on offense on climate.

By Mr. UDALL (for himself, Ms. COLLINS, Mrs. SHAHEEN, and Ms. MURKOWSKI):

S.J. Res. 10. A joint resolution relating to a national emergency declared by the President on February 15, 2019; to the Committee on Armed Services.

Mr. UDALL. Thank you for the recognition, Madam President.

Today I rise to call on this body to defend the Constitution, to protect the separation of powers, and to safeguard Congress's role as a coequal branch of government.

Today I am introducing a bipartisan resolution with my Senate colleagues to terminate the President's declaration of a national emergency to build his border wall.

My partners in this effort include Senator COLLINS, who is with me today. She will be here momentarily. Also partners are Senator MURKOWSKI and Senator SHAHEEN.

I just want to say to Senator COLLINS that I commend her on her principled stance and on standing up for the Constitution.

The vote we will take on this resolution is historic. This is no longer about the President's wall. This is not about party. This is not about protecting the very heart of our American system.

This is about protecting the very heart of our American system of governance.

Congress—and only Congress—holds the power of the purse. Article I, section 9 of the Constitution clearly states: "No Money shall be drawn from the Treasury, but in Consequence of Appropriations made by Law." The Constitution is absolutely clear.

Congress's power to make spending decisions is very clear. There is no ambiguity. Deciding how to spend public funds is among our most fundamental powers and responsibilities under the Constitution. The Founders gave this power to the legislative body, not the executive, to ensure there is a broad support for how public funds are spent.

Consequential and far-reaching decisions about spending taxpayer money are not left to one person, not even the President.

This body has rejected the President's request to give him \$5.7 billion for his wall along the southern border with Mexico. On February 14, not 2 weeks ago, we passed the Consolidated Appropriations Act of 2019 by a vote of 83 to 16. That compromise bill did not include the \$5.7 billion the President wanted to build his wall.

Whether you believe Congress should fund the President's wall is not at issue. This is a question about the strength of the rule of law in this country and about the separation of powers, which forms the foundation of our American government.

The President's declaration of a national emergency is an end-run around Congress's power to appropriate—plain and simple. To quote Senator COLLINS, the President is "usurping congressional authority."

We are the representatives of the people. The people do not want to spend \$5.7 billion on the President's wall, and we must protect their will.

Let's be clear. This emergency declaration has serious implications for States all across the country. To build this wall, the White House will raid \$3.6 billion from the Department of Defense's military construction budget and \$2.5 billion from that Department's drug interdiction program, but the White House apparently failed to realize there are only about \$80 million in the drug interdiction account. So we should be prepared for a raid on other accounts or taking even more from military construction funding.

These are military construction funds that Congress already has appropriated for specific projects necessary to support the national security priorities of the United States. I am privileged to serve on the Appropriations Committee. I understand the hard and careful work that goes into these funding decisions.

From my home State of New Mexico, Congress allocated some \$85 million to construct a formal training unit at Holloman Air Force Base in the southern part of New Mexico for unmanned aerial vehicles. This investment in technology tracks terrorists

and protects our national security. We allocated \$40 million to the White Sands Missile Range to build an information systems facility badly needed for next-generation research and development activities at the range. Both of these projects were vetted over several years and deemed important to our national security.

New Mexico is not alone. Many States' military bases and regional economies will be impacted. Colorado, for example, is at risk of losing almost \$100 million for construction projects at Fort Carson near Colorado Springs. Ohio risks \$61 million for the first installment for building at the National Air and Space Intelligence Center at Wright-Patterson Air Force Base.

Military construction projects totaling \$210 million are at risk in Florida, \$520 million in Texas, \$81 million in Utah, and the list goes on and on. Projects in every corner of the country will be impacted.

According to the 1976 Senate report from the National Emergencies Act, the President's emergency power may "be utilized only when actual emergencies exist." As a border Senator, I am here to tell you that there is no actual national security emergency at our southern border necessitating a massive wall along the southern border, as this body has already determined. This is a matter where the President and Congress have disagreed and the President is trying to overrule Congress by fiat.

A bipartisan group of 58 former national security officials are sounding the alarm. They write: "Under no plausible assessment of the evidence is there a national emergency today that entitles the president to tap into funds appropriated for other purposes to build a wall at the southern border."

The evidence speaks for itself. The number of border apprehensions has decreased dramatically. Since the early 2000s, southern border apprehensions have dropped 81 percent. The number of apprehensions at the end of fiscal year 2017 was the lowest it has been since 1971—a 46-year low. We have the lowest number of undocumented immigrants in our country that we have had in over a decade.

The Pew Research Center estimated recently that the total number of undocumented immigrants residing in the United States is far less than since 2004. That is a 14-year low. And more people emigrate to Mexico from the United States than immigrate from Mexico to here. That is right. We have a negative net migration rate with Mexico.

I am one of the four States that border Mexico—one of the four States that will be the most directly affected by a wall. I know for an absolute fact that there is no national security emergency along my State's border with Mexico. It is quite the opposite.

New Mexico's border communities are thriving. International commerce is thriving. Our multicultural commu-

nities are thriving. Crime rates are low.

A wall like the President wants would be disastrous for a State like New Mexico. It will seize away private property and carve up family ranches, farms, and homesteads. It will harm the beautiful but fragile environment there on the border.

Again, whether you support the President's wall is not at issue on this vote. As Senator TILLIS put it in an op-ed in the Washington Post, "I support President Trump's vision on border security. But I would vote against the emergency."

Another Senate Republican Senator recently said, "Congress has been ceding far too much power to the executive branch for decades. We should use this moment as an opportunity to start taking power back."

Over 20 former Republican Senators and Representatives were compelled to pen a letter opposing the emergency declaration. They state: "It has always been a Republican fundamental principle that no matter how strong our policy preferences, no matter how deep our loyalties to presidents and party leaders, in order to remain a constitutional republic we must act within the borders of the Constitution."

The time to act is now. Litigation has been filed, but Congress should resolve the issue of our own constitutional authority and not wait for the courts.

Let me repeat. The vote we will take will be historic. It is imperative that all of us—Republican and Democrat—protect and defend our Constitution and that we protect and defend the checks and balances that unequivocally place the power of the purse with Congress and that we affirm our powers—powers that are separate from the President's.

Our oath is to uphold the Constitution, and the Constitution is clear. The Constitution does not empower the President to raid money by decree just because Congress has already said no.

I will vote to terminate the President's declaration of the national emergency to build his wall, and I will urge everyone in this Chamber to protect our constitutional prerogative and to do so as well.

Ms. COLLINS. Mr. President, I rise today to speak on the resolution that I am joining Senator UDALL in introducing. It would reverse the President's ill-advised decision to declare a national emergency and commandeer funding provided for other purposes by Congress and instead redirect it to construct a wall on our southern border.

I thank Senator UDALL for his leadership and also recognize the support we have received from our cosponsors, Senator MURKOWSKI and Senator SHAHEEN.

Let me be clear. The question before us is not whether to support or oppose the wall. It is not whether to support or oppose President Trump. Rather, it is this: Do we want the executive

branch now or in the future to hold a power that the Founders deliberately entrusted to Congress?

It has been said that Congress's most precious power is the power of the purse set out in plain language in article I, section 9 of our Constitution. It reads as follows: "No money shall be drawn from the Treasury but in consequence of Appropriations made by law."

Alexander Hamilton, in Federalist 72, made clear the Founders' view that only the legislative branch commands this power, not the judiciary and not the executive. James Madison, in Federalist 58, called the power of the purse "the most complete and effectual weapon with which any constitution can arm the [ . . . ] representatives of the people."

Congress's power was jealously guarded in the early days of our Republic. No less an authority on our constitutional framework than Supreme Court Justice Joseph Story, in his famous "Commentaries," explained that "[i]f it were otherwise, the executive would possess an unbounded power over the public purse of the nation, and might apply all its monied resources at his pleasure."

Throughout our history, the courts have consistently held that "only Congress is empowered by the Constitution to adopt laws directing monies to be spent from the U.S. treasury."

I strongly support protecting the institutional prerogatives of the U.S. Senate and the system of checks and balances that is central to the structure of our government.

I support funding for better border security, including physical barriers where they make sense. I understand the President is disappointed that the funding he requested did not pass, but the failure of Congress to pass funding in the amount the President prefers cannot become an excuse for the President to usurp the powers of the legislative branch.

This is not the first time I have made this argument against Executive overreach. In 2015, I authored the Immigration Rule of Law Act, legislation that would have provided a statutory basis for the Dreamer population, while rolling back President Obama's 2014 Executive orders expanding that program.

As I explained at the time, even though I supported comprehensive immigration reform and was disappointed that it had not passed, I rejected the notion that its failure could serve as the justification for President Obama to implement by Executive fiat that which Congress had refused to pass, regardless of the wisdom of Congress's decision.

I would now like to turn to a discussion of the National Emergencies Act. This act was passed in 1976 to standardize the process by which the President can invoke national emergency powers and Congress can terminate the declaration through a joint resolution such as the one we are introducing today.

The act is procedural in nature. It lays out the process the President must follow to declare a national emergency but does not provide the President with any additional powers. Instead, it requires the President to specify where, in existing law, he has been granted the authority for the powers he intends to exercise.

By itself, the National Emergencies Act does not give the President the power to repurpose billions of dollars to build a wall. The President must look elsewhere for that authority.

In his declaration, the President cites the authority provided by title 10, section 2808 of the U.S. Code, which relates to "Construction authority in the event of a declaration of war or national emergency." But that authorization applies only to "military construction projects" that are "necessary to support [the] use of the armed forces." I do not believe this provision can be fairly read to bootstrap the presence of troops along the southern border into the authority to build a wall as a military construction project.

The question isn't whether the President can act in an emergency but whether he can do so in a manner that would undermine the congressional power of the purse.

Here, I think we need a better understanding of what should qualify as an emergency. One place we could turn is to a five-part test originally developed by the Office of Management and Budget in 1991, under former President George Herbert Walker Bush, to determine whether requested funding merited an "emergency spending" designation under our budget rules.

Under that test, a spending request was designated as an "emergency" only if all five of the following conditions were met:

First, expenditures had to be necessary; second, the need had to be sudden, coming into being quickly, not building up over time; third, the need had to be urgent; fourth, the need had to be unforeseen; and fifth, the need could not be permanent.

I raise this test only by way of analogy, but it is fair to say that whether or not you agree with the President that more should be done to secure the southern border—and I do agree with the President's goal—his decision to fund a border wall through a national emergency declaration would not pass this five-part test.

The President's declaration also has practical implications for the military construction appropriations process, as my colleague has pointed out.

Last year, in testimony before the Appropriations Committee, the Department of Defense said that the President's budget request for military construction funding was crucial to support our national defense, including construction projects to improve military readiness and increase the lethality of the force. This includes missile defense, improved facilities in Europe to deter Russian aggression,

and infrastructure to operationalize the F-35 stealth fighter.

This also included several important efforts at the Portsmouth Naval Shipyard in Maine that are vital to the Navy conducting timely maintenance and refueling of our Nation's submarines. Shifting funding away from these vital projects is shortsighted and could have very real national security implications.

We must defend Congress's institutional powers, as the Founders hoped we would, even when doing so is inconvenient or goes against the outcome we might prefer.

The gridlock we have experienced on difficult issues like border security and immigration reform is not simply a failure to get our work done but a reflection of the fact that we have yet to reach a consensus.

The President's emergency declaration is ill-advised precisely because it attempts to shortcut the process of checks and balances by usurping Congress's authority. This resolution blocks that overreach, and I hope, regardless of our colleague's position on the construction of the border wall, that we will join together to assert Congress's constitutional authority in the appropriations process.

I urge our colleagues to support this important resolution.

Mr. UDALL. Would the Senator yield?

Ms. COLLINS. I would be happy to.

Mr. UDALL. I just want to say, because we have both been here for a bit talking on the floor about this, I want to thank Senator COLLINS for standing up for principle. I want to thank her for standing up for our Constitution. It is a real honor to join her in this resolution of disapproval.

I also, as she just did, thank the two other Senators who are joining us, Senator MURKOWSKI and Senator SHAHEEN. I thank the Senator very much.

Ms. COLLINS. Mr. President, I would thank the Senator for his gracious comments. As always, it has been a great pleasure to work with him, and I know he cares deeply about the constitutional principle that brings us to the floor today. Let us defend the Constitution.

#### SUBMITTED RESOLUTIONS

SENATE RESOLUTION 85—RECOGNIZING THE 100TH ANNIVERSARY OF THE FOUNDING OF EASTERSEALS, A LEADING ADVOCATE AND SERVICE PROVIDER FOR CHILDREN AND ADULTS WITH DISABILITIES, INCLUDING VETERANS AND OLDER ADULTS, AND THEIR CAREGIVERS AND FAMILIES

Mr. BROWN (for himself and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 85

Whereas, on April 22, 1919, an organization now known as Easterseals was formed to

highlight and address the health care and service needs of children with disabilities;

Whereas, in 1945, Easterseals expanded its mission by opening its programs and services to returning veterans of World War II and other adults with disabilities;

Whereas, since its inception, Easterseals has strongly advocated for essential services and support for individuals with disabilities and diverse needs, including by authoring a "Bill of Rights" for children with disabilities in 1931 that led to government-funded disability services and by increasing public awareness and support through national campaigns, including its successful "seals" campaign;

Whereas Easterseals has grown from humble beginnings in Elyria, Ohio, to become a national network of leading nonprofit organizations in States across the country that deliver high-quality, local services and support to help children and adults with disabilities, including veterans and older adults, live independently, achieve milestones, and fully participate in their communities, and to help caregivers and families of children and adults with disabilities;

Whereas Easterseals partners with the Federal Government, State and local governments, corporations, foundations, and other entities to provide or connect individuals with disabilities and their families with early childhood education and intervention services, employment assistance and placement services, transportation solutions, mental health services, respite services, camping and recreation activities, and caregiving and aging support; and

Whereas Easterseals continues the mission and commitment to service envisioned by its founder, Edgar Allen, a parent, businessman, and Rotarian, who concluded, "Your life and mine shall be valued not by what we take, but by what we give." Now, therefore, be it

*Resolved*, That the Senate—

(1) commemorates April 22, 2019, as the 100th anniversary of the founding of Easterseals; and

(2) recognizes Easterseals for—

(A) its impact during the past 100 years in the lives of millions of people in the United States; and

(B) its commitment to expanding possibilities for children and adults with disabilities, including veterans and older adults, to ensure that all individuals can live, learn, work, and play in their communities.

SENATE RESOLUTION 86—PROVIDING FOR MEMBERS ON THE PART OF THE SENATE OF THE JOINT COMMITTEE ON PRINTING AND THE JOINT COMMITTEE OF CONGRESS ON THE LIBRARY

Mr. BLUNT submitted the following resolution; which was considered and agreed to:.

S. RES. 86

*Resolved*, That the following named Members be, and they are hereby, elected members of the following joint committees of Congress:

JOINT COMMITTEE ON PRINTING: Mr. Blunt, Mr. Roberts, Mr. Wicker, Ms. Klobuchar, and Mr. Udall.

JOINT COMMITTEE OF CONGRESS ON THE LIBRARY: Mr. Blunt, Mr. Roberts, Mr. Shelby, Ms. Klobuchar, and Mr. Leahy.



**SENATE RESOLUTION 87—AUTHORIZING THE PRINTING OF A COLLECTION OF THE RULES OF THE COMMITTEES OF THE SENATE**

Mr. BLUNT (for himself and Ms. KLOBUCHAR) submitted the following resolution; which was considered and agreed to:

S. RES. 87

*Resolved*, That a collection of the rules of the committees of the Senate, together with related materials, be printed as a Senate document, and that there be printed 250 additional copies of such document for the use of the Committee on Rules and Administration.

**SENATE RESOLUTION 88—DESIGNATING MARCH 1, 2019, AS “READ ACROSS AMERICA DAY”**

Ms. COLLINS (for herself, Mr. REED, Mr. BRAUN, Mr. BLUMENTHAL, Mrs. CAPITO, Mr. WHITEHOUSE, Mr. DURBIN, Mr. CARPER, Ms. KLOBUCHAR, Ms. HASSAN, and Mr. WICKER) submitted the following resolution; which was considered and agreed to:

S. RES. 88

Whereas reading is—

- (1) a basic requirement for quality education and professional success; and
- (2) a source of pleasure throughout life;

Whereas the people of the United States must be able to read if the United States is to remain competitive in the global economy;

Whereas Congress has placed great emphasis on reading intervention and providing additional resources for reading assistance, including through—

- (1) the programs authorized under the Elementary and Secondary Education Act of 1965 (20 U.S.C. 6301 et seq.); and
- (2) annual appropriations for library and literacy programs; and

Whereas more than 50 national organizations concerned about reading and education have joined with the National Education Association to designate March 2, the anniversary of the birth of Theodor Geisel (commonly known as “Dr. Seuss”), as a day to celebrate reading; Now, therefore, be it

*Resolved*, That the Senate—

- (1) designates March 1, 2019, as “Read Across America Day”;;

- (2) honors—

(A) all authors for their success in encouraging children to discover the joy of reading; and

(B) the 22nd anniversary of Read Across America Day; and

- (3) encourages—

(A) parents, educators, and communities to read with children for at least 30 minutes on Read Across America Day and, in honor of the commitment of the Senate to building a country of readers, to promote—

- (i) a love of reading; and
- (ii) opportunities for all children to see themselves reflected in literature; and

(B) the people of the United States to observe Read Across America Day with appropriate ceremonies and activities.

**SENATE RESOLUTION 89—EXPRESSING THE CONDOLENCES OF THE SENATE AND HONORING THE MEMORY OF THE VICTIMS OF THE MASS SHOOTING IN AURORA, ILLINOIS, ON FEBRUARY 15, 2019**

Mr. DURBIN (for himself and Ms. DUCKWORTH) submitted the following

resolution; which was considered and agreed to:

S. RES. 89

Whereas, on February 15, 2019, a gunman opened fire at his coworkers in the Henry Pratt Company warehouse in Aurora, Illinois;

Whereas 5 innocent people were tragically killed in this mass shooting, and others, including officers of the Aurora Police Department, were wounded;

Whereas the innocent employees who lost their lives that day were—

(1) Russell Beyer, age 47, of Yorkville, Illinois, a 25-year company employee, proud union man and shop chairman, a loving father of 2 children and a beloved son and brother, and a “fun, loving gentle giant of a guy,” who “would truly give you the shirt off his back”;;

(2) Vicente Juarez, age 54, of Oswego, Illinois, a 15-year company employee and union man, a loving husband and father of 3 children and grandfather of 8, who had a passion for working on his 1969 Chevy Impala;

(3) Clayton “Clay” Parks, age 32, of Elgin, Illinois, a 2014 graduate of the College of Business at Northern Illinois University, a loving husband and father to his 9-month-old son, a leader and mentor, and an avid Chicago sports fan with a contagious smile and laugh, whose greatest joy was his family;

(4) Josh Pinkard, age 37, of Oswego, Illinois, a plant manager for the company since 2018, and a loving husband and father of 3 children, whose heartbreaking final message to his wife was, “I love you, I’ve been shot at work”; and

(5) Trevor Wehner, age 21, of Sheridan, Illinois, a senior at Northern Illinois University who was killed on the first day of an internship, a loving son, brother, and boyfriend, and a high school and college baseball player active in his community who “never met a stranger” and “made friends with everyone young and old”;;

Whereas officers from the Aurora Police Department swiftly arrived at the shooting scene within 4 minutes of the first 911 call;

Whereas the officers who arrived were fired upon by the gunman almost immediately, 5 officers were wounded, and more officers rushed in to take their place;

Whereas Aurora Police Chief Kristen Ziman said that—

(1) “Every time an officer was shot, another went in. No one retreated. They forged ahead with shields and weapons as true warriors do and no one backed down until the threat was eliminated.”; and

(2) “The officers who were shot that day put their own lives at risk to save others. They are what it means to be a warrior. Those who were in the gunfight and those who stood ready to battle are just as worthy of the term hero.”;;

Whereas the 6 officers wounded or injured were—

(1) Officer Diego Avila, who has served since 2016;

(2) Officer John Cebulski, who has served since 1988;

(3) Officer Marco Gomez, who has served since 2005;

(4) Officer Adam Miller, who has served since 2015;

(5) Officer Reynaldo Rivera, who has served since 1995; and

(6) Officer James Zegar, who has served since 1993;

Whereas the Aurora Fire Department and a broad array of municipal, county, State, and Federal law enforcement and medical support agencies also responded to the emergency promptly and assisted capably in the initial crisis and the subsequent investigation;

Whereas the people of Illinois and the United States are thankful to law enforcement officers, firefighters, 911 emergency dispatchers, and emergency medical teams for their heroic response to the shooting;

Whereas the Aurora shooting that took the lives of 2 members of the Northern Illinois University community took place one day after the February 14th anniversary of the 2008 mass shooting at Northern Illinois University that killed 5 students and wounded 17 others;

Whereas communities across Illinois, including the city of Chicago, and across the United States have suffered from the epidemic of gun violence in the United States;

Whereas the people of Aurora, Illinois, have now joined the ever-growing list of communities that have suffered from a mass shooting; and

Whereas the Aurora community has come together in support of the families and loved ones of the victims and those injured by this mass shooting and, will, in the words of Aurora Mayor Richard Irvin, “emerge as a stronger city”; Now, therefore, be it

*Resolved*, That the Senate—

(1) expresses its sincere condolences to the families, friends, and loved ones of those who were killed in the tragic shooting on February 15, 2019, in Aurora, Illinois; Russell Beyer, Vicente Juarez, Clayton Parks, Josh Pinkard, and Trevor Wehner;

(2) extends its support and prayers to those who were wounded or injured and wishes them a speedy recovery;

(3) commends the law enforcement officers, emergency responders, and medical personnel who responded to the shooting with professionalism, dedication, and bravery;

(4) expresses its support for the Aurora community in this difficult time; and

(5) stands in solidarity with the victims of senseless gun violence in communities across the United States.

**SENATE RESOLUTION 90—DESIGNATING FEBRUARY 28, 2019, AS “RARE DISEASE DAY”**

Mr. BROWN (for himself, Mr. BARASSO, Mr. WHITEHOUSE, Mr. MARKEY, Mr. BLUMENTHAL, Mr. COONS, Ms. STABENOW, Mr. BOOKER, and Ms. WARREN) submitted the following resolution; which was considered and agreed to:

S. RES. 90

Whereas a rare disease or disorder is one that affects a small number of patients, which, in the United States, is considered to be a population of fewer than 200,000 individuals;

Whereas, as of the date of the adoption of this resolution, more than 7,000 rare diseases affect as many as 30,000,000 people in the United States and their families;

Whereas children with rare diseases account for a significant portion of the population affected by rare diseases in the United States;

Whereas many rare diseases are serious and life-threatening and lack effective treatments;

Whereas, as a result of the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049), there have been important advances made in the research of, and treatment for, rare diseases;

Whereas the Food and Drug Administration has made great strides in gathering patient perspectives to inform the drug review process as part of the Patient-Focused Drug Development program, an initiative that was reaffirmed under the FDA Reauthorization Act of 2017 (Public Law 115-52; 131 Stat. 1005);

Whereas, although more than 750 orphan indications for drugs and biological products

have been approved by the Food and Drug Administration for the treatment of rare diseases, millions of people in the United States have a rare disease for which there is no approved treatment;

Whereas lack of access to effective treatments and difficulty in obtaining reimbursement for life-altering, and even life-saving, treatments remain significant challenges for people with rare diseases and their families;

Whereas rare diseases and conditions include McArdle disease, Ehlers-Danlos syndrome, acoustic neuroma, Paget disease, Landau-Kleffner syndrome, necrotizing fasciitis, mucopolysaccharidosis type I, Rasmussen encephalitis, Sanfilippo syndrome, Prader-Willi syndrome, Wagner syndrome, Barth syndrome, and many rare cancers;

Whereas people with rare diseases experience challenges that include—

(1) difficulty in obtaining accurate diagnoses;

(2) limited treatment options; and

(3) difficulty finding physicians or treatment centers with expertise in the rare disease affecting the individual;

Whereas the 115<sup>th</sup>/th Congress passed a 10-year extension of the Children's Health Insurance Program under title XXI of the Social Security Act (42 U.S.C. 1397aa et seq.), ensuring health insurance coverage for many children with rare diseases;

Whereas both the Food and Drug Administration and the National Institutes of Health have established special offices to support and facilitate rare disease research and treatments;

Whereas the National Organization for Rare Disorders (referred to in this preamble as "NORD"), a nonprofit organization established in 1983 to provide services to, and advocate on behalf of, patients with rare diseases, remains a critical public voice for people with rare diseases;

Whereas 2019 marks the 36<sup>th</sup>/th anniversary of the enactment of the Orphan Drug Act (Public Law 97-414; 96 Stat. 2049) and the establishment of NORD;

Whereas NORD sponsors Rare Disease Day in the United States and partners with many other major rare disease organizations to increase public awareness of rare diseases;

Whereas Rare Disease Day is observed each year on the last day of February;

Whereas Rare Disease Day is a global event that—

(1) was first observed in the United States on February 28, 2009; and

(2) was observed in more than 90 countries in 2018; and

Whereas Rare Disease Day is expected to be observed globally for years to come, providing hope and information for rare disease patients around the world: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates February 28, 2019, as "Rare Disease Day";

(2) recognizes the importance of improving awareness and encouraging accurate and early diagnosis of rare diseases and disorders; and

(3) supports a national and global commitment to improving access to, and developing new treatments, diagnostics, and cures for, rare diseases and disorders.

## SENATE RESOLUTION 91—DESIGNATING MARCH 3, 2019, AS "WORLD WILDLIFE DAY"

Mr. COONS (for himself and Mr. PORTMAN) submitted the following resolution; which was referred to the Committee on the Judiciary:

### S. RES. 91

Whereas wildlife has provided numerous economic, environmental, social, and cultural benefits during the course of human history and wildlife conservation will secure those gifts for future generations;

Whereas plant and animal species play an important role in the stability of diverse ecosystems around the world and the conservation of that biodiversity is critical to maintain the delicate balance of nature and keep complex ecosystems thriving;

Whereas millions of individuals in the United States strongly support the conservation of wildlife, both domestically and abroad, and wish to ensure the survival of species in the wild;

Whereas the trafficking of wildlife, including timber and fish, comprises the fourth largest global illegal trade after narcotics, the counterfeiting of products and currency, and human trafficking and has become a major transnational organized crime with an estimated worth of as much as \$23,000,000,000 annually;

Whereas increased demand in Asia for high-value illegal wildlife products, particularly elephant ivory and rhinoceros horns, has triggered substantial and rapid increases in poaching of those species;

Whereas the trafficking of wildlife is a primary threat to many wildlife species, including elephants, rhinoceroses, tigers, pangolins, and sharks;

Whereas many different kinds of criminals, including some terrorist entities and rogue security personnel, often in collusion with corrupt government officials, are involved in wildlife poaching and the movement of ivory and rhinoceros horns across Africa;

Whereas wildlife poaching presents significant security and stability challenges for military and police forces in African nations that are often threatened by heavily armed poachers and the criminal, extremist allies of those poachers;

Whereas wildlife poaching negatively impacts local communities that rely on natural resources for economic development, including through tourism;

Whereas assisting institutions in developing nations, including by providing material, training, legal, and diplomatic support, can reduce illegal wildlife trade;

Whereas wildlife provides a multitude of benefits to all nations and wildlife crime has wide-ranging economic, environmental, and social impacts;

Whereas the African Elephant Status Report 2016 issued by the International Union for Conservation of Nature revealed that the elephant population of Africa has recently seen a dramatic decline, mainly due to poaching, and the continental population is now thought to be approximately 415,000;

Whereas, from 2007 to 2012, the number of elephants killed in Kenya increased by more than 800 percent, from 47 to 387 elephants killed;

Whereas, between 2002 and 2013, as a result of poaching, about 65 percent of the forest elephant population in Central Africa was killed and forest elephants lost 30 percent of the geographical range of forest elephants, placing forest elephants on track for extinction in the next decade;

Whereas fewer than 50,000 wild Asian elephants remain and poaching of these populations is on the rise, with an average of 1 elephant poached every week in Burma, driven by demand for elephant skin products;

Whereas the number of rhinoceroses killed by poachers in South Africa—

(1) dramatically increased from 13 in 2007 to 1,215 in 2014, an increase of more than 9,000 percent; and

(2) was 769 in 2018;

Whereas—

(1) the 3 species of Asian rhinoceroses also remain under constant threat of poaching; and

(2) the total populations of Javan and Sumatran rhinoceros number fewer than 100 individuals in the wild;

Whereas fewer than 4,000 tigers remain in the wild throughout Asia;

Whereas pangolins are often referred to as the most trafficked mammal in the world;

Whereas all 8 pangolin species spanning Africa and Asia are faced with extinction because pangolin scales are sought after in the practice of traditional Chinese medicine and pangolin meat is considered a delicacy;

Whereas the oceans—

(1) cover  $\frac{3}{4}$  of the surface of the Earth;

(2) contain 97 percent of the water on the Earth;

(3) represent 99 percent of the living space on the earth by volume; and

(4) contain nearly 200,000 identified animal species;

Whereas the global market value of marine and coastal resources and industries is estimated to be approximately \$3,000,000,000,000 per year, representing about 5 percent of global gross domestic product;

Whereas more than 3,000,000,000 people depend on marine and coastal biodiversity for their livelihoods;

Whereas an estimated 8,000,000 metric tons of plastic enter the ocean every year, harming a wide range of wildlife species;

Whereas illegal, unreported, and unregulated fishing (referred to in this preamble as "IUU fishing") represents a multibillion dollar criminal industry that—

(1) undercuts the economic livelihoods of legitimate fishermen;

(2) weakens marine animal populations;

(3) poses a threat to international security; and

(4) threatens food security for communities around the world;

Whereas overfishing—

(1) contributes to the rapid depletion of many species of fish; and

(2) hinders efforts to save and restore global fisheries and the jobs relating to those fisheries;

Whereas approximately 100,000,000 sharks are killed annually, often targeted solely for their fins, and unsustainable trade is the primary cause of serious population decline in several shark species, including scalloped hammerhead sharks, great hammerhead sharks, and oceanic whitetip sharks;

Whereas the vaquita porpoise of Mexico, with fewer than 14 individual porpoises remaining, is being driven to extinction;

Whereas penal and financial deterrents can—

(1) improve the ability of governments to reduce poaching, trafficking, and IUU fishing; and

(2) enhance the capabilities of those governments to manage their resources;

Whereas the United States is developing and implementing measures to address the criminal, financial, security, and environmental aspects of wildlife trafficking;

Whereas Congress has allocated specific resources to combat wildlife trafficking and IUU fishing and address additional threats to wildlife;

Whereas Congress passed the Eliminate, Neutralize, and Disrupt Wildlife Trafficking Act of 2016 (16 U.S.C. 7601 et seq.) to strengthen the response of the United States to the global wildlife trafficking crisis;

Whereas Congress passed the Save Our Seas Act of 2018 (Public Law 115-265; 132 Stat. 3742)—

(1) to address land- and sea-based sources of marine debris; and

(2) to promote international action to reduce the incidence of marine debris;

Whereas, in December 2013, the United Nations General Assembly proclaimed March 3 as World Wildlife Day to celebrate and raise awareness of the wild fauna and flora around the world;

Whereas March 3, 2019, represents the sixth annual celebration of World Wildlife Day;

Whereas, in 2019, the theme of World Wildlife Day is “Life below water: for people and planet”; and

Whereas, in 2019, World Wildlife Day commemorations will—

(1) raise awareness about the breathtaking diversity of marine life;

(2) highlight the crucial importance of marine species to human development; and

(3) encourage future generations to continue efforts to protect marine ecosystems: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates March 3, 2019, as “World Wildlife Day”;

(2) supports raising awareness of the benefits that wildlife provides to people and the threats facing wildlife around the world;

(3) supports escalating the fight against wildlife crime, including wildlife trafficking and illegal, unreported, and unregulated fishing;

(4) applauds the domestic and international efforts to escalate the fight against wildlife crime;

(5) commends the efforts of the United States to mobilize the entire Federal Government in a coordinated, efficient, and effective manner for dramatic progress in the fight against wildlife crime; and

(6) encourages continued cooperation between the United States, international partners, local communities, nonprofit organizations, private industry, and other partner organizations in an effort to conserve and celebrate wildlife, preserving this precious resource for future generations.

#### SENATE CONCURRENT RESOLUTION 6—AUTHORIZING THE PRINTING OF A COMMEMORATIVE DOCUMENT IN MEMORY OF THE LATE PRESIDENT OF THE UNITED STATES, GEORGE HERBERT WALKER BUSH

Mr. BLUNT (for himself and Ms. KLOBUCHAR) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 6

*Resolved by the Senate (the House of Representatives concurring),*

#### SECTION 1. COMMEMORATIVE DOCUMENT AUTHORIZED.

(a) IN GENERAL.—A commemorative document in memory of the late President of the United States, George Herbert Walker Bush, shall be printed as a House document, with illustrations and suitable binding, under the direction of the Joint Committee on Printing.

(b) CONTENTS.—The document shall consist of the eulogies and encomiums for George Herbert Walker Bush, as expressed in the Senate and the House of Representatives, together with the texts of each of the following:

(1) The state funeral ceremony at the United States Capitol Rotunda.

(2) The national funeral service held at the Washington National Cathedral, Washington, District of Columbia.

(3) The memorial service held at St. Martin's Episcopal Church, Houston, Texas.

(4) The interment ceremony at the George Herbert Walker Bush Presidential Library Center, College Station, Texas.

#### SEC. 2. PRINTING OF DOCUMENT.

In addition to the usual number of copies printed, there shall be printed the lesser of—

(1) 32,500 copies of the commemorative document, of which 22,150 copies shall be for the use of the House of Representatives and 10,350 copies shall be for the use of the Senate; or

(2) such number of copies of the commemorative document that does not exceed a production and printing cost of \$1,000,000, with distribution of the copies to be allocated in the same proportion as described in paragraph (1).

#### SENATE CONCURRENT RESOLUTION 7—AUTHORIZING THE PRINTING OF THE 26TH EDITION OF THE POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES

Mr. BLUNT (for himself and Ms. KLOBUCHAR) submitted the following concurrent resolution; which was considered and agreed to:

S. CON. RES. 7

*Resolved by the Senate (the House of Representatives concurring),*

#### SECTION 1. POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES.

(a) IN GENERAL.—The 26th edition of the pocket version of the Constitution of the United States shall be printed as a Senate document under the direction of the Joint Committee on Printing.

(b) ADDITIONAL COPIES.—In addition to the usual number, there shall be printed the lesser of—

(1) 480,500 copies of the document, of which 255,500 copies shall be for the use of the House of Representatives, 200,000 copies shall be for the use of the Senate, and 25,000 copies shall be for the use of the Joint Committee on Printing; or

(2) such number of copies of the document as does not exceed a total production and printing cost of \$226,250, with distribution to be allocated in the same proportion as described in paragraph (1), except that in no case shall the number of copies be less than 1 per Member of Congress.

(c) DISTRIBUTION.—The copies of the document printed for the use of the House of Representatives and the Senate under subsection (a) shall be distributed in accordance with—

(1) a distribution plan approved by the chair and ranking minority member of the Committee on House Administration of the House of Representatives, in the case of the copies printed for the use of the House of Representatives; and

(2) a distribution plan approved by the chair and ranking minority member of the Committee on Rules and Administration of the Senate, in the case of the copies printed for the use of the Senate.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. CORNYN. Mr. President, I have 7 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 AGRICULTURE, NUTRITION, AND FORESTRY

The Committee on Agriculture, Nutrition, and Forestry is authorized to

meet during the session of the Senate on Thursday, February 28, 2019, at 9:30 a.m., to conduct a hearing.

COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Thursday, February 28, 2019, at 9:30 a.m., to conduct a hearing.

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, February 28, 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, February 28, 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, February 28, 2019, at 10 a.m., to conduct a hearing on the following nominations: Neomi J. Rao, to be United States Circuit Judge for the District of Columbia Circuit, Joseph F. Bianco, of New York, and Michael H. Park, of New York, both to be a United States Circuit Judge for the Second Circuit, Greg Girard Guidry, to be United States District Judge for the Eastern District of Louisiana, Michael T. Liburdi, to be United States District Judge for the District of Arizona, Peter D. Welte, to be United States District Judge for the District of North Dakota, Aditya Bamzai, of Virginia, and Travis LeBlanc, of Maryland, both to be a Member of the Privacy and Civil Liberties Oversight Board, and Drew H. Wrigley, to be United States Attorney for the District of North Dakota, Department of Justice.

SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Thursday, February 28, 2019, at 2 p.m., to conduct a closed briefing.

PERMANENT SUBCOMMITTEE ON INVESTIGATIONS

The Permanent Subcommittee on Investigations of the Committee on Homeland Security and Governmental Affairs is authorized to meet during the session of the Senate on Thursday, February 28, 2019, at 10 a.m., to conduct a hearing entitled “China's impact on United States education system.”

#### PRIVILEGES OF THE FLOOR

Mr. COONS. Mr. President, I ask unanimous consent that Drew Story, a science fellow in my office, be granted floor privileges for the remainder of the 116th Congress.

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

#### MEASURES READ THE FIRST TIME

Mr. McCONNELL. Mr. President, I understand that there are two bills at

the desk, and I ask for their first reading en bloc.

The PRESIDING OFFICER. The clerk will read the titles of the bills for the first time en bloc.

The bill clerk read as follows:

A bill (S. 617) to amend the Internal Revenue Code of 1986 to extend certain expiring provisions, to provide disaster tax relief, and for other purposes.

A bill (H.R. 8) to require a background check for every firearm sale.

Mr. McCONNELL. I now ask for their second reading, and I object to my own request en bloc.

The PRESIDING OFFICER. Objection having been heard, the bills will be read for the second time on the next legislative day.

#### HONORING THE 150TH ANNIVERSARY OF THE ESTABLISHMENT OF LINDSBORG, KANSAS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Judiciary Committee be discharged from further consideration and the Senate now proceed to S. Res. 43.

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

The clerk will report the resolution by title.

The bill clerk read as follows:

A resolution (S. Res. 43) honoring the 150th anniversary of the establishment of Lindsborg, Kansas.

There being no objection, the committee was discharged and the Senate proceeded to consider the resolution.

Mr. McCONNELL. I ask unanimous consent that the resolution be agreed to, the preamble be agreed to, and the motions to reconsider be considered made and laid upon the table.

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

The resolution (S. Res. 43) was agreed to.

The preamble was agreed to.

(The resolution, with its preamble, is printed in the RECORD of February 5, 2019, under "Submitted Resolutions.")

#### RESOLUTIONS SUBMITTED TODAY

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate now proceed to the en bloc consideration of the following Senate resolutions which were submitted earlier today: S. Res. 86, S. Res. 87, S. Res. 88, S. Res. 89, and S. Res. 90.

There being no objection, the Senate proceeded to consider the resolutions en bloc.

Mr. McCONNELL. I ask unanimous consent that the resolutions be agreed to, the preambles, where applicable, be agreed to, and that the motions to reconsider be considered made and laid upon the table, all en bloc.

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

The resolutions (S. Res. 86 and S. Res. 87) were agreed to.

(The resolutions are printed in today's RECORD under "Submitted Resolutions.")

The resolutions (S. Res. 88, S. Res. 89, and S. Res. 90) were agreed to.

The preambles were agreed to.

(The resolutions, with their preambles, are printed in today's RECORD under "Submitted Resolutions.")

#### AUTHORIZING THE PRINTING OF A COMMEMORATIVE DOCUMENT IN MEMORY OF THE LATE PRESIDENT OF THE UNITED STATES, GEORGE HERBERT WALKER BUSH

#### AUTHORIZING THE PRINTING OF THE 26TH EDITION OF THE POCKET VERSION OF THE CONSTITUTION OF THE UNITED STATES

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to the en bloc consideration of S. Con. Res. 6 and S. Con. Res. 7.

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

The bill clerk read as follows:

A concurrent resolution (S. Con. Res. 6) authorizing the printing of a commemorative document in memory of the late President of the United States, George Herbert Walker Bush.

A concurrent resolution (S. Con. Res. 7) authorizing the printing of the 26th edition of the pocket version of the Constitution of the United States.

There being no objection, the Senate proceeded to consider the concurrent resolutions en bloc.

Mr. McCONNELL. Mr. President, I ask unanimous consent that the concurrent resolutions be agreed to and the motions to reconsider be considered made and laid upon the table with no intervening action or debate en bloc.

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

The concurrent resolutions (S. Con. Res. 6 and S. Con. Res. 7) were agreed to en bloc.

(The concurrent resolutions are printed in today's RECORD under "Submitted Resolutions.")

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

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

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

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

#### PESTICIDE REGISTRATION IMPROVEMENT EXTENSION ACT OF 2018

Mr. McCONNELL. Mr. President, I ask unanimous consent that the chair lay before the body a message to accompany S. 483.

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

Resolved, That the bill from the Senate (S. 483) entitled "An act to enact into law a bill by reference", do pass with an amendment.

#### MOTION TO CONCUR

Mr. McCONNELL. I move to concur in the House amendment to S. 483.

The PRESIDING OFFICER. The motion is pending.

Mr. McCONNELL. I know of no further debate on the bill, as amended.

The PRESIDING OFFICER. Is there further debate?

Hearing none, the question is on agreeing to the motion to concur in the House amendment to S. 483?

The motion was agreed to.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table with no intervening action or debate.

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

#### ORDERS FOR MONDAY, MARCH 4, 2019

Mr. McCONNELL. Mr. President, I ask unanimous consent that when the Senate completes its business today, it adjourn until 3 p.m., Monday, March 4; 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 Rushing nomination; finally, 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, March 4.

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

#### ADJOURNMENT UNTIL MONDAY, MARCH 4, 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 6:17 p.m., adjourned until Monday, March 4, 2019, at 3 p.m.

#### CONFIRMATIONS

Executive nominations confirmed by the Senate February 28, 2019:

##### ENVIRONMENTAL PROTECTION AGENCY

ANDREW WHEELER, OF VIRGINIA, TO BE ADMINISTRATOR OF THE ENVIRONMENTAL PROTECTION AGENCY.

##### TENNESSEE VALLEY AUTHORITY

JOHN L. RYDER, OF TENNESSEE, TO BE A MEMBER OF THE BOARD OF DIRECTORS OF THE TENNESSEE VALLEY AUTHORITY FOR A TERM EXPIRING MAY 18, 2021.

##### IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES ARMY TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

##### To be general

LT. GEN. MICHAEL X. GARRETT

##### IN THE AIR FORCE

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. TIMOTHY J. DONNELLAN

THE FOLLOWING NAMED AIR NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE AIR FORCE TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12212:

*To be brigadier general*

COL. STEPHEN J. MALLETT

## IN THE NAVY

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. SCOTT M. BROWN  
CAPT. CASEY J. MOTON  
CAPT. STEPHEN R. TEDFORD  
CAPT. ERIC H. VERHAGE

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE UNITED STATES NAVY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 624:

*To be rear admiral (lower half)*

CAPT. JEFFREY T. ANDERSON  
CAPT. STEPHEN D. BARNETT  
CAPT. MICHAEL W. BAZE  
CAPT. RICHARD T. BROPHY, JR.  
CAPT. ANTHONY C. CARULLO  
CAPT. ROBERT B. CHADWICK II  
CAPT. JEFFREY J. CZEREWKO  
CAPT. MICHAEL P. DONNELLY  
CAPT. CHRISTOPHER M. ENDGAHL  
CAPT. ROBERT M. GAUCHER  
CAPT. DANIEL P. MARTIN  
CAPT. JOHN V. MENONI  
CAPT. CURT A. RENSHAW  
CAPT. SCOTT F. ROBERTSON  
CAPT. MILTON J. SANDS III  
CAPT. PAUL C. SPEDERO, JR.  
CAPT. CHRISTOPHER J. SWEENEY  
CAPT. JEROMY B. WILLIAMS

## IN THE AIR FORCE

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE UNITED STATES AIR FORCE TO THE GRADE INDICATED WHILE ASSIGNED TO A POSITION OF IMPORTANCE AND RESPONSIBILITY UNDER TITLE 10, U.S.C., SECTION 601:

*To be lieutenant general*

LT. GEN. VERALINN JAMIESON

AIR FORCE NOMINATION OF JASON D. HOSKINS, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH NANCY E. COSTA AND ENDING WITH ALEXANDER O. KIRKPATRICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATION OF SAIPRASAD M. ZEMSE, TO BE MAJOR.

AIR FORCE NOMINATIONS BEGINNING WITH JEFFREY WAYNE AKIN AND ENDING WITH STEVEN S. ZAFUETA, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH DAVID C. SALISBURY AND ENDING WITH ROBERT L. WILKIE, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH CRAIG K. ABBE AND ENDING WITH CAROL A. YEAGER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH MICHAEL J. CHUNG AND ENDING WITH BRADLEY J. PIERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATION OF ROBERT T. HINES, JR., TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH MARC A. BANJAK AND ENDING WITH JENNIFER C. WHITKO, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH DENNIS M. BRITTEN AND ENDING WITH KRISTEN MARIE WYRICK, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH JASON G. ARNOLD AND ENDING WITH CARRIE A. SCHMID, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH DAVID P. BAILEY AND ENDING WITH AMY S. SWETS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH KIMBERLY J. KLOEBER AND ENDING WITH MARSHA L. SCHUMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATION OF JOYCE C. BEATY, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH TIMOTHY S. MCCARTY AND ENDING WITH TERESA M. STARKS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH JENNIFER J. ARCHER AND ENDING WITH LAWRENCE D. PEAVLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH ANDREW T. ALLEN AND ENDING WITH ASSY YACOB, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH ELHAM BARANI AND ENDING WITH BRANDON H. WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH HOMAYOUN R. AHMADIAN AND ENDING WITH JOE X. ZHANG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH FRANCIS E. BECKER AND ENDING WITH BRENT J. WINWARD, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH MARGARET E. ABBOTT AND ENDING WITH JEFFREY C. YEE, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATIONS BEGINNING WITH JOSEPH L. ABRAMS AND ENDING WITH ALYSSA R. ZUEHL, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

AIR FORCE NOMINATION OF KATHERINE R. MORGANTI, TO BE COLONEL.

AIR FORCE NOMINATIONS BEGINNING WITH PATRICK N. WESTMORELAND AND ENDING WITH AARON J. LIPPY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 6, 2019.

AIR FORCE NOMINATION OF TOLUPOLE O. A. ADUROJA, TO BE LIEUTENANT COLONEL.

AIR FORCE NOMINATION OF ERICK L. JACKSON, TO BE MAJOR.

## IN THE ARMY

ARMY NOMINATION OF JAMES B. FLOWERS, TO BE COLONEL.

ARMY NOMINATION OF DYLAN T. RANDAZZO, TO BE COLONEL.

ARMY NOMINATION OF JERRY D. HALLMAN, TO BE COLONEL.

ARMY NOMINATION OF CHRISTOPHER P. MOELLERING, TO BE MAJOR.

ARMY NOMINATION OF JOUBERT N. PAULINO, TO BE MAJOR.

ARMY NOMINATION OF SAW K. SAN, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH REBECCA J. QUACKENBUSH AND ENDING WITH DAVID A. WATKINS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

ARMY NOMINATION OF STACIE L. KERVIN, TO BE MAJOR.

ARMY NOMINATION OF BRIAN R. KOSSLER, TO BE MAJOR.

ARMY NOMINATION OF KATHERINE A. O'BRIEN, TO BE MAJOR.

ARMY NOMINATION OF JESSICA N. PERALESLUDEMANN, TO BE MAJOR.

ARMY NOMINATION OF JULIA C. PHILLIPS, TO BE MAJOR.

ARMY NOMINATION OF ALAIN M. ALEXANDRE, TO BE MAJOR.

ARMY NOMINATION OF TALIA T. ANIMASHAUN, TO BE MAJOR.

ARMY NOMINATION OF G010349, TO BE MAJOR.

ARMY NOMINATION OF JORDANNA M. HOSTLER, TO BE LIEUTENANT COLONEL.

ARMY NOMINATION OF ELIZABETH N. STRICKLAND, TO BE MAJOR.

ARMY NOMINATION OF SHAWN M. T. MAY, TO BE MAJOR.

ARMY NOMINATION OF KYLE A. ZAHN, TO BE MAJOR.

ARMY NOMINATION OF JOSEPH J. FANTONY, TO BE MAJOR.

ARMY NOMINATION OF CHARITI D. PADEN, TO BE MAJOR.

ARMY NOMINATION OF DONALD W. RAKES, TO BE COLONEL.

ARMY NOMINATIONS BEGINNING WITH RONNIE S. BARNES AND ENDING WITH FRANCIS R. MONTGOMERY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE

AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 12, 2019.

ARMY NOMINATION OF CHARLES A. RILEY, TO BE MAJOR.

ARMY NOMINATION OF RICHARD S. MCNUTT, TO BE MAJOR.

ARMY NOMINATION OF LLOYD V. LOZADA, TO BE MAJOR.

ARMY NOMINATIONS BEGINNING WITH JULIO ACOSTA AND ENDING WITH APRIL L. SAPP, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 12, 2019.

## IN THE MARINE CORPS

MARINE CORPS NOMINATION OF MATTHEW T. COUGHLIN, TO BE COLONEL.

MARINE CORPS NOMINATION OF BETHANNE CANERO, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH KEVIN T. BROWNEE AND ENDING WITH DANIEL L. YOUNG, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH KEVIN F. CHAMPAIGNE AND ENDING WITH JOHN C. JOHNSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH AARON J. GRIFFUS AND ENDING WITH JEREMIAH J. ZEISLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH DANIEL H. CUSINATO AND ENDING WITH EDUARDO QUIROZ, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH ARMANDO A. FREIRE AND ENDING WITH ANDREW J. SHRIVER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATION OF STEPHEN R. BYRNES, TO BE LIEUTENANT COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH HERMAN E. HOLLEY AND ENDING WITH BRIAN E. KELLY, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH DARREN M. GALLAGHER AND ENDING WITH AUSTIN E. WREN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH ALEXANDER N. ABATE AND ENDING WITH JOSEPH A. ZUKOWSKI, JR., WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH GERMAN ALICAPUERTA AND ENDING WITH LYDIA A. SIMONS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH ERIC J. ADAMS AND ENDING WITH WAYNE R. ZUBER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATION OF JOSEPH W. CRANDALL, TO BE COLONEL.

MARINE CORPS NOMINATIONS BEGINNING WITH AARON S. ELLIS AND ENDING WITH CURTIS B. MILLER, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATION OF JUSTIN D. MOSLEY, TO BE MAJOR.

MARINE CORPS NOMINATIONS BEGINNING WITH ANDRES J. AGRAMONTE AND ENDING WITH ROSS A. HRYNEWYCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 24, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH BETHANY S. PETERSON AND ENDING WITH JON T. PETERSON, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 6, 2019.

## IN THE NAVY

NAVY NOMINATION OF JESSICA M. P. MILLER, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF ROSEMARY M. HARDESTY, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATION OF BRETT T. THOMAS, TO BE LIEUTENANT COMMANDER.

NAVY NOMINATIONS BEGINNING WITH SCOTT A. ADAMS AND ENDING WITH BRET A. YOUNT, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 6, 2019.

NAVY NOMINATIONS BEGINNING WITH PETER D. ALLEN AND ENDING WITH ROBERT WILLIAMS, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON FEBRUARY 12, 2019.