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## Senate

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

### PRAYER

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

Let us pray.

Our Lord and our God, as the waters fill the sea, fill our Nation with people who know and love You. Remind us that righteousness exalts a nation, but sin is a reproach to many people.

Today guide our lawmakers so that they will live for Your honor. Increase their faith, hope, and love, enabling them to become more effective instruments for Your glory. Lord, give comfort to all who seek You, for You have promised to supply all our needs from Your celestial bounty.

We pray in Your great Name. Amen.

### PLEDGE OF ALLEGIANCE

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

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

### RECOGNITION OF THE MAJORITY LEADER

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

### SENATE AGENDA

Mr. MCCONNELL. Madam President, yesterday the Senate took another step toward delivering an important package of legislation. We passed my amendment to Strengthening America's Security in the Middle East Act and voted to advance the bill, both by very wide bipartisan margins. S. 1 represents the broad consensus of this body about our Nation's responsibility

as an ally and a partner. It reaffirms our promise to uphold Israel's security, to help Jordan face complex security challenges, and to hold Bashar al-Assad's murderous henchmen accountable.

I look forward to the Senate voting on final passage soon and sending this bipartisan legislation over to the House.

After we complete that work, the Senate will return to the Natural Resources Management Act, a high-priority bill containing more than 100 proposals concerning economic development, public lands, water resources, and conservation.

### STATE OF THE UNION ADDRESS

Mr. MCCONNELL. Madam President, on another matter, tonight Congress will host President Trump for his second State of the Union Address. I am looking forward to attending and hearing the President reflect on the great strides our Nation has made over the past 2 years and his vision for the challenges that are still before us.

From historic tax reform and regulatory reform, to huge progress in the fight against ISIS, to landmark progress in the nationwide fight against opioid addiction, the story over the last 2 years has been one of immense policy progress for our country.

The American people are less interested in beltway melodrama and more interested in the classic question: Am I better off than I was 2 years ago? On this front, thanks to a few key Republican victories and a number of major bipartisan accomplishments, the state of the Union is strong and growing stronger.

It has now been more than 2 years since the American people hired President Trump and a Republican Congress to get Washington's foot off the brake of our economy. Since then, we got to work rebuilding the middle-class prosperity that had hollowed out commu-

nities across America under the Obama economy.

After 8 years of watching leftwing policies disproportionately benefit coastal cities and our Nation's largest metro areas while mostly leaving small cities, small towns, suburbs, and rural America behind, the American people wanted a change.

That is exactly what the last 2 years' policies have delivered. Historic tax reform delivered higher take-home pay and helped breathe life into the engine of American job creation and innovation. Landmark regulatory reform cut burdensome compliance costs for small businesses, reigned in Federal overreach on education policy, and defended Americans' rights of conscience.

So what are these policies doing for the American people? I think the answer is pretty clear. All those Americans who had been struggling to find work? Well, today a higher percentage of Americans are working than were ever working at any point under President Obama. For the first time in modern recorded history, we have reached and stayed at a level where there are more job openings nationwide than Americans looking for jobs.

Listen to these headlines: "Employers' Hiring Push Brings Workers Off the Bench." "Disability Applications Plunge as the Economy Strengthens."

Listen to this, from one news article:

The tighter labor market is delivering opportunities to a broad swath of workers who were disproportionately affected by the last recession. Unemployment has fallen sharply for blacks, Latinos, younger workers and those without a college education . . . [and] the deeper jobs pool has been particularly crucial for improving the economic outlook for disabled Americans.

These and many more Americans have been able to find work, but what about Americans who already had jobs but felt like their families were treading water and needed to get ahead?

Last year, the amount of money employers spent compensating American workers—those already working—grew

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



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at its fastest pace in more than 10 years. Thanks to tax reform, when many working families and small businesses file under the new Tax Code, they will see less of their money has been sent off to the IRS.

So there are more jobs to choose from, more wage growth, and higher take-home pay following tax cuts, but it is also worth looking at where this new prosperity is going.

The last administration's leftwing policies disproportionately benefited the Nation's largest metropolitan areas. It turns out, policies dreamt up in places like New York and San Francisco worked pretty well in places like New York and San Francisco, but the rest of the country decided we could do better.

Today businesses on Main Street and family farms are dusting off their "Help Wanted" signs. Smaller cities and States like Indiana, Nebraska, and Ohio have so many job openings that some of these communities are offering sizeable cash bonuses to move there. Smaller communities and rural America recently outpaced the rest of the country in relative job creation. So it is an all-American comeback, and the kinds of places liberal policies left behind are now at the front of the pack.

I have focused this morning on our robust economy. It is helping American families lift themselves higher, but it is just one part of the success story the President will be able to tell tonight.

The last 2 years have seen the White House and the Congress work together to identify pressing national challenges and to develop big bipartisan compromise solutions to attack them head-on. Working together, both parties collaborated on more than a dozen targeted measures to improve access to quality care for our Nation's veterans and passed landmark legislation to help local communities heal the wounds created by opioid addiction.

I am delighted to have one of these local champions as my guest tonight. Lisa Minton is leading on the frontlines of Kentucky's battle against opioid abuse. She runs the Chrysalis House, a treatment facility for pregnant and new mothers fighting addiction in Lexington.

In 2017, I worked with Lisa to secure a \$2.6 million grant to expand their services for low-income women and their children. I am glad she will be in the House Chamber this evening, and I am proud to highlight her amazing work this morning.

Working together, a bipartisan majority ended the harmful spending caps that hampered military readiness and made major progress restoring regular order appropriations on behalf of the American taxpayer. A bipartisan majority delivered commonsense relief for local lenders on Main Street from the burden of regulations designed for Wall Street.

These are just a few examples, and it is a good thing we know we can tap into that bipartisan spirit because the

American people did not hire us to spend the next 2 years in total gridlock. That is not what they did. When the American people elect divided government, they are saying: We know you disagree on a lot of things, but look to the things you agree on and do those.

If the past few weeks have shown anything, it is that we need to work together across the aisle in order to do our work, and make no mistake, there are significant challenges ahead, such as addressing the ongoing security and humanitarian crisis at our southern border, lowering the cost of healthcare and prescription drugs, and taking further steps to rebuild America's infrastructure.

Tonight I expect the President will offer a serious vision to deal with challenges like these. I look forward to hearing from him and then, throughout the coming year, I look forward to the Senate working closely with him and working closely with each other across the aisle to do just that.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. 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 MINORITY LEADER

The PRESIDING OFFICER. The Democratic leader is recognized.

#### STATE OF THE UNION

Mr. SCHUMER. Madam President, later this evening, in front of a joint session of Congress, President Trump will report on the state of our Union. As is tradition, the President will that say the state of our Union is strong, but the American people know the truth. Unfortunately, it is not.

The American people know that the Trump economy is failing the middle class and those struggling to get there. In Trump's economy, multinational corporations and the already-wealthy were given a tax cut, while American workers were left behind. The Federal Reserve reports that over 40 percent of Americans would have trouble covering an emergency of just \$400. Forty percent of working Americans, middle-class Americans, are just one medical bill, one unexpected car accident, one missed paycheck away from financial uncertainty. The state of the Trump economy—failing the middle class.

The President will say that the state of our Union is strong, but the American people know that the state of the Trump healthcare system is failing American families. After 2 years of relentless sabotage by the Trump administration and congressional Republicans, premiums are higher than they

should be, copays are higher than they should be, and for the first time in 8 years, fewer Americans have health insurance than the year before. The state of the Trump healthcare system—failing the middle class.

The President will say that the state of our Union is strong, but the American people know that the state of the Trump administration is in chaos. No administration has had as much Cabinet turnover as the Trump administration in over a century. Key positions are unfilled or uncovered or covered by individuals in an acting capacity—the Chief of Staff, the Attorney General, the Defense Secretary, the Interior Secretary, the OMB Director, and the EPA Director. Of the 705 top positions in the government, in close to one-fifth, the President hasn't even nominated somebody. The state of the Trump administration—chaos.

The President will say that the state of our Union is strong, but the state of the Trump foreign policy is woefully backward. It is inside out. Our allies are alienated and criticized. Our adversaries are emboldened and praised. Dictators and strongmen are given license by this administration, while our NATO allies receive harsh words. American values—free speech, free elections, freedom of the press, humanitarian rights, civil rights—go undefended in the dark corners of the world. The state of the Trump foreign policy—woefully backward.

The state of the Union is not strong. The state of the Trump economy—failing America's middle class. The state of the Trump healthcare—failing American families. The state of the Trump administration—chaos. The state of the Trump foreign policy—woefully backward, inside out.

These are not the total extent of our Nation's challenges, but even on these four metrics—the economy, healthcare, governance, and foreign policy—the state of our Union is in need of drastic repair. Still, knowing this President and his penchant for hyperbole, he will probably say that the state of our Union is stronger than it has ever been before in our Nation's long history, thanks to him. Knowing this President, he will rely on distortions and made-up facts to mislead the American people. The only question about the President's State of the Union is, How often will he distort? How often will he make up facts? How often will he resort to fear and divisiveness? And if past States of the Union are prologue, he will do that far too many times.

Knowing this President, he will then make some bold new promises and not even make an attempt to fulfill them. The man has so little integrity that a promise he makes at the State of the Union means nothing the next morning. Allow me to mention just a few of the things the President said in previous State of the Union Addresses.

Do you remember this one? In his first address to a joint session, President Trump said: "Education is the

civil rights issue of our time.” It has been 2 years, and we have heard almost nothing from the President about an education bill.

In the last State of the Union, just 1 year ago, the President said: “One of my greatest priorities is to reduce the price of prescription drugs. . . . Prices will come down.” But over the course of the last month, nearly 30 drugmakers have taken steps to raise the prices of their medicines.

In the last State of the Union, the President promised that “[manufacturing] plants will be opening up all over the country.” I don’t know about you, Mr. President, but I haven’t seen a remanufacturing policy from the White House. Meanwhile, Nissan has announced hundreds of layoffs in Mississippi, and GM has announced the closure of 5 factories and the loss of 15,000 jobs.

In the last State of the Union, the President said: “We will protect American workers and American intellectual property through strong enforcement of our trade rules.” That is something I strongly agree with. Six months after the President said that, he decided to let a Chinese telecom giant, ZTE—a company that violated multiple trade sanctions and put our Nation’s security at risk—off the hook and begin operating in the United States. Now, while some in the administration are pushing him to be tough on China, there are some who just want to sell out for a decrease in the trade deficit. That will not do the job the President always promised he would.

In the last State of the Union, the President said: “No regime has oppressed its own citizens more totally or brutally than the cruel dictatorship in North Korea. . . . We are waging a campaign of maximum pressure to prevent that from happening.” After that, what happened? The President hosted a largely symbolic summit with Kim Jong Un and is already planning a second summit. North Korea has failed to dismantle its nuclear program—some reports say it is growing—and the United States is not engaging in a pressure campaign, maximum or otherwise.

President Trump called for a compromise immigration bill that dealt with Dreamers and border security. Congress produced one along the lines he proposed, and then he threatened to veto it.

In the last State of the Union, the President said “It is time to rebuild our crumbling infrastructure” and called for new legislation to spur investment. He said: “Let’s support working families by supporting paid family leave.” He said: “We will continue our fight until ISIS is defeated.” What are the facts? There has been no infrastructure bill, although he promised one in the previous State of the Union; no paid family leave proposal, although he promised one in the previous State of the Union; and he is withdrawing from Syria even though he promised we would continue the

fight until ISIS is defeated. And by all reports, including our own intelligence, it is not.

I could go on. The list of broken or empty promises is long. The gap between the President’s rhetoric and reality is cavernous. Every President uses the State of the Union to set goals, but few have done it so cheaply and indifferently. Many of those promises were discarded mere weeks after they were uttered.

Forgive me, but if we Democrats and the American people have real doubt about any promise the President makes, real doubt about his following through or really meaning it, how can we not? In previous State of the Union Addresses, he has thrown around promises and not fulfilled them more than any other President I know.

Perhaps even emptier than his policy promises are President Trump’s calls for unity each year. It seems that every year the President wakes up and discovers the desire for unity on the morning of the State of the Union. Then the President spends the other 364 days of the year dividing us and sowing a state of disunion, whether that is using public servants as political pawns, the President’s false equivalence after Charlottesville, his attacks on the Federal judiciary, the free press, and the rule of law, or his near-daily twitter provocations. The blatant hypocrisy of this President calling for unity is that he is one of the chief reasons Americans feel so divided now.

So it is logical to believe, based on his past speeches, that the President’s speech tonight will ignore the reality of his administration, the reality of our economy, the reality of our world, and instead weave a web of fiction. If past speeches are an indication, the President will be in his own bubble.

Democrats are not focused on the President’s rhetoric; we are focused on fighting for workers in this unequal economy, fighting for American families struggling to afford healthcare, fighting to bring a measure of accountability to this government, and fighting for a foreign policy that reflects both our interests and our values.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

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

#### RESERVATION OF LEADER TIME

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

#### CONCLUSION OF MORNING BUSINESS

The PRESIDING OFFICER. Morning business is closed.

#### STRENGTHENING AMERICA’S SECURITY IN THE MIDDLE EAST ACT OF 2019—Resumed

The PRESIDING OFFICER. Under the previous order, the Senate will resume consideration of S. 1, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (S. 1) to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

Pending:

Risch amendment No. 97, to clarify the deadline for the reporting requirement relating to the establishment of a Jordan Enterprise Fund.

Menendez (for Risch) amendment No. 98 (to amendment No. 97), to provide for a classified annex to be submitted with the report on the cooperation of the United States and Israel with respect to countering unmanned aerial systems.

The PRESIDING OFFICER. The majority whip.

S. 130

Mr. THUNE. Madam President, last night, our colleague from Nebraska, Senator BEN SASSE, brought a bill to the floor to protect infants who are born alive during abortions.

The legislation is simple. In the words of the bill, it finds:

If an abortion results in the live birth of an infant, the infant is a legal person for all purposes under the laws of the United States, and entitled to all the protections of such laws. Any infant born alive after an abortion . . . has the same claim to the protection of the law that would arise for any newborn.

In other words, any living, breathing baby outside of its mother’s body should be protected. That is a pretty basic standard of decency. One would assume that there is no human being alive who would object to such a bill—that even my colleagues across the aisle who don’t think that living, breathing unborn babies should be protected could get behind this bill—but you would be wrong because, last night, Senate Democrats objected to the consideration of this bill. They objected to the consideration of legislation to protect babies who are born alive.

Let’s take a step back and remember why Senator SASSE brought this bill up in the first place.

Last week, the Democratic Governor of Virginia was asked about an extreme proposal from a Virginia Democrat to remove restrictions on late-term abortions. In his comments on the bill, the Virginia Governor had this to say:

If a mother is in labor, I can tell you exactly what would happen. The infant would be delivered. The infant would be kept comfortable. The infant would be resuscitated if that’s what the mother and the family desired, and then a discussion would ensue between the physicians and the mother.

In other words, the Democratic Governor of Virginia not only endorsed

late-term abortions—abortions performed on babies old enough to survive outside of the mothers—he left open the door to infanticide. He left open the possibility of killing a baby born alive.

I would think those would be comments that my Democratic colleagues would be recoiling from in horror. I would think they would be rushing to make it very clear that they absolutely do not support the killing of a baby born alive. Yet, yesterday, my Democratic colleagues objected to a bill that would do nothing more than declare that any infant who is born alive during an abortion is entitled to be protected—to be given the basic medical care that would be afforded any other baby.

Most Americans think there should be, at least, some limits on abortion. Most countries in the world think there should be some limits on abortion. Only China, North Korea, the United States, and two other countries allow elective abortions through all 9 months of pregnancy—not a list we ought to be on. At least some of my Democratic colleagues used to be a little bit more moderate on the issue of abortion. Safe, legal, and rare was their claim, which you always heard them say, but, yesterday, my Democratic colleagues made it very clear that they have decided to dispense with moderation and espouse the most radical and extreme position possible—no restrictions at all on abortion, ever, up to and, apparently, now after the moment of birth.

Chuck Colson, the founder of Prison Fellowship, once noted: “A government cannot be truly just without affirming the intrinsic value of human life.”

I think it is fair to say that pretty much every great injustice in human history sprang from a failure to affirm the intrinsic value of every human life—from a decision that certain individuals’ rights were not equal to those of others or that their life or liberty could be sacrificed for the greater good.

Today, we unfortunately see another great injustice with the failure to affirm the value of the lives of the most vulnerable among us.

I am horrified by my Democratic colleagues’ decision to object to legislation to protect babies born alive, and I will continue to fight to ensure that the right to life of every human being, born and unborn, is protected.

#### THE ECONOMY

Madam President, here are just some of the news stories we saw at the end of last week. This is from the *Guardian*: “U.S. jobs growth smashes expectations”; from *CNBC*: “Worker wage gains just broke 3% for the first time in more than 10 years”; from *Fox Business*: “U.S. employers added 304,000 jobs in January, soaring past expectations”; from the *Wall Street Journal*: “U.S. Stocks Post Best January in 30 Years”; from *USA Today*: “Employers add booming 304,000 jobs in January,

marking 100th straight month of employment gains”; and from the *Associated Press*: “A robust job gain in January shows US economy’s durability.” The list goes on. Simply put, the U.S. economy is flourishing.

After years of stagnation under the Obama administration, the economy has come roaring back. Job creation is strong, and unemployment is low. January marked the 11th straight month that unemployment has been at or below 4 percent. That is the strongest streak in nearly five decades.

The economy grew at a robust 3.4 percent in the third quarter of 2018. In 2018, for the first time ever, the number of job openings outnumbered the number of jobseekers. The Department of Labor reports that for 9 straight months there have been more job openings than people looking for work.

Wage growth is accelerating. 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 \$6,372.

Small business optimism hit record highs in 2018. The year 2018 saw the most impressive job growth in the manufacturing industry since 1997.

The list goes on and on and on. My point, very simply, is that Republican economic policies are working.

When Republicans took office 2 years ago, the economy had been underperforming for years, and American families had been feeling the effects. We were determined to remove the obstacles that were holding the economy back, like burdensome regulations and an outdated Tax Code that was acting as a drag on economic growth. So, along with the President, we got right to work, lifting excessive regulations.

In December 2017, we passed a historic, comprehensive reform of our Tax Code. We cut taxes for American families, doubled the child tax credit, and nearly doubled the standard deduction. We lowered tax rates across the board for owners of small and medium-sized businesses, farms, and ranches. We lowered our Nation’s massive corporate tax rate, which previously was the highest corporate tax rate in the developed world. We expanded business owners’ ability to recover the cost of investments they make in their businesses, which frees up cash that they can invest in their operations and in their workers. And we brought the U.S. international tax system into the 21st century so that American businesses are not operating at a competitive disadvantage next to their foreign counterparts.

Now we are seeing the effects: a thriving economy, good jobs, higher wages, and low unemployment.

So what is the Democratic response to all of this good economic news and economic growth? Is it to continue the policies that are creating prosperity for American families and look for

ways for grow these policies to expand the economic benefits even further? No.

Democrats want to reverse the policies that are producing economic growth. They want to undo the tax cuts that are creating jobs and opportunities for American workers, and they want to increase—*increase*—the tax burden of American families.

That is right. Democrats are currently advocating various proposals that would not only reverse the gains the economy has made but would severely damage economic growth for the long term. For example, there are the proposals to impose a government-run healthcare system, like the so-called Medicare for All plan, whose price tag is so staggeringly large—by one estimate, more than \$32 trillion—that no one has even come close to figuring out how to pay for it. Doubling the amount of individual and corporate income tax collected would still not be enough to pay for the mammoth cost of this plan.

Think about that. All of the revenue collected—*income tax* on the individual side and on the corporate side, double it—double it—and you still wouldn’t be able to pay for this massive, massive plan.

The Democrats’ promise that if you like your healthcare plan, you can keep it will be broken again. More than 175 million Americans get their health insurance through their jobs. That will be no more under this proposal. The Vermont Senator’s government-run Medicare for All plan, which many of our colleagues on the other side of the aisle have cosponsored, would eliminate private sector insurance for millions of families who like the coverage they currently have.

Then there is the so-called Green New Deal, which could raise families’ energy bills by more than \$3,000 each year. When I travel in my State of South Dakota, I hear a lot about the high cost of living and how it is still difficult for families to make ends meet. The last thing my constituents in South Dakota or any hard-working family needs is to have their energy costs go up by more than \$3,000 a year.

Then there are the plain old tax bills that some of the Democrats are proposing to raise the top marginal tax rate to 70 percent or higher. House Democrats are also proposing to substantially increase business tax rates.

Prior to the passage of the tax reform, America’s global companies faced the highest corporate tax rate in the developed world. That put American businesses at a serious disadvantage on the global stage, which, in turn, put American workers at a disadvantage.

Part of the economic growth that we are experiencing now and all of the benefits for workers that come along with it are direct results of the lower corporate tax rate that we passed as part of the tax reform.

It is staggering—staggering—that Democrats can look at all of the benefits that come from lowering the corporate rate and all of the positive effects it is having on the economy and workers and then turn around and propose a tax rate hike.

In short, here is what our country would look like if the Democrats' far-left agenda is forced upon the American people: Government-run Medicare for All would eliminate employer-sponsored insurance for 175 million people, increase government spending by \$32 trillion, jeopardize Medicare for today's seniors, and raise taxes on just about everyone under the sun. The Green New Deal would increase energy costs by up to \$3,000 or more per year for our families, and Democrats' new taxes would slow economic growth, destroy jobs, and reduce economic opportunity for hard-working Americans.

Our economy is thriving, and that is bringing real benefits to American families and to American workers. We want to continue heading in the right direction with more policies to grow the economy, to reduce the cost of living, and to help Americans save for retirement. We will strongly oppose Democrats' attempts and proposals to undo the progress that our economy has made and to burden Americans with higher taxes, fewer jobs, and fewer opportunities.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

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

The PRESIDING OFFICER (Mr. SCOTT of Florida.) Without objection, it is so ordered.

#### STATE OF THE UNION ADDRESS

Mr. CORNYN. Mr. President, as the world knows by now, tonight President Trump will deliver his delayed State of the Union Message.

This is a tradition that, of course, dates back to the Constitution, but the Constitution is ambiguous or unclear or actually doesn't say exactly how that annual message should be delivered. We know that George Washington, for example, delivered his annual message in 1790 at the Federal Hall of New York City, which was the temporary seat of the Federal Government at the time. Although John Adams delivered an in-person address, the tradition didn't last very long. Our third President, Thomas Jefferson, chose to deliver the message in writing, a practice that lasted for nearly a century—that is, until President Woodrow Wilson chose to speak to the Congress in 1913.

According to the Washington Post, people were outraged at this breach of tradition, which maybe speaks to how hard change is in Washington, DC.

The paper wrote "All official Washington was agape last night over the

decision of the President to go back to the long-abandoned custom."

Coming face-to-face with Members of Congress was President Wilson's attempt to bring about a closer intimacy between the Congress and the Chief Executive, and I am glad this time the tradition has stuck. I know there are those who disagree, and perhaps that has to do with the endless wave of standing ovations that Congress gives that punctuates the modern speech, which I could do with less of.

The State of the Union Message also serves another important purpose, and that is the President's ability to speak not only to the Members of Congress but over the heads of Congress and directly to the American people. This address is carried live on every network and streamed across social media platforms.

We are all waiting to hear what the President has to say, particularly during these polarized and unusual times. This is a time to reflect on the great work that has been done in the last couple of years to help move our country in a positive direction. Unfortunately, given the propensity of the media to focus on conflict and not on accomplishment that is credited to bipartisan efforts, most of the American people probably aren't aware or need to be reminded of what has actually happened the last 2 years, and I hope the President will reflect on that.

President Trump took office in January 2017, and Congress has passed legislation since that time to improve nearly every aspect of society. No one stands out greater than the economy.

I remember that during the Barack Obama administration, particularly after the great recession of 2008, we were told that 2 percent growth was the new normal, even though for the last previous 25 years that was definitely subnormal. Annual growth rates were more often in the 3.5 to 4 percent range.

Now we know that the American economy has gotten its groove back and people are optimistic and confident. They reacted in large part to the increase in take-home pay they see in their paychecks and the fact that many businesses, large and small, have chosen to reinvest in their people by raising wages, improving benefits, or providing a bonus.

I hope that we hear from President Trump more about this tonight because this has been nothing less than a miracle. You can undoubtedly trace it back to the landmark tax reform bill we passed over a year ago.

The Tax Cuts and Jobs Act sought to solve a problem that had befuddled Congress for many years, whether they be Republicans or Democrats. The question was, How do we fix this outdated, archaic, and overly complicated Tax Code?

When President Trump signed this bill into law, it marked the first major overhaul of our Tax Code in 31 years. Our reforms lowered rates all across

the board, doubled the child tax credit, and incentivized U.S. businesses with earnings abroad to bring that money back home and work here in America for the American people. We quickly saw a steady stream of headlines about businesses, big and small, announcing, as I indicated earlier, bonuses, pay raises, new jobs, and other investments in their employees.

In the months that followed the law's enactment, I have met with a number of employers throughout Texas to see how the new tax law has changed their way of doing business.

In Corpus Christi, for example, I visited with a seafood distributorship company called Groomers Seafood. They gave their employees a bonus and increased their wages after the Tax Cuts and Jobs Act became law.

In Houston, at Southland Hardware, a quaint neighborhood hardware store whose tagline is "the store that has 'almost' everything," they were able to provide bonuses and raises for their staff, as well as hire a new employee and do improvements to their store.

In Austin, I visited with the owner of Wally's Burger Express. He told me he is using the savings from tax reform to expand his business and create new jobs.

It is clear to me that businesses across the country have felt the same way as these owners of small businesses did in Texas, and it didn't take long for Americans to begin to feel the benefit.

I have heard from countless of my constituents about the impact this legislation has had on their daily lives, and it is all for the better. One of them was a gentleman from Arlington, TX, named David. David wrote to me to say that the company where he is employed increased the hours people were able to work. Christmas bonuses increased, too, and the company hired more people, bought new machines, and made long-overdue repairs to their building. Now with these changes in place, David says the guys down on the shop floor are taking home a little bit more money each week in their paychecks. He said: "All of this adds up and makes a huge difference in the lives of the guys on the shop floor."

The impact also extends to retirees across the country. One of my constituents from Midland, TX, named Glenda reached out to me about how the tax reform bill changed her life. She wrote to me to say that she has been retired since 2013, which, she reminded me, means that she has a fixed income with no possibility of pay raises or year-end bonuses, but that doesn't mean she is not grateful. She said that the reduction in income taxes to her feels like a raise.

Because of this legislation, middle-class Americans are living more comfortably and the economy is booming. If you don't believe me, just look at the numbers. Since this legislation was passed, 3 million new jobs have been added in our country, wages are on the

rise, and unemployment has hit a 50-year low. I read the other day that because of tight labor conditions, people with disabilities are reentering the workforce, and we have seen the lowest level of Hispanic and African-American unemployment ever.

This revitalization of the economy has led to big benefits on Main Street and in the homes of average Americans. America has regained its status as an economic powerhouse once again, and we are going to keep these successes going.

So looking back on the last 2 years, there are countless accomplishments I am proud of, but certainly reforming the Tax Code for the first time in 31 years stands out near the top of the list.

I should also mention that we confirmed 85 Federal judges, including two incredibly qualified Supreme Court Justices. This all comes despite the unprecedented obstruction we have seen from Senate Democrats to slow down or block the process. We still have a number of judicial vacancies to fill in this Congress, many of them in Texas and many of whom were just renominated. I hope we can move quickly to vote on these nominations—these good men and women who offered to serve the public as Federal judges.

Under this administration we have taken some positive bipartisan efforts, such as combatting the opioid epidemic, which plagues nearly every community in the America. We supported pay raises for our military and authorized additional resources for their equipment and training. We promoted public safety with the passage of bills to stop or deter school violence. We have given farmers and ranchers the certainty they need when we passed the critical farm bill. We supported better career training and education for American workers. And that is just the beginning.

This administration, in working with the Congress, has delivered real changes for the American people. I am ready to keep those changes and improvements moving forward, so I am eager to hear what the President has to say tonight on everything we have accomplished together and for him to outline his priorities for the coming year.

With the Democrats' gaining control of the House, though, I expect the President to ask about the importance of working on a bipartisan basis. Speaker PELOSI has a fundamental choice: Is she going to work with the Republicans in the Senate and the President to do good things for the American people or is she simply going to oppose anything and everything President Trump proposes—given the fact that the 35-day shutdown represents not an effort to find middle ground and negotiate a sensible outcome but rather one of political point-scoring, of trying to determine who is the winner and loser in any particular battle no matter what the collateral damage may be?

I hope our colleagues in the House and, I hope, all of our colleagues in the Senate will look at trying to continue this record of accomplishment for the American people and will commit to working in good faith to keep that progress moving.

Under this administration, our government has taken major steps to strengthen our economy and to make changes that benefit the American people. I am proud of what we have been able to accomplish. I am not focused on the frustrations that plague us every day; I am focused on the positives we have been able to do, and I hope we can keep it going.

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

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

The PRESIDING OFFICER. The Senator from Louisiana.

Mr. KENNEDY. Mr. President, I ask unanimous consent that I be able to complete my remarks in the unlikely event I don't finish them by 12:30.

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

S. 1

Mr. KENNEDY. Mr. President, I want to talk again for a few minutes about S. 1, which is sponsored by Senator RUBIO.

As I have cautioned the last few times I spoke on the subject, nothing I say is meant to be construed as a criticism of Senator RUBIO. There are some really good things in this bill, as the Presiding Officer knows.

I forget the title of it. I think Senator RUBIO is calling it the Strengthening America's Security in the Middle East Act. I like the fact that S. 1 reaffirms our commitment to protecting Israel. I think that is important. I think Israel is certainly our best friend in the Middle East and one of our best friends in the world. Some days I think Israel is our only friend in the world.

S. 1 is going to strengthen America's bonds with Jordan, and I think that is very important. Jordan has been a key ally in fighting terrorism and, frankly, a key ally in helping us deal with the humanitarian catastrophe as a result of Assad and his butchering of his own people in Syria.

S. 1 is going to combat a radical economic warfare campaign against our friend Israel. That is long overdue. S. 1 is also going to create new sanctions on the Government of Syria. I support all of those. I intend to vote for S. 1, despite the fact that, in my opinion, there is a great deficiency with S. 1.

I know Senator MCCONNELL offered an amendment to reflect the will of the Senate with respect to whether America ought to get out of Syria. In his

amendment, he suggested that we should not. I voted against Senator MCCONNELL's amendment not because I think he is wrong but because I just don't know if he is right. I don't think most Members of Congress know.

We have received such conflicting information, and I have asked Senator MCCONNELL to hold a briefing for us—a classified briefing in which we bring over people who think we should get out and people who think we shouldn't get out, and let us hear the facts and the informed opinions of people who know better than we do. Frankly, I would like to see us do the same thing with respect to Afghanistan.

I share the President's concern about nation-building. We have spent \$6 trillion since 2001 in the Middle East. I share the President's concern about mission creep. But, once again, just as I am not saying that Senator MCCONNELL is wrong; I just don't know that he is right, and, quite frankly, I am saying the same thing with respect to President Trump. I am not saying he is wrong about withdrawing from Syria; I am just saying I don't know if he is right.

I do know this: President Trump is going to do what he thinks is best for America. The Senate can pass all of the bills and resolutions about the will of the Senate that it wants to, but if the President of the United States thinks it is best for the American people and the world to withdraw all troops from Syria, then my experience is, by God, he is going to do it.

If he does it, one of my biggest concerns, which could have been addressed in this bill, is if we would have been allowed to offer amendments, supposedly as the world's greatest deliberative body, we could have fixed this problem. The problem I am talking about is the Syrian Kurds.

Let's just call it like it is. I mentioned that Israel has been a great ally, as well as Jordan. This bill is being sold as, well, this is to protect our allies in the Middle East, in part. What about the Syrian Kurds?

I think there are 50 or 60 million Kurds throughout the world. They are mostly in Turkey, Iran, Iraq, and Syria. Why aren't the Kurds allowed to self-determine?

Even if the Kurds didn't believe in democracy—and I think they do; they want sovereignty like we have, and they want to be able to self-determine—the truth is, we wouldn't have beaten back ISIS without the help of the Syrian Kurds.

I don't want to get off into this discussion about whether or not ISIS is defeated. If you look at just the statistics, a couple of years ago, there were 100,000 ISIS jihadists. There are not 100,000 now. There are less than 5,000. A couple of years ago, ISIS had its own caliphate. They just went in there and carved out their own country. They don't have it anymore.

So you can debate whether we defeated them. I am not sure we will ever

completely defeat the jihadists, whether they call themselves ISIS or al-Qaida or what. But I know this much: We could not have beaten back ISIS without the help of the Syrian Kurds.

A lot of our other friends said: Yeah, you go get them. You go fight. We will be glad to hold your coat while you fight. That was not the Syrian Kurds. They got in there with us.

The Syrian Kurds have enemies in this world. I am not making any accusations or disparaging comments about our friends in Turkey, but President Erdogan has been very vocal about how he feels about the Kurds, including, but not limited to, the Syrian Kurds. I worry about them if we leave.

I had an amendment that didn't require—it didn't require—anybody to do anything. It just said: Mr. President, if we leave Syria, this will give you the authority to keep our friends, our allies, the Syrian Kurds, from being butchered, from being opened up like a soft peanut.

America's foreign policy has never been just about interests; it has been about values. America's foreign policy has always had a moral component. Part of the moral component in our foreign policy is that we don't leave our friends behind. That is what we are potentially doing with this bill.

It could have been easily fixed. It could have been fixed if the Senate had been allowed to be the U.S. Senate.

I don't hate anyone. I love and respect all of my colleagues, and I mean that—even the jurists and everybody in their own way, especially in this body, and I have gotten to know all of them, and I am so proud to be a Member. But it does bother me sometimes; it seems we are kind of like—it is almost Orwellian. We are all equal, but some of us are more equal than others, and I think that irks the American people. I think had we been able to offer amendments, we could have fixed that problem with the Syrian Kurds.

I hope I don't have to come back and say told you so. I hope after we leave Syria—and I think the President is going to leave Syria—I hope the Syrian Kurds are just fine. I hope they are just fine. But if they are not, I hope we will not look back and say that we had a chance to protect our friends and do the right thing, but we didn't do it.

I yield the floor.

#### RECESS

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

Thereupon, the Senate, at 12:33 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Mrs. CAPITO).

#### DESIGNATING THE OUTSTATION OF THE DEPARTMENT OF VETERANS AFFAIRS IN NORTH OGDEN, UTAH, AS THE MAJOR BRENT TAYLOR VET CENTER OUTSTATION

The PRESIDING OFFICER. The Senator from Utah.

Mr. LEE. Madam President, on November 3, 2018, this country lost a true American hero: MAJ Brent Taylor of Ogden, UT, who gave the ultimate sacrifice while deployed in Afghanistan.

As North Ogden's mayor, Major Taylor died as he lived: going above and beyond the call of duty to his country, to his State, and his family.

Major Taylor, who is pictured here with his family, began his military service in 2003, following the attacks of September 11. He joined the Army National Guard just 3 days after becoming engaged to his wife Jennie.

During his time in the National Guard, Major Taylor distinguished himself in multiple specialties, including intelligence and military police. In 2006, he received a commission as a second lieutenant from the Brigham Young University ROTC, while graduating as a member of the National Society of Collegiate Scholars. Major Taylor was continuously ready to take up the call to arms and deployed four times on missions to Iraq and to Afghanistan. He held a variety of roles in those deployments, including platoon leader, combat adviser, and chief of staff to the Special Operations Advisory Group.

Throughout his distinguished tours of service, he also received several awards for courage and for leadership, including a Bronze Star in honor of his ability to calmly and safely lead those he was assigned to lead through multiple miles of treacherous territory and a Purple Heart for the wounds he received during an explosives attack on his vehicle.

His love of his country and his State was also very evident, perhaps most evident beyond the circumstance in which he wore the uniform. Major Taylor gave his time and his energy to his community, serving tirelessly as a member of the North Ogden City Council, from 2010 to 2013, and then as the mayor of North Ogden, after being elected to that post in 2013. He was known for being a hands-on leader and someone who was attentive to and constantly beloved by every member of his community.

After being reelected as the mayor of North Ogden in 2017, Major Taylor took a leave of absence from the mayor's office and headed back to the battlefield, deploying once again to Afghanistan. When he announced his leave of absence to the people of North Ogden, he told them he felt called to serve his country and that "service is what leadership is all about."

Major Taylor faithfully served his church and his family too. He had a deep love of God and of his church. He was a devoted husband to Jennie and a

loving father to their seven children, pictured here: Megan, Lincoln, Alex, Jacob, Ellie, Jonathan, and Caroline.

Following his tragic passing, in an attack on November 3 of this last year, Major Abdul Rahmani, an Afghani pilot with whom Major Taylor worked, sent a letter to Major Taylor's wife Jennie, describing the great impact Major Taylor had on his life. He said: "Your husband taught me to love my wife [Hamida] as an equal and treat my children as treasured gifts, to be a better father, to be a better husband, and to be a better man."

Further, he said: Major Taylor "died on our soil, but he died for the success of freedom and democracy in both our countries."

In every aspect of his life, Major Taylor was a shining example of patriotism, of sacrifice, and of service. It is only right that we honor his extraordinary life. To that end, it would only be a fitting tribute to rename the Ogden Veterans Center in Utah as the Major Brent Taylor Vet Center Outstation.

Today Jennie Taylor is joining Congressman ROB BISHOP as his honored guest for the State of the Union Address tonight, to honor Major Taylor's life and to honor his great legacy—the legacy he leaves behind to his family, to his community, and to all who knew him and served with him. I urge my colleagues to pass legislation commemorating that.

Madam President, I ask unanimous consent that the Committee on Veterans' Affairs be discharged from further consideration of S. 49 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (S. 49) to designate the outstation of the Department of Veterans Affairs in North Ogden, Utah, as the Major Brent Taylor Vet Center Outstation.

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

Thereupon, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. LEE. Madam President, I ask unanimous consent that the bill be considered read a third time and passed and that the motion to reconsider be considered made and laid upon the table.

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

The bill (S. 49) was ordered to be engrossed for a third reading, was read the third time, and passed, as follows:

S. 49

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

#### SECTION 1. FINDINGS.

Congress finds the following:

(1) Major Brent Taylor began his military service following the attacks of September 11, 2001. He joined the Army National Guard in 2003, three days after his engagement to



his wife, Jennie. Five of his brothers would eventually serve in the Armed Forces following the deadly attacks.

(2) During his time in the Army National Guard, Major Taylor distinguished himself in service to the United States and the State of Utah. He received a commission as a second lieutenant from the Brigham Young University Reserve Officer Training Corps in 2006, while graduating as a member of the National Society of Collegiate Scholars.

(3) During his impressive career with the Utah National Guard, Major Taylor distinguished himself in multiple specialties, including Intelligence and Military Police. One of his earliest assignments included analyzing foreign language documents in support of the Defense Intelligence Agency. He also led document exploitation efforts in multiple European and South American languages for a variety of intelligence community customers. Major Taylor also managed a team that assessed security vulnerabilities at high-profile facilities across the United States, all while maintaining a successful private sector career in Utah.

(4) Major Taylor was continuously ready to take up a call to arms from the United States and deployed four times in support of operations in Iraq and Afghanistan. His deployed duties varied from Platoon Leader and Combat Advisor to Chief of Staff to the Special Operations Advisory Group, responsible for leading a joint task force advising and assisting an elite Afghan special operations unit.

(5) Throughout his deployments, Major Taylor distinguished himself on several occasions, earning a multitude of awards including the Bronze Star. The citation credits the ability of Major Taylor to think calmly and decisively to keep his subordinates safe while traversing 600,000 miles of roads in Iraq, laden with improvised explosive devices (commonly referred to as “IED”) and ripe for ambush.

(6) During one particularly harrowing mission, Major Taylor's vehicle was struck by an IED. Although he survived the attack, the wounds he received earned him the Purple Heart.

(7) Major Taylor's amazing record of service was not limited to the battlefield. In 2010, he served as a member of the North Ogden City Council and, in 2013, Major Taylor was elected mayor. His steadfast leadership led to the city being recognized as “Business Friendly” by the Governor of Utah, and as one of the safest, freest cities in the United States by several organizations. His initiatives included improvements to public works and infrastructure, attracting businesses to the area, developing a local community center, and increasing transparency. His action led his constituents to reelect Major Taylor in 2017.

(8) In 2018, Major Taylor placed himself on a leave of absence from his mayoral duties in order to deploy to Afghanistan, explaining to his constituents, “Service is what leadership is all about.”

(9) While serving in Afghanistan, a dear colleague, Afghani Lieutenant Kefayatullah, was killed shortly before the Afghan elections. Major Taylor wrote, “The strong turnout at that election, despite the attacks and challenges, was a success for the long-suffering people of Afghanistan, and for the cause of human freedom. I am proud of the brave Afghan and U.S. soldiers I serve with. Many American, NATO and Afghan troops have died to make moments like this election possible.” He also extolled the American public to embrace its civic duty, stating, “I hope everyone back home exercises their precious right to vote. And that whether the Republicans or Democrats win, that

we all remember that we have far more as Americans that unites us than divides us.”

(10) Tragically, on Saturday, November 3, 2018, Major Taylor was killed in an attack in Afghanistan. He was survived by his wife, Jennie, and his seven children, Megan, Lincoln, Alex, Jacob, Ellie, Jonathan, and Caroline.

(11) The impression that Major Taylor left was indelible. An Afghan officer who had served with Major Taylor penned a letter to his wife, stating, “Your husband taught me to love my wife Hamida as an equal and treat my children as treasured gifts, to be a better father, to be a better husband, and to be a better man.” That officer further commented that, “He died on our soil but he died for the success of freedom and democracy in both of our countries.”

(12) It is only well and fitting that, as a tribute to the amazing life of Major Taylor, Congress name a facility in honor of Major Taylor's shining example of service and sacrifice.

## **SEC. 2. DESIGNATION OF MAJOR BRENT TAYLOR VET CENTER OUTSTATION IN NORTH OGDEN, UTAH.**

(a) DESIGNATION.—The outstation of the Department of Veterans Affairs located at 2357 North 400 East Washington Boulevard, North Ogden, Utah, shall after the date of the enactment of this Act be known and designated as the “Major Brent Taylor Vet Center Outstation”.

(b) REFERENCE.—Any reference in any law, regulation, map, document, paper, or other record of the United States to the facility referred to in subsection (a) shall be considered to be a reference to the Major Brent Taylor Vet Center Outstation.

The PRESIDING OFFICER. The Senator from Kentucky.

S.1.

Mr. PAUL. Madam President, our country was founded upon the concept and in the midst of a great boycott. At the time, we were boycotting British goods and, most specifically, British tea. There is likely nothing more American than to protest, to dissent, and to boycott.

In fact, our Founding Fathers—many of them, including Sam Adams and the Sons of Liberty—gathered in 1773, dressed as Indians, and dumped 90,000 pounds of British tea into the harbor. Some of our Founding Fathers were actually involved with trying to smuggle and import Dutch tea to get around the rules and to get around having to be so dependent on England.

But this was a boycott. The sad thing today is that we will be debating whether or not to place limitations on the First Amendment right to boycott, and we will do it because the vast majority of this body disagrees with the concept of what the people are boycotting over.

I would argue that it doesn't matter what the issue is. In fact, the First Amendment is to protect issues of speech and issues of boycott that you may disagree with.

I am not particularly enamored with—in fact, I don't favor—the boycott of Israel. I think Israel has been a good ally. Yet the freedom of speech, the freedom of the press, the freedom to protest, and the freedom to boycott are fundamentally American. How can we give that up so easily? How can we

just say: Oh, well, it is a good ally, and we don't want anybody boycotting them. We are just going to amend the First Amendment because we don't like this boycott.

Our Founding Fathers would roll over in their graves if they knew what we were doing today.

I stand today at Henry Clay's desk. This desk has been passed down to the Senator from Kentucky ever since he left the Senate in 1850. In 1809, before he arrived here, there was a boycott of British goods. In fact, there was an official embargo that Jefferson had put on when we were upset with what the British were doing on the high seas with confiscating our ships, and we decided to have an organized embargo, a boycott.

In Kentucky, Henry Clay was still in the State legislature, and he proposed a rule saying that the legislators themselves should not wear British clothing. It was opposed by a guy named Humphrey Marshall, who was a cousin of the fourth Chief Justice John Marshall. They got into heated words, at which time Henry Clay, wearing his American homespun clothing, was confronted by Humphrey Marshall, who came in wearing what was described as garish English imports, and he called Henry Clay a demagogue for passing this legislation.

Well, Henry Clay gave it right back and called him a liar, at which point the words accelerated, and they were about to come to blows when a massive 6-foot-6-inch German-American legislator jumped in between them and stopped the fight from ensuing on the floor.

Henry cooled down. Henry Clay decided to apologize. He apologizes to the body and gives his apology, and Marshall jumps up and shouts back, “It is the apology of a poltroon,” which is an old-fashioned word for coward.

Things didn't get much better after that, and Henry Clay challenged him to a duel. It was illegal—and still is illegal—to have a duel in Kentucky. So they went across the river in Louisville and fought a duel, at which time Henry Clay was wounded in the thigh.

In those days, even though the laws were against dueling, you were often rewarded for dueling by getting a promotion. So the State legislature, within a week or two, elected Henry Clay to go to the U.S. Senate to represent them.

So not only are boycotts a big part of our history, but this particular boycott actually elevated Henry Clay to the U.S. Senate to become one of the most famous Senators in our history.

As for other famous boycotts, there was a boycott of the buses in Montgomery in 1955 and 1956. The boycott went on for 382 days. It was set off, as you will recall, by Rosa Parks' refusing to be seated in the back of the bus. But this boycott was about speech, and it was about law, and it was about justice.

Now, people would say: Well, I agreed with that boycott. That is OK. It is OK



to have good boycotts that I agree with, but it is not OK to have boycotts I disagree with.

I will make this argument. If today this body votes to encourage this idea that legislatively we should penalize people who boycott, I will argue today that—guess what—if you can penalize boycotts you disagree with, you may well find some day that people are penalizing boycotts that you agree with. If you have the power to disallow boycotts you don't like, you are now granting to the government the power to ban boycotts that you may well like.

The thing is this: Should the majority get to decide, well, that is a good boycott and that is a bad boycott, and you can say certain types of speech as long as I agree with you?

No, the freedom of speech—the First Amendment—is about allowing language you don't like. It is about allowing boycotts you may not like.

If you go through our history, our history is replete with boycotts, from the Boston Tea Party to the boycott around the War of 1812 of British goods, to the bus boycott in Montgomery—boycott after boycott. It is a fundamental aspect of the First Amendment.

You don't believe me? Listen to the Supreme Court. In *NAACP vs. Claiborne Hardware*, Blacks were protesting a Whites-only store that wouldn't allow service or allow sales to Blacks. They boycotted the store, and guess what. The Supreme Court said, 8 to 0, that you can boycott, particularly if your boycott is based on speech or it is based on a political viewpoint.

Now, while I don't agree with people who want to boycott Israel, if you live in our country, or wherever you live, and you don't like their policies, do you not have a right to boycott? Are we somehow going to take away your right to boycott because we disagree with what you are boycotting over?

I have a short list here of a few different things that we have boycotted over, and they range, interestingly, on both sides of the coin. Most recently, people on the left who don't like President Trump have boycotted Ivanka Trump's fashion brand.

A year or two ago, Christians boycotted Disney over what they considered to be liberal movies or movies they didn't appreciate because of the families depicted.

In North Carolina, liberals boycotted the North Carolina transgender bathroom law.

People have boycotted Chick-fil-A because the CEO was opposed to same-sex marriage.

The Dixie Chicks criticized George W. Bush, and they were boycotted.

It doesn't matter whether you agree with any of these boycotts. Boycotts are speech. How could we possibly boycott someone's speech? But that is what is going on.

About 20 States have passed these laws, and what we are now considering before our body is putting our impri-

matur—our stamp of approval—which we are going to put on these States that are penalizing boycotts.

So who are some of the people that we are going to penalize?

In Texas, there is a speech pathologist who has lost her job. She was working for the school system. She has been in this country 30 years. Her name is Bahia Amawai. She has been here 30 years. She is a U.S. citizen. She speaks three languages. She works with children with autism, disabilities, and speech impediments.

Her contract was not renewed because they told her she had to sign a pledge that she will not boycott Israel. She also had to sign a pledge that she would never do anything economically or refrain from any action—buying a product—with anyone who does business in Israel or does business in an area they call the Israeli-controlled territory.

There has been a dispute for 30 or 40 years over the West Bank, whether the Palestinians should have more autonomy, whether it should be a country, whether it should be a province of Israel, whether they should vote, whether they should not vote. This is a political debate.

This woman has an opinion that she doesn't want to sign this pledge. She no longer works.

We heard on the floor from one of my colleagues yesterday. He said: Well, it is the government's money. The government's money shouldn't be used to allow a boycott.

Well, if you are a teacher and you get a salary, is that still the government's money after you have done your job and you have your paycheck? Should a teacher be prevented from boycotting or expressing their speech through an economic action or, really, through an economic inaction by not buying something?

It is the whole idea of “not.” A boycott is not even doing anything. A boycott is refusing to buy someone's product.

How could we possibly be in favor of that? How could we have such clouded judgment that this body, which has such historic importance, is going to vote to place a ban on freedom of speech? How could that possibly happen in our country?

This woman has been denied her job. It is her main job. She worked for the school district. She had a contract. Her contract has been denied because she refuses to sign a pledge saying she will not buy a product from somebody that she disagrees with politically.

How did we get here? How can we possibly even be considering such absurd limitations on the First Amendment?

This one is even worse. In Arkansas, the newspaper, the *Arkansas Times*, routinely takes ads. That is how newspapers make money. One of the groups that advertises with them is the State university. The State university will no longer advertise with this news-

paper unless they fine them first or give them some kind of penalty. They will not advertise with them unless the newspaper signs a statement saying that they will not be critical of policies in Israel.

How could we possibly say to a newspaper that you can't do business with the State if you criticize a policy in Israel? How could that possibly be the American way?

The vast majority of the people here, like sheep, will fall all over themselves today to vote to try to limit your right to boycott.

People say you don't have a right to a job, but what if you are with a State? What if you are a teacher and that is whom you have always worked for and you have worked for the government? Can we start placing rules because the government pays you on what your political viewpoint is?

Arkansas says: Well, the newspaper can do it, but they would have to pay a 20-percent penalty.

So if you have certain viewpoints or you refuse to bow down to the government and bow down to the opinion the government tells you is appropriate, we will let you work for the government, but you get penalized 20 percent.

Imagine when this becomes another view, when this becomes some other issue you are interested in. Probably the most famous boycott in history other than the Montgomery bus boycott over segregation was the anti-apartheid boycott that ultimately led to a change of government and a change of policy. That wasn't done with automatic weapons. That wasn't done with tanks. That wasn't done with planes and bombs. That was done by good old-fashioned protest, peaceful protest, by agreeing not to buy something.

Can you imagine the State is putting into place laws that punish you for not buying something, for refusing to buy something from someone? It is galling. Will this be declared unconstitutional? Nobody knows for sure other than the men and women of the Supreme Court, but in *NAACP v. Claiborne Hardware*, eight to zero they said it was unconstitutional to ban or limit any boycott if that boycott is about speech or political views. Well, clearly that is what this is about—political views.

In two of the States that have passed these laws—Kansas and Arizona—there have already been protests and court cases.

In Kansas, there is a woman by the name of Esther Koontz. She is a Menonite, and she is a math teacher. She has been a math teacher for about a decade. She has a contract with the school system to teach other teachers about teaching math and science. She said she couldn't in good conscience sign a pledge saying she would never boycott any group who originated out of Israel. What happened to her? She was fired or she couldn't continue in the job she had been in for I think a decade. Her case went to court. Guess

what. The court said it is unconstitutional. You cannot limit behavior. You cannot limit employment with the government based on one's political views. So on the first challenge, it was struck down as unconstitutional.

We go to Arizona. For political reasons, Mikkel Jordahl boycotts consumer goods made in Israel. This is America. You don't have to agree with what he is doing, but in America, you have the right to protest. You have the right to boycott. For 12 years, he has been doing legal services for the local county jail. They brought in his contract, and in his contract, they said: You have to pledge that you will no longer support any activities that agree with your political viewpoint that you don't like Israel's policy. He went to court. Guess what the court said. The law is unconstitutional.

These laws have gone to Federal court twice—once in Kansas and once in Arizona—and have been struck down. So what is this august body going to do? We are going to take it right up, and we are going to say: By golly, keep passing these unconstitutional laws in the States. We got your back.

It has already been struck down twice by two Federal district courts. The Supreme Court has said that the concept of limiting boycotts is unconstitutional. The First Amendment says that Congress can't pass a law limiting speech, and here, we are going to pass a law encouraging the limitation of speech.

One of the famous boycotts was obviously the Montgomery bus boycott. The anti-apartheid boycotts were famous as well, but even if you go further back in our history to about the time of the Boston Tea Party and beyond—another boycott—you find that people were boycotting the slave trade. There were people boycotting buying sugar out of the Caribbean because they didn't want to have any of that money going to supporting the slave trade.

I would argue that the right to boycott is about as fundamental a right as we have in America. It is a big part of the First Amendment. It is an important part of the First Amendment. It is a fundamental aspect of freedom to be able to dissent, to protest, even when everybody thinks you are wrong. That is what America is about—that you have the right to protest and that the government will not squelch your speech.

How did we get to this point where flippantly today we are going to encourage States to put limitations on the First Amendment? I don't know how we got here.

When we look at the First Amendment—and some will say: Well, you know, this is just the State government. We are just allowing States' rights.

Well, here is the thing about States' rights: Ever since the civil rights era, we have decided that the Bill of Rights

applies to the States. The 14th Amendment, going all the way back to the time of the Civil War, incorporated the 1st Amendment. Many of the boycotts have actually been in favor of civil rights. Just because this one is a boycott about something else that you may or may not like or may or may not support doesn't mean we should place limitations on it.

If we begin to do this—it is a road that some may say is paved with good intentions—we will be headed toward a time where speech will be regulated by our government, where the idea of dissent and the idea of protest will be judged on whether people think or the majority of the body thinks that the protest is in order, whether the majority of the body thinks you should be allowed to protest. How un-American. I can't think of anything more un-American than trying to limit the ideas and actions of a boycott.

I remember when I was in college, the women of the Southern Baptist Convention said they didn't like pornographic magazines out in the open where kids could see them. They didn't even ask the legislature for a law. They actually did better than asking the legislature for a law; they simply marched out in front of all the convenience stores. They did it for about a month. Guess what. Convenience stores decided they didn't like people protesting and everybody talking about them, so they put the magazines behind the counter. That is the American way. Nobody forced them to do it; they did it under public protest and public pressure.

The idea that we want to pass a law today that says to the States: Oh, we like the First Amendment, but if we don't like what they are saying and we don't like what they are protesting, it is OK to punish these people. It is OK to say to the woman in Texas who feels very strongly about this issue in Israel that she can't be employed anymore by the school district because of her political views.

I can't imagine that this is isn't going to be struck down by the Supreme Court. In *NAACP v. Claiborne Hardware*, the Supreme Court was unanimous—eight to zero.

How did we get here?

I would say that I hope my colleagues will listen to the debate and that there will be a spirited debate on the First Amendment, but don't hold your breath. You can see there is no one here other than me. They won't listen. The hope is that the American people will listen and say: How did we vote to send people to Washington who are so careless with the Constitution that they are willing to vote to ban boycotting, that they are willing to vote for something that has already been struck down by two Federal district courts, something that has already been ruled on by the U.S. Supreme Court, and they are going to go ahead and vote anyway because they don't like this particular boycott?

The First Amendment isn't about popular speech; the First Amendment is about protecting unpopular speech.

My hope is that across America, people are listening and that they will call their representatives today, call their Senators and say: How could you? How dare you take the First Amendment, crumple it up, and say "Oh, today we are going to limit the First Amendment to only boycotts we approve of. We are going to limit it to speech we approve of." What a disgrace. What a terrible day in our history, that we are going to take the First Amendment, crumple it up, stomp on it, and simply say: Oh, we are afraid of that speech, so we are going to ban it.

I think it has the opposite effect. I think it only encourages the protest.

What I would say to my colleagues is, think long and hard today before you vote to place limitations on the First Amendment.

The PRESIDING OFFICER (Mrs. BLACKBURN). The Senator from Michigan.

UNANIMOUS CONSENT REQUEST—AMENDMENT  
NO. 103

Mr. PETERS. Madam President, in a few moments, the Senate will vote on S. 1, the Strengthening America's Security in the Middle East Act.

This legislation contains several important bills to enhance defense cooperation with our partners who share the goal of fighting terrorism and promoting peace and prosperity.

For example, the bill includes the U.S.-Jordan Defense Cooperation Extension Act, which extends an existing defense cooperation program with Jordan that is set to expire later this year.

In the Senate Armed Services Committee this morning, we heard from the Commander of U.S. Central Command responsible for the Middle East, GEN Joseph Votel. He testified:

Jordan is one of our most committed partners in the Middle East and one of the most critical voices of modern Islam in the region. We must be careful to not take this vital partnership for granted.

Jordan hosts over 750,000 refugees and contributes to the fight against ISIS. This bill will enhance our cooperation, while enhancing security and supporting vital humanitarian efforts being conducted by this very important American ally.

The legislation also includes the Caesar Syria Civilian Protection Act. This bill is named after a Syrian Army defector who exposed photographs of torture and execution by the Syrian regime. His photos are evidence of the war crimes and extensive human rights abuses committed by Bashar al-Assad.

The Caesar bill will impose sanctions on individuals who support Assad. These sanctions will limit the ability of the Assad government to attack innocent civilians.

However, the bill before us is not perfect. I am concerned by title IV of this package. Title IV should have had a full debate in the Banking Committee before it ever reached the floor.

I believe there are serious questions about how this bill will impact the First Amendment rights of individuals who contract with State or local governments in a professional capacity but choose to boycott Israel in their personal capacity. These questions are even more complicated when the individual in question is a sole proprietor, a member of a small firm, or is receiving a small State contract.

Many of these questions are the result of the manner in which State and local governments have designed and implemented disclosure requirements. That is why I have introduced an amendment, Peters No. 103, which would limit application of State and local government laws related to contracting.

This amendment would not allow a State or local government to enforce measures to restrict contracting with firms of 10 or fewer employees, contracts with a value of \$100,000 or less, or any contract with a sole proprietor.

This amendment would clarify that it is not the intention of the bill to restrict the First Amendment right of any individual to protest—including through boycott—in their personal capacity.

Madam President, I ask unanimous consent to set aside the pending amendment, that amendment No. 103 be reported by number, and that the amendment be agreed to without intervening action or debate.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Madam President, reserving the right to object, first of all, I want to agree with my distinguished colleague and friend from Michigan as to almost everything he said, with the exception of article IV.

This BDS provision is a really important provision, and I understand what he is attempting to do with the exemptions. I understand he is putting them in for the small businesses, but having said that, we really believe this should apply across the board. Once we start the exempting process, it is going to be very difficult to stop. So given that, I object.

The PRESIDING OFFICER. Objection is heard.

Mr. PETERS. Madam President, I am incredibly disappointed that we could not include my amendment today.

I believe this is an important issue and that it must be clarified. Ultimately, because of the many other critical provisions included in this bill related to foreign policy in the Middle East, I will support this bill today, but I also understand it is unlikely that the House of Representatives will address this bill in its current form.

I am sending a letter to the House of Representatives explaining my concerns with title IV, and I encourage them to adopt the provisions of my amendment that I attempted to put forward today.

With that, I would also like to yield some time to my colleague from Michigan.

The PRESIDING OFFICER. The Senator from Michigan.

Ms. STABENOW. Madam President, I am very proud to be a cosponsor of the Peters amendment, as well as other amendments that Senator PETERS has put forward, and I thank him very much for his leadership.

To me, this is common sense. I am very disappointed that this will not be included in this bill. I will join Senator PETERS in advocating in the House for this clarification and other changes that will make it very clear about an individual's right to be able to have freedom of speech in all of its forms.

It is very unfortunate today that we could not have adopted this common-sense approach that would have made this bill, I think, stronger than it is now.

I thank Senator PETERS for his hard work on this.

Mr. PETERS. Madam President, I yield the floor.

The PRESIDING OFFICER. The Senator from Idaho.

Mr. RISCH. Madam President, I rise to complete, I hope, the lengthy work we have done on S. 1—the first bill we introduced this year.

It is from the Foreign Relations Committee, and it is a bipartisan piece of legislation which many people have had input into. It is a conglomerate of several pieces of legislation that we have worked on for a considerable period of time, and all of those I know are supported in a bipartisan way.

I would like to walk through the five parts of this very briefly. The first one, of course, is the United States-Israel Security Authorization Assistance Act of 2019. That is one we spent a considerable period of time on.

Without a doubt, Israel is one of the best friends we have in the world. Certainly, in the neighborhood they live in, which is a very dangerous neighborhood, they need our help. We work with them very closely in many respects—in many national security respects, with people who aren't out in the public realm and who will probably never be out in the public realm, but they are important for the security of Israel.

The second is the Jordan Defense Authorization Act. I think all of us are aware, again, that Jordan is a great friend to have in the Middle East. Like Israel, it lives in a very dangerous neighborhood. Jordan has stood by us through thick and thin and through many challenges we have had. Jordan also has, in its great humanitarian view, taken in a number of refugees there.

As we work with Jordan, it is a cooperative effort to help them as they sustain these populations of displaced people who hopefully will be able to return at some point in time.

Thirdly, the Caesar Syria Civilian Protection Act of 2019 is also included in this piece of legislation. This is a piece of legislation that I think my friend from Michigan described quite aptly. It is named after an individual

who is very brave and who brought out a lot of evidence of acts that people knew and suspected were happening. He brought them out into the public.

This is a bill that will use America's power to sanction, and it will refresh some of the sanctions we have already put in place. It is just an excellent way to attempt to persuade Bashar al-Assad that he is going in a very wrong direction, hurting his people as he is.

The Combating BDS Act of 2019 is an act that has some controversy to it. Again, the goals have already been discussed on the floor for many days and at considerable length. Without going into all of the details, it is designed to see that the BDS activity is tamped down and that it is not appropriate to use against our friend Israel.

Lastly, the most recent addition, of course, was the McConnell amendment that has been added. This amendment has been badly mischaracterized by the national media for a number of days now.

I keep reading where the national media writes that the U.S. Senate rebuked—they used the word “rebuked”—President Trump. Nothing could be further from the truth.

In fact, when President Trump was running for office, he said his bottom line was to attempt to get us out of some of these entanglements that we have had.

One, of course, is Afghanistan, which has been on our mind for 17 years. The other was Syria. He rolled out the idea that we shouldn't be considering that. This system worked exactly the way the Founding Fathers intended for it to work. When it comes to foreign relations, when it comes to these kind of matters, it is a joint operation between the first and the second branches of government—between the legislative and the executive branches of government.

After the President put this on the table as the leader of the Nation, people began to talk. It was greatly debated both in this body—in the U.S. Senate—in the House of Representatives, and within the administration itself. What has happened with this piece of legislation is, first of all, it commends the President for all of the things he has been able to do in Syria and getting ISIS contained to a very small area that remains. It also lays out the challenges we face and commits to joining the President as we go forward and as we continue the work that is ahead of us in the Middle East.

This is a great piece of legislation. I commend it to my fellow Senators.

I yield the floor.

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

VOTE ON AMENDMENT NO. 98

The PRESIDING OFFICER. The question is on agreeing to amendment No. 98 offered by the Senator from New Jersey (Mr. MENENDEZ).

The amendment (No. 98) was agreed to.

## VOTE ON AMENDMENT NO. 97

The PRESIDING OFFICER. The question is on agreeing to amendment No. 97 offered by the Senator from Idaho (Mr. RISCH), as amended.

The amendment (No. 97), as amended, was agreed to.

The PRESIDING OFFICER. The question occurs on the passage of S. 1, as amended.

The bill was ordered to be engrossed for a third reading and was read the third time.

Mr. RISCH. Madam President, I ask for the yeas and nays.

The PRESIDING OFFICER. Is there a sufficient second?

There appears to be a sufficient second.

The bill having been read the third time, the question is, Shall the bill pass?

The clerk will call the roll.

The legislative clerk called the roll.

The result was announced—yeas 77, nays 23, as follows:

[Rollcall Vote No. 16 Leg.]

## YEAS—77

Alexander	Fischer	Portman
Barrasso	Gardner	Risch
Bennet	Graham	Roberts
Blackburn	Grassley	Romney
Blumenthal	Hassan	Rosen
Blunt	Hawley	Rounds
Boozman	Hoeben	Rubio
Braun	Hyde-Smith	Sasse
Burr	Inhofe	Schumer
Cantwell	Isakson	Scott (FL)
Capito	Johnson	Scott (SC)
Cardin	Jones	Shelby
Casey	Kennedy	Sinema
Cassidy	King	Smith
Collins	Klobuchar	Stabenow
Coons	Lankford	Sullivan
Cornyn	Lee	Tester
Cortez Masto	Manchin	Thune
Cotton	McConnell	Tillis
Cramer	McSally	Toomey
Crapo	Menendez	Warner
Cruz	Moran	Whitehouse
Daines	Murkowski	Wicker
Duckworth	Murray	Wyden
Enzi	Perdue	Young
Ernst	Peters	

## NAYS—23

Baldwin	Heinrich	Reed
Booker	Hirono	Sanders
Brown	Kaine	Schatz
Carper	Leahy	Shaheen
Durbin	Markey	Udall
Feinstein	Merkley	Van Hollen
Gillibrand	Murphy	Warren
Harris	Paul	

The bill (S. 1), as amended, was passed, as follows:

## S. 1

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,*

**SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

(a) **SHORT TITLE.**—This Act may be cited as the “Strengthening America’s Security in the Middle East Act of 2019”.

(b) **TABLE OF CONTENTS.**—The table of contents for this Act is as follows:

Sec. 1. Short title; table of contents.

**TITLE I—ILEANA ROS-LEHTINEN UNITED STATES-ISRAEL SECURITY ASSISTANCE AUTHORIZATION ACT OF 2019**

Sec. 101. Short title.

Sec. 102. Appropriate congressional committees defined.

Subtitle A—Security Assistance for Israel

Sec. 111. Findings.

Sec. 112. Statement of policy regarding Israel’s defense systems.

Sec. 113. Assistance for Israel.

Sec. 114. Extension of war reserves stockpile authority.

Sec. 115. Extension of loan guarantees to Israel.

Sec. 116. Transfer of precision guided munitions to Israel.

Sec. 117. Sense of Congress on rapid acquisition and deployment procedures.

Sec. 118. Eligibility of Israel for the strategic trade authorization exception to certain export control licensing requirements.

**Subtitle B—Enhanced United States-Israel Cooperation**

Sec. 121. United States-Israel space cooperation.

Sec. 122. United States-Israel enhanced partnership for development cooperation in developing nations.

Sec. 123. Authority to enter into a cooperative project agreement with Israel to counter unmanned aerial vehicles that threaten the United States or Israel.

**Subtitle C—Ensuring Israel’s Qualitative Military Edge**

Sec. 131. Statement of policy.

**TITLE II—UNITED STATES-JORDAN DEFENSE COOPERATION EXTENSION ACT**

Sec. 201. Short title.

Sec. 202. Findings.

Sec. 203. Sense of Congress.

Sec. 204. Reauthorization of United States-Jordan Defense Cooperation Act of 2015.

Sec. 205. Report on establishing an enterprise fund for Jordan.

**TITLE III—CAESAR SYRIA CIVILIAN PROTECTION ACT OF 2019**

Sec. 301. Short title.

Subtitle A—Additional Actions in Connection With the National Emergency With Respect to Syria

Sec. 311. Measures with respect to Central Bank of Syria.

Sec. 312. Sanctions with respect to foreign persons that engage in certain transactions.

**Subtitle B—Assistance for the People of Syria**

Sec. 321. Codification of certain services in support of nongovernmental organizations’ activities authorized.

Sec. 322. Briefing on strategy to facilitate humanitarian assistance.

**Subtitle C—General Provisions**

Sec. 331. Suspension of sanctions.

Sec. 332. Waivers and exemptions.

Sec. 333. Implementation and regulatory authorities.

Sec. 334. Rule of construction.

Sec. 335. Sunset.

**TITLE IV—COMBATING BDS ACT OF 2019**

Sec. 401. Short title.

Sec. 402. Nonpreemption of measures by State and local governments to divest from entities that engage in certain boycott, divestment, or sanctions activities targeting Israel or persons doing business in Israel or Israeli-controlled territories.

Sec. 403. Safe harbor for changes of investment policies by asset managers.

Sec. 404. Sense of congress regarding certain ERISA plan investments.

Sec. 405. Rule of construction.

Sec. 406. Clarification of deadline for report on establishing an enterprise fund for Jordan.

Sec. 407. Form of report on the cooperation of the United States and Israel with respect to countering unmanned aerial systems.

Sec. 408. Sense of Senate on withdrawals of United States forces from Syria and Afghanistan.

**TITLE I—ILEANA ROS-LEHTINEN UNITED STATES-ISRAEL SECURITY ASSISTANCE AUTHORIZATION ACT OF 2019****SEC. 101. SHORT TITLE.**

This title may be cited as the “Ileana Ros-Lehtinen United States-Israel Security Assistance Authorization Act of 2019”.

**SEC. 102. APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**

In this title, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Armed Services of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Armed Services of the House of Representatives.

**Subtitle A—Security Assistance for Israel****SEC. 111. FINDINGS.**

Congress makes the following findings:

(1) In February 1987, the United States granted Israel major non-NATO ally status.

(2) On August 16, 2007, the United States and Israel signed a 10-year Memorandum of Understanding on United States military assistance to Israel. The total assistance over the course of this understanding would equal \$30 billion.

(3) On July 27, 2012, the United States-Israel Enhanced Security Cooperation Act of 2012 (Public Law 112-150; 22 U.S.C. 8601 et seq.) declared it to be the policy of the United States “to help the Government of Israel preserve its qualitative military edge amid rapid and uncertain regional political transformation” and stated the sense of Congress that the United States Government should “provide the Government of Israel defense articles and defense services through such mechanisms as appropriate, to include air refueling tankers, missile defense capabilities, and specialized munitions”.

(4) On December 19, 2014, President Barack Obama signed into law the United States-Israel Strategic Partnership Act of 2014 (Public Law 113-296) which stated the sense of Congress that Israel is a major strategic partner of the United States and declared it to be the policy of the United States “to continue to provide Israel with robust security assistance, including for the procurement of the Iron Dome Missile Defense System”.

(5) Section 1679 of the National Defense Authorization Act for Fiscal Year 2016 (Public Law 114-92; 129 Stat. 1135) authorized funds to be appropriated for Israeli cooperative missile defense program codevelopment and coproduction, including funds to be provided to the Government of Israel to procure the David’s Sling weapon system as well as the Arrow 3 Upper Tier Interceptor Program.

(6) On September 14, 2016, the United States and Israel signed a 10-year Memorandum of Understanding reaffirming the importance of continuing annual United States military assistance to Israel and cooperative missile defense programs in a way that enhances Israel’s security and strengthens the bilateral relationship between the two countries.

(7) The 2016 Memorandum of Understanding reflected United States support of Foreign Military Financing (FMF) grant assistance to Israel over the 10-year period beginning in fiscal year 2019 and ending in fiscal year 2028. FMF grant assistance would be at a level of

\$3,300,000,000 annually, totaling \$33 billion, the largest single pledge of military assistance ever and a reiteration of the seven-decade, unshakeable, bipartisan commitment of the United States to Israel's security.

(8) The Memorandum of Understanding also reflected United States support for funding for cooperative programs to develop, produce, and procure missile, rocket, and projectile defense capabilities over a 10-year period beginning in fiscal year 2019 and ending in fiscal year 2028 at a level of \$500 million per year, totaling \$5 billion.

#### **SEC. 112. STATEMENT OF POLICY REGARDING ISRAEL'S DEFENSE SYSTEMS.**

It shall be the policy of the United States to provide assistance to the Government of Israel in order to support funding for cooperative programs to develop, produce, and procure missile, rocket, projectile, and other defense capabilities to help Israel meet its security needs and to help develop and enhance United States defense capabilities.

#### **SEC. 113. ASSISTANCE FOR ISRAEL.**

Section 513(c) of the Security Assistance Act of 2000 (Public Law 106-280; 114 Stat. 856) is amended—

(1) in paragraph (1), by striking “2002 and 2003” and inserting “2019, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, and 2028”; and

(2) in paragraph (2)—

(A) by striking “equal to—” and inserting “not less than \$3,300,000,000.”; and

(B) by striking subparagraphs (A) and (B).

#### **SEC. 114. EXTENSION OF WAR RESERVES STOCKPILE AUTHORITY.**

Section 514(b)(2)(A) of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h(b)(2)(A)) is amended by striking “2013, 2014, 2015, 2016, 2017, 2018, and 2019” and inserting “2019, 2020, 2021, 2022, and 2023”.

#### **SEC. 115. EXTENSION OF LOAN GUARANTEES TO ISRAEL.**

Chapter 5 of title I of the Emergency War-time Supplemental Appropriations Act, 2003 (Public Law 108-11; 117 Stat. 576) is amended under the heading “LOAN GUARANTEES TO ISRAEL”—

(1) in the matter preceding the first proviso, by striking “September 30, 2019” and inserting “September 30, 2023”; and

(2) in the second proviso, by striking “September 30, 2019” and inserting “September 30, 2023”.

#### **SEC. 116. TRANSFER OF PRECISION GUIDED MUNITIONS TO ISRAEL.**

(a) IN GENERAL.—Notwithstanding section 514 of the Foreign Assistance Act of 1961 (22 U.S.C. 2321h), the President is authorized to transfer such quantities of precision guided munitions from reserve stocks to Israel as necessary for legitimate self-defense and otherwise consistent with the purposes and conditions for such transfers under the Arms Export Control Act (22 U.S.C. 2751 et seq.).

(b) CERTIFICATIONS.—Except in case of emergency, not later than 5 days before making a transfer under this section, the President shall certify in an unclassified notification to the appropriate congressional committees that the transfer of the precision guided munitions—

(1) does not affect the ability of the United States to maintain a sufficient supply of precision guided munitions;

(2) does not harm the combat readiness of the United States or the ability of the United States to meet its commitment to allies for the transfer of such munitions;

(3) is necessary for Israel to counter the threat of rockets in a timely fashion; and

(4) is in the national security interest of the United States.

#### **SEC. 117. SENSE OF CONGRESS ON RAPID ACQUISITION AND DEPLOYMENT PROCEDURES.**

It is the sense of Congress that the President should prescribe procedures for the

rapid acquisition and deployment of precision guided munitions for United States counterterrorism missions, or to assist an ally of the United States, including Israel, that is subject to direct missile threat.

#### **SEC. 118. ELIGIBILITY OF ISRAEL FOR THE STRATEGIC TRADE AUTHORIZATION EXCEPTION TO CERTAIN EXPORT CONTROL LICENSING REQUIREMENTS.**

(a) FINDINGS.—Congress makes the following findings:

(1) Israel has adopted high standards in the field of export controls.

(2) Israel has declared its unilateral adherence to the Missile Technology Control Regime, the Australia Group, and the Nuclear Suppliers Group.

(3) Israel is a party to—

(A) the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons which may be Deemed to be Excessively Injurious or to Have Indiscriminate Effects, signed at Geneva October 10, 1980;

(B) the Protocol for the Prohibition of the Use in War of Asphyxiating, Poisonous or Other Gases, and of Bacteriological Methods of Warfare, signed at Geneva June 17, 1925; and

(C) the Convention on the Physical Protection of Nuclear Material, adopted at Vienna October 26, 1979.

(4) Section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8603 note) directs the President, consistent with the commitments of the United States under international agreements, to take steps so that Israel may be included in the list of countries eligible for the strategic trade authorization exception under section 740.20(c)(1) of title 15, Code of Federal Regulations, to the requirement for a license for the export, reexport, or in-country transfer of an item subject to controls under the Export Administration Regulations.

(b) REPORT ON ELIGIBILITY FOR STRATEGIC TRADE AUTHORIZATION EXCEPTION.—

(1) IN GENERAL.—Not later than 120 days after the date of the enactment of this Act, the President shall submit to the appropriate congressional committees a report that describes the steps taken pursuant to section 6(b) of the United States-Israel Strategic Partnership Act of 2014 (22 U.S.C. 8603 note).

(2) FORM.—The report required under paragraph (1) shall be provided in unclassified form, but may contain a classified portion.

#### **Subtitle B—Enhanced United States-Israel Cooperation**

#### **SEC. 121. UNITED STATES-ISRAEL SPACE COOPERATION.**

(a) FINDINGS.—Congress makes the following findings:

(1) Authorized in 1958, the National Aeronautics and Space Administration (NASA) supports and coordinates United States Government research in aeronautics, human exploration and operations, science, and space technology.

(2) Established in 1983, the Israel Space Agency (ISA) supports the growth of Israel's space industry by supporting academic research, technological innovation, and educational activities.

(3) The mutual interest of the United States and Israel in space exploration affords both nations an opportunity to leverage their unique abilities to advance scientific discovery.

(4) In 1996, NASA and the ISA entered into an agreement outlining areas of mutual cooperation, which remained in force until 2005.

(5) Since 1996, NASA and the ISA have successfully cooperated on many space programs supporting the Global Positioning

System and research related to the sun, earth science, and the environment.

(6) The bond between NASA and the ISA was permanently forged on February 1, 2003, with the loss of the crew of STS-107, including Israeli Astronaut Ilan Ramon.

(7) On October 13, 2015, the United States and Israel signed the Framework Agreement between the National Aeronautics and Space Administration of the United States of America and the Israel Space Agency for Cooperation in Aeronautics and the Exploration and Use of Airspace and Outer Space for Peaceful Purposes.

(b) CONTINUING COOPERATION.—The Administrator of the National Aeronautics and Space Administration shall continue to work with the Israel Space Agency to identify and cooperatively pursue peaceful space exploration and science initiatives in areas of mutual interest, taking all appropriate measures to protect sensitive information, intellectual property, trade secrets, and economic interests of the United States.

#### **SEC. 122. UNITED STATES-ISRAEL ENHANCED PARTNERSHIP FOR DEVELOPMENT COOPERATION IN DEVELOPING NATIONS.**

(a) STATEMENT OF POLICY.—It should be the policy of the United States to partner with Israel in order to advance common goals across a wide variety of sectors, including energy, agriculture and food security, democracy, human rights and governance, economic growth and trade, education, environment, global health, and water and sanitation.

(b) MEMORANDUM OF UNDERSTANDING.—The Secretary of State, acting through the Administrator of the United States Agency for International Development in accordance with established procedures, is authorized to enter into memoranda of understanding with Israel in order to enhance coordination on advancing common goals on energy, agriculture and food security, democracy, human rights and governance, economic growth and trade, education, environment, global health, and water and sanitation with a focus on strengthening mutual ties and cooperation with nations throughout the world.

#### **SEC. 123. AUTHORITY TO ENTER INTO A COOPERATIVE PROJECT AGREEMENT WITH ISRAEL TO COUNTER UNMANNED AERIAL VEHICLES THAT THREATEN THE UNITED STATES OR ISRAEL.**

(a) FINDINGS.—Congress makes the following findings:

(1) On February 10, 2018, Iran launched from Syria an unmanned aerial vehicle (commonly known as a “drone”) that penetrated Israeli airspace.

(2) According to a press report, the unmanned aerial vehicle was in Israeli airspace for a minute and a half before being shot down by its air force.

(3) Senior Israeli officials stated that the unmanned aerial vehicle was an advanced piece of technology.

(b) SENSE OF CONGRESS.—It is the sense of the Congress that—

(1) joint research and development to counter unmanned aerial vehicles will serve the national security interests of the United States and Israel;

(2) Israel faces urgent and emerging threats from unmanned aerial vehicles, and other unmanned vehicles, launched from Lebanon by Hezbollah, from Syria by Iran's Revolutionary Guard Corps, or from others seeking to attack Israel;

(3) efforts to counter unmanned aerial vehicles should include the feasibility of utilizing directed energy and high powered microwave technologies, which can disable vehicles without kinetic destruction; and

(4) the United States and Israel should continue to work together to defend against all

threats to the safety, security, and national interests of both countries.

(c) **AUTHORITY TO ENTER INTO AGREEMENT.**—

(1) **IN GENERAL.**—The President is authorized to enter into a cooperative project agreement with Israel under the authority of section 27 of the Arms Export Control Act (22 U.S.C. 2767), to carry out research on, and development, testing, evaluation, and joint production (including follow-on support) of, defense articles and defense services, such as the use of directed energy or high powered microwave technology, to detect, track, and destroy unmanned aerial vehicles that threaten the United States or Israel.

(2) **APPLICABLE REQUIREMENTS.**—The cooperative project agreement described in paragraph (1) shall—

(A) provide that any activities carried out pursuant to the agreement are subject to—

(i) the applicable requirements described in subparagraphs (A), (B), and (C) of section 27(b)(2) of the Arms Export Control Act (22 U.S.C. 2767(b)(2)); and

(ii) any other applicable requirements of the Arms Export Control Act (22 U.S.C. 2751 et seq.) with respect to the use, transfers, and security of such defense articles and defense services under that Act;

(B) establish a framework to negotiate the rights to intellectual property developed under the agreement; and

(C) include appropriate protections for sensitive technology.

(d) **REPORT ON COOPERATION.**—

(1) **REPORT REQUIRED.**—Not later than 90 days after the date of the enactment of this Act, the Secretary of Defense shall submit to the congressional defense committees (as that term is defined in section 101(a) of title 10, United States Code), the Committee on Foreign Relations of the Senate, and the Committee on Foreign Affairs of the House of Representatives a report describing the cooperation of the United States with Israel with respect to countering unmanned aerial systems that includes each of the following:

(A) An identification of specific capability gaps of the United States and Israel with respect to countering unmanned aerial systems.

(B) An identification of cooperative projects that would address those capability gaps and mutually benefit and strengthen the security of the United States and Israel.

(C) An assessment of the projected cost for research and development efforts for such cooperative projects, including an identification of those to be conducted in the United States, and the timeline for the completion of each such project.

(D) An assessment of the extent to which the capability gaps of the United States identified pursuant to subparagraph (A) are not likely to be addressed through the cooperative projects identified pursuant to subparagraph (B).

(E) An assessment of the projected costs for procurement and fielding of any capabilities developed jointly pursuant to an agreement described in subsection (c).

(2) **LIMITATION.**—No activities may be conducted pursuant to an agreement described in subsection (c) until the date that is 15 days after the date on which the Secretary of Defense submits the report required under paragraph (1).

#### **Subtitle C—Ensuring Israel's Qualitative Military Edge**

#### **SEC. 131. STATEMENT OF POLICY.**

It is the policy of the United States to ensure that Israel maintains its ability to counter and defeat any credible conventional military, or emerging, threat from any individual state or possible coalition of states or from non-state actors, while sustaining

minimal damages and casualties, through the use of superior military means, possessed in sufficient quantity, including weapons, command, control, communication, intelligence, surveillance, and reconnaissance capabilities that in their technical characteristics are superior in capability to those of such other individual or possible coalition states or non-state actors.

#### **TITLE II—UNITED STATES-JORDAN DEFENSE COOPERATION EXTENSION ACT**

##### **SEC. 201. SHORT TITLE.**

This title may be cited as the “United States-Jordan Defense Cooperation Extension Act”.

##### **SEC. 202. FINDINGS.**

Congress finds the following:

(1) In December 2011, Congress passed section 7041(b) of the Consolidated Appropriations Act, 2012 (Public Law 112-74; 125 Stat. 1223), which appropriated funds made available under the heading “Economic Support Fund” to establish an enterprise fund for Jordan.

(2) The intent of an enterprise fund is to attract private investment to help entrepreneurs and small businesses create jobs and to achieve sustainable economic development.

(3) Jordan is an instrumental partner in the fight against terrorism, including as a member of the Global Coalition To Counter ISIS and the Combined Joint Task Force - Operation Inherent Resolve.

(4) In 2014, His Majesty King Abdullah stated that “Jordanians and Americans have been standing shoulder to shoulder against extremism for many years, but to a new level with this coalition against ISIL”.

(5) On February 3, 2015, the United States signed a 3-year memorandum of understanding with Jordan, pledging to provide the kingdom with \$1,000,000,000 annually in United States foreign assistance, subject to the approval of Congress.

##### **SEC. 203. SENSE OF CONGRESS.**

It is the sense of Congress that—

(1) Jordan plays a critical role in responding to the overwhelming humanitarian needs created by the conflict in Syria; and

(2) Jordan, the United States, and other partners should continue working together to address this humanitarian crisis and promote regional stability, including through support for refugees in Jordan and internally displaced people along the Jordan-Syria border and the creation of conditions inside Syria that will allow for the secure, dignified, and voluntary return of people displaced by the crisis.

##### **SEC. 204. REAUTHORIZATION OF UNITED STATES-JORDAN DEFENSE COOPERATION ACT OF 2015.**

Section 5(a) of the United States-Jordan Defense Cooperation Act of 2015 (22 U.S.C. 2753 note) is amended—

(1) by striking “During the 3-year period” and inserting “During the period”; and

(2) by inserting “and ending on December 31, 2022” after “enactment of this Act”.

##### **SEC. 205. REPORT ON ESTABLISHING AN ENTERPRISE FUND FOR JORDAN.**

(a) **IN GENERAL.**—Not later than 180 days after the establishment of the United States Development Finance Corporation, the President shall submit to the appropriate congressional committees a detailed report assessing the costs and benefits of the United States Development Finance Corporation establishing a Jordan Enterprise Fund.

(b) **APPROPRIATE CONGRESSIONAL COMMITTEES.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Relations and the Committee on Appropriations of the Senate; and

(2) the Committee on Foreign Affairs and the Committee on Appropriations of the House of Representatives.

#### **TITLE III—CAESAR SYRIA CIVILIAN PROTECTION ACT OF 2019**

##### **SEC. 301. SHORT TITLE.**

This title may be cited as the “Caesar Syria Civilian Protection Act of 2019”.

##### **Subtitle A—Additional Actions in Connection With the National Emergency With Respect to Syria**

##### **SEC. 311. MEASURES WITH RESPECT TO CENTRAL BANK OF SYRIA.**

(a) **DETERMINATION REGARDING CENTRAL BANK OF SYRIA.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of the Treasury shall determine, under section 5318A of title 31, United States Code, whether reasonable grounds exist for concluding that the Central Bank of Syria is a financial institution of primary money laundering concern.

(b) **ENHANCED DUE DILIGENCE AND REPORTING REQUIREMENTS.**—If the Secretary of the Treasury determines under subsection (a) that reasonable grounds exist for concluding that the Central Bank of Syria is a financial institution of primary money laundering concern, the Secretary, in consultation with the Federal functional regulators (as defined in section 509 of the Gramm-Leach-Bliley Act (15 U.S.C. 6809)), shall impose one or more of the special measures described in section 5318A(b) of title 31, United States Code, with respect to the Central Bank of Syria.

(c) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 90 days after making a determination under subsection (a) with respect to whether the Central Bank of Syria is a financial institution of primary money laundering concern, the Secretary of the Treasury shall submit to the appropriate congressional committees a report that includes the reasons for the determination.

(2) **FORM.**—A report required by paragraph (1) shall be submitted in unclassified form, but may include a classified annex.

(3) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this subsection, the term “appropriate congressional committees” means—

(A) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives; and

(B) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate.

##### **SEC. 312. SANCTIONS WITH RESPECT TO FOREIGN PERSONS THAT ENGAGE IN CERTAIN TRANSACTIONS.**

(a) **IMPOSITION OF SANCTIONS.**—

(1) **IN GENERAL.**—On and after the date that is 180 days after the date of the enactment of this Act, the President shall impose the sanctions described in subsection (b) with respect to a foreign person if the President determines that the foreign person, on or after such date of enactment, knowingly engages in an activity described in paragraph (2).

(2) **ACTIVITIES DESCRIBED.**—A foreign person engages in an activity described in this paragraph if the foreign person—

(A) knowingly provides significant financial, material, or technological support to, or knowingly engages in a significant transaction with—

(i) the Government of Syria (including any entity owned or controlled by the Government of Syria) or a senior political figure of the Government of Syria;

(ii) a foreign person that is a military contractor, mercenary, or a paramilitary force knowingly operating in a military capacity



inside Syria for or on behalf of the Government of Syria, the Government of the Russian Federation, or the Government of Iran; or

(iii) a foreign person subject to sanctions pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) with respect to Syria or any other provision of law that imposes sanctions with respect to Syria;

(B) knowingly sells or provides significant goods, services, technology, information, or other support that significantly facilitates the maintenance or expansion of the Government of Syria's domestic production of natural gas, petroleum, or petroleum products;

(C) knowingly sells or provides aircraft or spare aircraft parts that are used for military purposes in Syria for or on behalf of the Government of Syria to any foreign person operating in an area directly or indirectly controlled by the Government of Syria or foreign forces associated with the Government of Syria;

(D) knowingly provides significant goods or services associated with the operation of aircraft that are used for military purposes in Syria for or on behalf of the Government of Syria to any foreign person operating in an area described in subparagraph (C); or

(E) knowingly, directly or indirectly, provides significant construction or engineering services to the Government of Syria.

(3) SENSE OF CONGRESS.—It is the sense of Congress that, in implementing this section, the President should consider financial support under paragraph (2)(A) to include the provision of loans, credits, or export credits.

(b) SANCTIONS DESCRIBED.—

(1) IN GENERAL.—The sanctions to be imposed with respect to a foreign person subject to subsection (a) are the following:

(A) BLOCKING OF PROPERTY.—The President shall exercise all of the powers granted to the President under the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in property and interests in property of the foreign person if such property and interests in property are in the United States, come within the United States, or are or come within the possession or control of a United States person.

(B) ALIENS INELIGIBLE FOR VISAS, ADMISSION, OR PAROLE.—

(i) VISAS, ADMISSION, OR PAROLE.—An alien who the Secretary of State or the Secretary of Homeland Security (or a designee of one of such Secretaries) knows, or has reason to believe, has knowingly engaged in any activity described in subsection (a)(2) is—

(I) inadmissible to the United States;

(II) ineligible to receive a visa or other documentation to enter the United States; and

(III) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(ii) CURRENT VISAS REVOKED.—

(I) IN GENERAL.—The issuing consular officer, the Secretary of State, or the Secretary of Homeland Security (or a designee of one of such Secretaries) shall, in accordance with section 221(i) of the Immigration and Nationality Act (8 U.S.C. 1201(i)), revoke any visa or other entry documentation issued to an alien described in clause (i) regardless of when the visa or other entry documentation is issued.

(II) EFFECT OF REVOCATION.—A revocation under subclause (I)—

(aa) shall take effect immediately; and

(bb) shall automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(2) PENALTIES.—The penalties provided for in subsections (b) and (c) of section 206 of the International Emergency Economic Powers

Act (50 U.S.C. 1705) shall apply to a person that violates, attempts to violate, conspires to violate, or causes a violation of regulations promulgated under section 333(b) to carry out paragraph (1)(A) to the same extent that such penalties apply to a person that commits an unlawful act described in section 206(a) of that Act.

(3) EXCEPTION RELATING TO IMPORTATION OF GOODS.—

(A) IN GENERAL.—The requirement to block and prohibit all transactions in all property and interests in property under paragraph (1)(A) shall not include the authority to impose sanctions on the importation of goods.

(B) GOOD DEFINED.—In this paragraph, the term “good” means any article, natural or man-made substance, material, supply or manufactured product, including inspection and test equipment, and excluding technical data.

(c) DEFINITIONS.—In this section:

(1) ADMITTED; ALIEN.—The terms “admitted” and “alien” have the meanings given those terms in section 101 of the Immigration and Nationality Act (8 U.S.C. 1101).

(2) FOREIGN PERSON.—The term “foreign person” means a person that is not a United States person.

(3) KNOWINGLY.—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(4) UNITED STATES PERSON.—The term “United States person” means—

(A) a United States citizen or an alien lawfully admitted for permanent residence to the United States; or

(B) an entity organized under the laws of the United States or any jurisdiction within the United States, including a foreign branch of such an entity.

#### Subtitle B—Assistance for the People of Syria

#### SEC. 321. CODIFICATION OF CERTAIN SERVICES IN SUPPORT OF NONGOVERNMENTAL ORGANIZATIONS' ACTIVITIES AUTHORIZED.

(a) IN GENERAL.—Except as provided in subsection (b), section 542.516 of title 31, Code of Federal Regulations (relating to certain services in support of nongovernmental organizations' activities authorized), as in effect on the day before the date of the enactment of this Act, shall—

(1) remain in effect on and after such date of enactment; and

(2) in the case of a nongovernmental organization that is authorized to export or reexport services to Syria under such section on the day before such date of enactment, apply to such organization on and after such date of enactment to the same extent and in the same manner as such section applied to such organization on the day before such date of enactment.

(b) EXCEPTION.—

(1) IN GENERAL.—Section 542.516 of title 31, Code of Federal Regulations, as codified under subsection (a), shall not apply with respect to a foreign person that has been designated as a foreign terrorist organization under section 219 of the Immigration and Nationality Act (8 U.S.C. 1189), or otherwise designated as a terrorist organization, by the Secretary of State, in consultation with or upon the request of the Attorney General or the Secretary of Homeland Security.

(2) EFFECTIVE DATE.—Paragraph (1) shall apply with respect to a foreign person on and after the date on which the designation of that person as a terrorist organization is published in the Federal Register.

#### SEC. 322. BRIEFING ON STRATEGY TO FACILITATE HUMANITARIAN ASSISTANCE.

(a) IN GENERAL.—Not later than 180 days after the date of the enactment of this Act,

the President shall brief the appropriate congressional committees on the strategy of the President to help facilitate the ability of humanitarian organizations to access financial services to help facilitate the safe and timely delivery of assistance to communities in need in Syria.

(b) CONSIDERATION OF DATA FROM OTHER COUNTRIES AND NONGOVERNMENTAL ORGANIZATIONS.—In preparing the strategy required by subsection (a), the President shall consider credible data already obtained by other countries and nongovernmental organizations, including organizations operating in Syria.

(c) APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, and the Committee on Appropriations of the Senate.

#### Subtitle C—General Provisions

#### SEC. 331. SUSPENSION OF SANCTIONS.

(a) IN GENERAL.—The President may suspend in whole or in part the imposition of sanctions otherwise required under this title for periods not to exceed 180 days if the President determines that the following criteria have been met in Syria:

(1) The air space over Syria is no longer being utilized by the Government of Syria or the Government of the Russian Federation to target civilian populations through the use of incendiary devices, including barrel bombs, chemical weapons, and conventional arms, including air-delivered missiles and explosives.

(2) Areas besieged by the Government of Syria, the Government of the Russian Federation, the Government of Iran, or a foreign person described in section 312(a)(2)(A)(ii) are no longer cut off from international aid and have regular access to humanitarian assistance, freedom of travel, and medical care.

(3) The Government of Syria is releasing all political prisoners forcibly held within the prison system of the regime of Bashar al-Assad and the Government of Syria is allowing full access to the same facilities for investigations by appropriate international human rights organizations.

(4) The forces of the Government of Syria, the Government of the Russian Federation, the Government of Iran, and any foreign person described in section 312(a)(2)(A)(ii) are no longer engaged in deliberate targeting of medical facilities, schools, residential areas, and community gathering places, including markets, in violation of international norms.

(5) The Government of Syria is—

(A) taking steps to verifiably fulfill its commitments under the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, done at Geneva September 3, 1992, and entered into force April 29, 1997 (commonly known as the “Chemical Weapons Convention”), and the Treaty on the Non-Proliferation of Nuclear Weapons, done at Washington, London, and Moscow July 1, 1968, and entered into force March 5, 1970 (21 UST 483); and

(B) making tangible progress toward becoming a signatory to the Convention on the Prohibition of the Development, Production and Stockpiling of Bacteriological (Biological) and Toxin Weapons and on their Destruction, done at Washington, London, and Moscow April 10, 1972, and entered into force March 26, 1975 (26 UST 583).

(6) The Government of Syria is permitting the safe, voluntary, and dignified return of Syrians displaced by the conflict.

(7) The Government of Syria is taking verifiable steps to establish meaningful accountability for perpetrators of war crimes in Syria and justice for victims of war crimes committed by the Assad regime, including by participation in a credible and independent truth and reconciliation process.

(b) **BRIEFING REQUIRED.**—Not later than 30 days after the President makes a determination described in subsection (a), the President shall provide a briefing to the appropriate congressional committees on the determination and the suspension of sanctions pursuant to the determination.

(c) **REIMPOSITION OF SANCTIONS.**—Any sanctions suspended under subsection (a) shall be reimposed if the President determines that the criteria described in that subsection are no longer being met.

(d) **RULE OF CONSTRUCTION.**—Nothing in this section shall be construed to limit the authority of the President to terminate the application of sanctions under section 312 with respect to a person that no longer engages in activities described in subsection (a)(2) of that section.

(e) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on the Judiciary, and the Committee on Appropriations of the Senate.

#### **SEC. 332. WAIVERS AND EXEMPTIONS.**

(a) **EXEMPTIONS.**—The following activities and transactions shall be exempt from sanctions authorized under this title:

(1) Any activity subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.), or to any authorized law enforcement, national security, or intelligence activities of the United States.

(2) Any transaction necessary to comply with United States obligations under—

(A) the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States;

(B) the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967; or

(C) any other international agreement to which the United States is a party.

(b) **WAIVER.**—

(1) **IN GENERAL.**—The President may, for periods not to exceed 180 days, waive the application of any provision of this title with respect to a foreign person if the President certifies to the appropriate congressional committees that such a waiver is in the national security interests of the United States.

(2) **BRIEFING.**—Not later than 90 days after the issuance of a waiver under paragraph (1), and every 180 days thereafter while the waiver remains in effect, the President shall brief the appropriate congressional committees on the reasons for the waiver.

(c) **HUMANITARIAN WAIVER.**—

(1) **IN GENERAL.**—The President may waive, for renewable periods not to exceed 2 years, the application of any provision of this title with respect to a nongovernmental organiza-

tion providing humanitarian assistance not covered by the authorization described in section 321 if the President certifies to the appropriate congressional committees that such a waiver is important to address a humanitarian need and is consistent with the national security interests of the United States.

(2) **BRIEFING.**—Not later than 90 days after the issuance of a waiver under paragraph (1), and every 180 days thereafter while the waiver remains in effect, the President shall brief the appropriate congressional committees on the reasons for the waiver.

(d) **APPROPRIATE CONGRESSIONAL COMMITTEES DEFINED.**—In this section, the term “appropriate congressional committees” means—

(1) the Committee on Foreign Affairs, the Committee on Financial Services, the Committee on Ways and Means, the Committee on the Judiciary, and the Committee on Appropriations of the House of Representatives; and

(2) the Committee on Foreign Relations, the Committee on Banking, Housing, and Urban Affairs, the Committee on the Judiciary, and the Committee on Appropriations of the Senate.

#### **SEC. 333. IMPLEMENTATION AND REGULATORY AUTHORITIES.**

(a) **IMPLEMENTATION AUTHORITY.**—The President may exercise all authorities provided to the President under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) for purposes of carrying out this title.

(b) **REGULATORY AUTHORITY.**—The President shall, not later than 180 days after the date of the enactment of this Act, promulgate regulations as necessary for the implementation of this title.

#### **SEC. 334. RULE OF CONSTRUCTION.**

Nothing in this title shall be construed to limit the authority of the President pursuant to the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) or any other provision of law.

#### **SEC. 335. SUNSET.**

This title shall cease to be effective on the date that is 5 years after the date of the enactment of this Act.

### **TITLE IV—COMBATING BDS ACT OF 2019**

#### **SEC. 401. SHORT TITLE.**

This title may be cited as the “Combating BDS Act of 2019”.

#### **SEC. 402. NONPREEMPTION OF MEASURES BY STATE AND LOCAL GOVERNMENTS TO DIVEST FROM ENTITIES THAT ENGAGE IN CERTAIN BOYCOTT, DIVESTMENT, OR SANCTIONS ACTIVITIES TARGETING ISRAEL OR PERSONS DOING BUSINESS IN ISRAEL OR ISRAELI-CONTROLLED TERRITORIES.**

(a) **STATE AND LOCAL MEASURES.**—Notwithstanding any other provision of law, a State or local government may adopt and enforce measures that meet the requirements of subsection (c) to divest the assets of the State or local government from, prohibit investment of the assets of the State or local government in, or restrict contracting by the State or local government for goods and services with—

(1) an entity that the State or local government determines, using credible information available to the public, knowingly engages in an activity described in subsection (b);

(2) a successor entity or subunit of an entity described in paragraph (1); or

(3) an entity that owns or controls or is owned or controlled by an entity described in paragraph (1).

(b) **ACTIVITIES DESCRIBED.**—An activity described in this subsection is a commerce-re-

lated or investment-related boycott, divestment, or sanctions activity in the course of interstate or international commerce that is intended to penalize, inflict economic harm on, or otherwise limit commercial relations with Israel or persons doing business in Israel or Israeli-controlled territories for purposes of coercing political action by, or imposing policy positions on, the Government of Israel.

(c) **REQUIREMENTS.**—A State or local government that seeks to adopt or enforce a measure under subsection (a) shall meet the following requirements:

(1) **NOTICE.**—The State or local government shall provide written notice—

(A) in the case of a measure relating to divestment or investment, to each entity to which the measure is to be applied; and

(B) in the case of a measure relating to contracting, of the restrictions imposed by the measure to each prospective contractor before entering into a contract.

(2) **TIMING.**—A measure relating to divestment or investment shall apply to an entity not earlier than the date that is 90 days after the date on which written notice is provided to the entity under paragraph (1).

(3) **OPPORTUNITY FOR COMMENT.**—In the case of a measure relating to divestment or investment, the State or local government shall provide an opportunity to comment in writing to each entity to which the measure is to be applied. If the entity demonstrates to the State or local government that neither the entity nor any entity related to the entity as described in paragraph (2) or (3) of subsection (a) has knowingly engaged in an activity described in subsection (b), the measure shall not apply to the entity.

(4) **DISCLOSURE IN CONTRACTING MEASURES.**—The State or local government may require, in a measure relating to contracting, that a prospective contractor disclose whether the prospective contractor or any entity related to the prospective contractor as described in paragraph (2) or (3) of subsection (a) knowingly engages in any activity described in subsection (b) before entering into a contract.

(5) **SENSE OF CONGRESS ON AVOIDING ERRONEOUS TARGETING.**—It is the sense of Congress that a State or local government should not adopt a measure under subsection (a) with respect to an entity unless the State or local government has made every effort to avoid erroneously targeting the entity and has verified that the entity engages in an activity described in subsection (b).

(d) **NOTICE TO DEPARTMENT OF JUSTICE.**—

(1) **IN GENERAL.**—Except as provided in paragraph (2), not later than 30 days after adopting a measure described in subsection (a), the State or local government that adopted the measure shall submit written notice to the Attorney General describing the measure.

(2) **EXISTING MEASURES.**—With respect to measures described in subsection (a) adopted before the date of the enactment of this Act, the State or local government that adopted the measure shall submit written notice to the Attorney General describing the measure not later than 30 days after the date of the enactment of this Act.

(e) **NONPREEMPTION.**—A measure of a State or local government that is consistent with subsection (a) is not preempted by any Federal law.

(f) **PRIOR ENACTED MEASURES.**—

(1) **IN GENERAL.**—Notwithstanding any other provision of this section or any other provision of law, and except as provided in paragraph (2), a State or local government may enforce a measure described in subsection (a) adopted by the State or local government before the date of the enactment of

this Act without regard to the requirements of subsection (c).

(2) APPLICATION OF NOTICE AND OPPORTUNITY FOR COMMENT.—Enforcement of a measure described in paragraph (1) shall be subject to the requirements of subsection (c) on and after the date that is 2 years after the date of the enactment of this Act.

(g) RULES OF CONSTRUCTION.—

(1) AUTHORITY OF STATES.—Nothing in this section shall be construed to abridge the authority of a State to issue and enforce rules governing the safety, soundness, and solvency of a financial institution subject to its jurisdiction or the business of insurance pursuant to the Act of March 9, 1945 (59 Stat. 33, chapter 20; 15 U.S.C. 1011 et seq.) (commonly known as the “McCarran-Ferguson Act”).

(2) POLICY OF THE UNITED STATES.—Nothing in this section shall be construed to alter the established policy of the United States concerning final status issues associated with the Arab-Israeli conflict, including border delineation, that can only be resolved through direct negotiations between the parties.

(h) DEFINITIONS.—In this section:

(1) ASSETS.—

(A) IN GENERAL.—Except as provided in subparagraph (B), the term “assets” means any pension, retirement, annuity, or endowment fund, or similar instrument, that is controlled by a State or local government.

(B) EXCEPTION.—The term “assets” does not include employee benefit plans covered by title I of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1001 et seq.).

(2) ENTITY.—The term “entity” includes—

(A) any corporation, company, business association, partnership, or trust; and

(B) any governmental entity or instrumentality of a government, including a multilateral development institution (as defined in section 1701(c)(3) of the International Financial Institutions Act (22 U.S.C. 262r(c)(3))).

(3) INVESTMENT.—The term “investment” includes—

(A) a commitment or contribution of funds or property;

(B) a loan or other extension of credit; and

(C) the entry into or renewal of a contract for goods or services.

(4) KNOWINGLY.—The term “knowingly”, with respect to conduct, a circumstance, or a result, means that a person has actual knowledge, or should have known, of the conduct, the circumstance, or the result.

(5) STATE.—The term “State” means each of the several States, the District of Columbia, the Commonwealth of Puerto Rico, the Commonwealth of the Northern Mariana Islands, American Samoa, Guam, the United States Virgin Islands, and any other territory or possession of the United States.

(6) STATE OR LOCAL GOVERNMENT.—The term “State or local government” includes—

(A) any State and any agency or instrumentality thereof;

(B) any local government within a State and any agency or instrumentality thereof; and

(C) any other governmental instrumentality of a State or locality.

#### SEC. 403. SAFE HARBOR FOR CHANGES OF INVESTMENT POLICIES BY ASSET MANAGERS.

Section 13(c)(1) of the Investment Company Act of 1940 (15 U.S.C. 80a-13(c)(1)) is amended—

(1) in subparagraph (A), by striking “; or” and inserting a semicolon;

(2) in subparagraph (B), by striking the period at the end and inserting “; or”; and

(3) by adding at the end the following:

“(C) knowingly engage in any activity described in section 402(b) of the Combating BDS Act of 2019.”.

#### SEC. 404. SENSE OF CONGRESS REGARDING CERTAIN ERISA PLAN INVESTMENTS.

It is the sense of Congress that—

(1) a fiduciary of an employee benefit plan, as defined in section 3(3) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002(3)), may divest plan assets from, or avoid investing plan assets in, any person the fiduciary determines knowingly engages in any activity described in section 2(b), if—

(A) the fiduciary makes that determination using credible information that is available to the public; and

(B) the fiduciary prudently determines that the result of that divestment or avoidance of investment would not be expected to provide the employee benefit plan with—

(i) a lower rate of return than alternative investments with commensurate degrees of risk; or

(ii) a higher degree of risk than alternative investments with commensurate rates of return; and

(2) by divesting assets or avoiding the investment of assets as described in paragraph (1), the fiduciary is not breaching the responsibilities, obligations, or duties imposed upon the fiduciary by subparagraph (A) or (B) of section 404(a)(1) of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1104(a)(1)).

#### SEC. 405. RULE OF CONSTRUCTION.

Nothing in this title shall be construed to infringe upon any right protected under the First Amendment to the Constitution of the United States.

#### SEC. 406. CLARIFICATION OF DEADLINE FOR REPORT ON ESTABLISHING AN ENTERPRISE FUND FOR JORDAN.

For purposes of section 205(a), the term “establishment of the United States Development Finance Corporation” means the end of the transition period, as defined in section 1461 of the Better Utilization of Investments Leading to Development Act of 2018 (division F of Public Law 115-254).

#### SEC. 407. FORM OF REPORT ON THE COOPERATION OF THE UNITED STATES AND ISRAEL WITH RESPECT TO COUNTERING UNMANNED AERIAL SYSTEMS.

The report required under section 123(d) shall be submitted in unclassified form, but may include a classified annex.

#### SEC. 408. SENSE OF SENATE ON WITHDRAWALS OF UNITED STATES FORCES FROM SYRIA AND AFGHANISTAN.

(a) FINDINGS.—The Senate makes the following findings:

(1) The foreign terrorist organization al Qaeda, responsible for the attacks of September 11, 2001, maintains a presence in Afghanistan.

(2) The Islamic State of Iraq and al Sham, better known by its acronym ISIS, flourished in the chaos unleashed by the civil war in Syria and at one point controlled extensive territory in Iraq and Syria.

(3) Al Qaeda, ISIS, and their affiliates have murdered thousands of innocent civilians.

(4) Al Qaeda, ISIS, and their affiliates have proven resilient and have regrouped when the United States and its partners have withdrawn from the fight against them.

(b) SENSE OF SENATE.—The Senate—

(1) acknowledges that the United States military and our partners have made significant progress in the campaign against al Qaeda and the Islamic State of Iraq and al Sham (ISIS), and honors the contributions and sacrifice of the members of the United States Armed Forces who have served on the front lines of this fight;

(2) recognizes the continuing threat to the homeland and our allies posed by al Qaeda and ISIS, which maintain an ability to operate in Syria and Afghanistan;

(3) expresses concern that Iran has supported the Taliban in Afghanistan and

Hizbullah and the Assad regime in Syria, and has sought to frustrate diplomatic efforts to resolve conflicts in these two countries;

(4) recognizes the positive role the United States and its partners have played in Syria and Afghanistan fighting terrorist groups, countering Iranian aggression, deterring the further use of chemical weapons, and protecting human rights;

(5) warns that a precipitous withdrawal of United States forces from the on-going fight against these groups, without effective, countervailing efforts to secure gains in Syria and Afghanistan, could allow terrorists to regroup, destabilize critical regions, and create vacuums that could be filled by Iran or Russia, to the detriment of United States interests and those of our allies;

(6) recognizes that al Qaeda and ISIS pose a global threat, which merits increased international contributions to the counterterrorism, diplomatic, and stabilization efforts underway in Syria and Afghanistan;

(7) recognizes that diplomatic efforts to secure peaceful, negotiated solutions to the conflicts in Syria and Afghanistan are necessary to long-term stability and counterterrorism efforts in the Middle East and South Asia;

(8) acknowledges the progress made by Special Representative Khalilzad in his efforts to promote reconciliation in Afghanistan;

(9) calls upon the Administration to conduct a thorough review of the military and diplomatic strategies in Syria and Afghanistan, including an assessment of the risk that withdrawal from those countries could strengthen the power and influence of Russia and Iran in the Middle East and South Asia and undermine diplomatic efforts toward negotiated, peaceful solutions;

(10) requests that the Administration, as part of this review, solicit the views of Israel, our regional partners, and other key troop-contributing nations in the fight against al Qaeda and ISIS;

(11) reiterates support for international diplomatic efforts to facilitate peaceful, negotiated resolutions to the on-going conflicts in Syria and Afghanistan on terms that respect the rights of innocent civilians and deny safe havens to terrorists;

(12) calls upon the Administration to pursue a strategy that sets the conditions for the long-term defeat of al Qaeda and ISIS, as well as the protection of regional partners and allies, while ensuring that Iran cannot dominate the region or threaten Israel;

(13) encourages close collaboration between the Executive Branch and the Legislative Branch to ensure continuing strong, bipartisan support for United States military operations in Syria and Afghanistan; and

(14) calls upon the Administration to certify that conditions have been met for the enduring defeat of al Qaeda and ISIS before initiating any significant withdrawal of United States forces from Syria or Afghanistan.

(c) RULE OF CONSTRUCTION.—Nothing in this section shall be construed as a declaration of war or an authorization of the use of military force.

The PRESIDING OFFICER. The Senator from Alaska.

Ms. MURKOWSKI. Madam President, I request permission to speak for up to 1 minute regarding this vote.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## NATURAL RESOURCES MANAGEMENT ACT—MOTION TO PROCEED

Ms. MURKOWSKI. Madam President, this next vote is one to invoke cloture on the motion to proceed to S. 47. This is the Natural Resources Management Act. This is our long-talked-about bipartisan lands package.

We have a measure in front of us that is composed of over 100 smaller lands, resources, and water bills. We have included priorities from up to 50 Senators here in this body; 90 of you have cosponsored.

We reauthorized the Land and Water Conservation Fund. We addressed sportsmen's priorities. We have a wide range of land exchanges and conveyances and boundary modifications, water provisions. It creates new economic opportunities and improves the management of our Federal lands.

We will be talking more about this in the next couple of days, but I encourage all Members to support us on this very, very important lands package.

The PRESIDING OFFICER. The Senator from West Virginia.

Mr. MANCHIN. Madam President, first of all, I want to echo what my colleague said. Senator CANTWELL has worked hard the last 2 years or 3 years on this process.

The lands bill was recently—

The PRESIDING OFFICER. All time has expired.

Mr. MANCHIN. Madam President, I ask unanimous consent to speak for 1 minute.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

Mr. MANCHIN. I am just saying that this is a piece of legislation that has been worked on for quite some time. It is a piece of legislation that basically does an awful lot for an awful lot of people all over this country.

Every one of us has something in this that is good. Land and water conservation is basically reauthorized permanently. It is something that we worked hard on.

I appreciate all of the hard work, and thank you so much, Madam President.

## CLOTURE MOTION

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

The assistant bill clerk read as follows:

## CLOTURE MOTION

We, the undersigned Senators, in accordance with the provisions of rule XXII of the Standing Rules of the Senate, do hereby move to bring to a close debate on the motion to proceed to Calendar No. 7, S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

Mitch McConnell, Pat Roberts, Shelley Moore Capito, Mitt Romney, Richard Burr, John Cornyn, Rick Scott, Mike Crapo, Cindy Hyde-Smith, Michael B. Enzi, Kevin Cramer, Mike Braun, John Boozman, Steve Daines, James M. Inhofe, Thom Tillis, Joni Ernst.

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

The question is, Is it the sense of the Senate that debate on the motion to proceed to S. 47, an act to provide for the management of the natural resources of the United States, and for other purposes, shall be brought to a close?

The yeas and nays are mandatory under the rule.

The clerk will call the roll.

The bill clerk called the roll.

The yeas and nays resulted—yeas 99, nays 1, as follows:

[Rollcall Vote No. 17 Leg.]

## YEAS—99

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

## NAYS—1

Paul

The PRESIDING OFFICER (Mr. CASSIDY). On this vote, the yeas are 99, the nays are 1.

Three-fifths of the Senators duly chosen and sworn having voted in the affirmative, the motion is agreed to.

The clerk will report the motion to proceed.

The senior assistant legislative clerk read as follows:

Motion to proceed to the consideration of S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

The PRESIDING OFFICER. The majority leader.

## EXECUTIVE SESSION

## EXECUTIVE CALENDAR

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate proceed to executive session for the consideration of Calendar Nos. 1 through 4 and all nominations on the Secretary's desk; that the nominations be confirmed; that 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 that 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 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. Frank A. Rodman

## IN THE ARMY

The following named officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., section 12203:

*To be major general*

Brig. Gen. Robert D. Harter

The following named Army National Guard of the United States officer for appointment in the Reserve of the Army to the grade indicated under title 10, U.S.C., sections 12203 and 12211:

*To be brigadier general*

Col. Charles M. Schoening

The following named officers for appointment in the Reserve of the Army to the grades indicated under title 10, U.S.C., section 12203:

*To be major general*

Brig. Gen. David W. Ling

*To be brigadier general*

Col. Joseph F. Dziezynski

Col. Rodney J. Fischer

## NOMINATIONS PLACED ON THE SECRETARY'S DESK

## IN THE MARINE CORPS

PN35 MARINE CORPS nominations (4) beginning SALEH P. DAGHER, and ending NEVILLE A. WELCH, which nominations were received by the Senate and appeared in the Congressional Record of January 15, 2019.

PN36 MARINE CORPS nominations (375) beginning RICO ACOSTA, and ending CHRISTINA F. ZIMMERMAN, which nominations were received by the Senate and appeared in the Congressional Record of January 15, 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.

SENATE COMMITTEE ON FINANCE  
RULES OF PROCEDURE

Mr. GRASSLEY. Mr. President, the Committee on Finance has adopted rules governing its procedures for the 116th Congress. Pursuant to rule XXVI, paragraph 2, of the Standing Rules of the Senate, I ask unanimous consent

that the accompanying rules for the Senate Committee on Finance be printed in the RECORD.

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

#### COMMITTEE ON FINANCE

##### I. RULES OF PROCEDURE

Rule 1. *Regular Meeting Days.*—The regular meeting day of the committee shall be the second and fourth Tuesday of each month, except that if there be no business before the committee the regular meeting shall be omitted.

Rule 2. *Committee Meetings.*—(a) Except as provided by paragraph 3 of Rule XXVI of the Standing Rules of the Senate (relating to special meetings called by a majority of the committee) and subsection (b) of this rule, committee meetings, for the conduct of business, for the purpose of holding hearings, or for any other purpose, shall be called by the chairman after consultation with the ranking minority member. Members will be notified of committee meetings at least 48 hours in advance, unless the chairman determines that an emergency situation requires a meeting on shorter notice. The notification will include a written agenda together with materials prepared by the staff relating to that agenda. After the agenda for a committee meeting is published and distributed, no nongermane items may be brought up during that meeting unless at least two-thirds of the members present agree to consider those items.

(b) In the absence of the chairman, meetings of the committee may be called by the ranking majority member of the committee who is present, provided authority to call meetings has been delegated to such member by the chairman.

Rule 3. *Presiding Officer.*—(a) The chairman shall preside at all meetings and hearings of the committee except that in his absence the ranking majority member who is present at the meeting shall preside.

(b) Notwithstanding the rule prescribed by subsection (a) any member of the committee may preside over the conduct of a hearing.

Rule 4. *Quorums.*—(a) Except as provided in subsection (b) one-third of the membership of the committee, including not less than one member of the majority party and one member of the minority party, shall constitute a quorum for the conduct of business.

(b) Notwithstanding the rule prescribed by subsection (a), one member shall constitute a quorum for the purpose of conducting a hearing.

Rule 5. *Reporting of Measures or Recommendations.*—No measure or recommendation shall be reported from the committee unless a majority of the committee is actually present and a majority of those present concur.

Rule 6. *Proxy Voting; Polling.*—(a) Except as provided by paragraph 7(a)(3) of Rule XXVI of the Standing Rules of the Senate (relating to limitation on use of proxy voting to report a measure or matter), members who are unable to be present may have their vote recorded by proxy.

(b) At the discretion of the committee, members who are unable to be present and whose vote has not been cast by proxy may be polled for the purpose of recording their vote on any rollcall taken by the committee.

Rule 7. *Order of Motions.*—When several motions are before the committee dealing with related or overlapping matters, the chairman may specify the order in which the motions shall be voted upon.

Rule 8. *Bringing a Matter to a Vote.*—If the chairman determines that a motion or amendment has been adequately debated, he

may call for a vote on such motion or amendment, and the vote shall then be taken, unless the committee votes to continue debate on such motion or amendment, as the case may be. The vote on a motion to continue debate on any motion or amendment shall be taken without debate.

Rule 9. *Public Announcement of Committee Votes.*—Pursuant to paragraph 7(b) of Rule XXVI of the Standing Rules of the Senate (relating to public announcement of votes), the results of rollcall votes taken by the committee on any measure (or amendment thereto) or matter shall be announced publicly not later than the day on which such measure or matter is ordered reported from the committee.

Rule 10. *Subpoenas.*—Witnesses and memoranda, documents, and records may be subpoenaed by the chairman of the committee with the agreement of the ranking minority member or by a majority vote of the committee. Subpoenas for attendance of witnesses and the production of memoranda, documents, and records shall be issued by the chairman, or by any other member of the committee designated by him.

Rule 11. *Nominations.*—In considering a nomination, the committee may conduct an investigation or review of the nominee's experience, qualifications, and suitability, to serve in the position to which he or she has been nominated. To aid in such investigation or review, each nominee may be required to submit a sworn detailed statement including biographical, financial, policy, and other information which the committee may request. The committee may specify which items in such statement are to be received on a confidential basis. Witnesses called to testify on the nomination may be required to testify under oath.

Rule 12. *Open Committee Hearings.*—To the extent required by paragraph 5 of Rule XXVI of the Standing Rules of the Senate (relating to limitations on open hearings), each hearing conducted by the committee shall be open to the public.

Rule 13. *Announcement of Hearings.*—The committee shall undertake consistent with the provisions of paragraph 4(a) of Rule XXVI of the Standing Rules of the Senate (relating to public notice of committee hearings) to issue public announcements of hearings it intends to hold at least one week prior to the commencement of such hearings.

Rule 14. *Witnesses at Hearings.*—(a) Each witness who is scheduled to testify at any hearing must submit his written testimony to the staff director not later than noon of the business day immediately before the last business day preceding the day on which he is scheduled to appear. Such written testimony shall be accompanied by a brief summary of the principal points covered in the written testimony. Having submitted his written testimony, the witness shall be allowed not more than ten minutes for oral presentation of his statement.

(b) Witnesses may not read their entire written testimony, but must confine their oral presentation to a summarization of their arguments.

(c) Witnesses shall observe proper standards of dignity, decorum, and propriety while presenting their views to the committee. Any witness who violates this rule shall be dismissed, and his testimony (both oral and written) shall not appear in the record of the hearing.

(d) In scheduling witnesses for hearings, the staff shall attempt to schedule witnesses so as to attain a balance of views early in the hearings. Every member of the committee may designate witnesses who will appear before the committee to testify. To the extent that a witness designated by a member cannot be scheduled to testify during the

time set aside for the hearing, a special time will be set aside for the witness to testify if the member designating that witness is available at that time to chair the hearing.

Rule 15. *Audiences.*—Persons admitted into the audience for open hearings of the committee shall conduct themselves with the dignity, decorum, courtesy, and propriety traditionally observed by the Senate. Demonstrations of approval or disapproval of any statement or act by any member or witness are not allowed. Persons creating confusion or distractions or otherwise disrupting the orderly proceeding of the hearing shall be expelled from the hearing.

Rule 16. *Broadcasting of Hearings.*—

(a) Broadcasting of open hearings by television or radio coverage shall be allowed upon approval by the chairman of a request filed with the staff director not later than noon of the day before the day on which such coverage is desired.

(b) If such approval is granted, broadcasting coverage of the hearing shall be conducted unobtrusively and in accordance with the standards of dignity, propriety, courtesy, and decorum traditionally observed by the Senate.

(c) Equipment necessary for coverage by television and radio media shall not be installed in, or removed from, the hearing room while the committee is in session.

(d) Additional lighting may be installed in the hearing room by the media in order to raise the ambient lighting level to the lowest level necessary to provide adequate television coverage of the hearing at the then current state of the art of television coverage.

(e) The additional lighting authorized by subsection (d) of this rule shall not be directed into the eyes of any members of the committee or of any witness, and at the request of any such member or witness, offending lighting shall be extinguished.

Rule 17. *Subcommittees.*—(a) The chairman, subject to the approval of the committee, shall appoint legislative subcommittees. The ranking minority member shall recommend to the chairman appointment of minority members to the subcommittees. All legislation shall be kept on the full committee calendar unless a majority of the members present and voting agree to refer specific legislation to an appropriate subcommittee.

(b) The chairman may limit the period during which House-passed legislation referred to a subcommittee under paragraph (a) will remain in that subcommittee. At the end of that period, the legislation will be restored to the full committee calendar. The period referred to in the preceding sentences should be 6 weeks, but may be extended in the event that adjournment or a long recess is imminent.

(c) All decisions of the chairman are subject to approval or modification by a majority vote of the committee.

(d) The full committee may at any time by majority vote of those members present discharge a subcommittee from further consideration of a specific piece of legislation.

(e) The chairman and ranking minority members shall serve as nonvoting *ex officio* members of the subcommittees on which they do not serve as voting members.

(f) Any member of the committee may attend hearings held by any subcommittee and question witnesses testifying before that subcommittee.

(g) Subcommittee meeting times shall be coordinated by the staff director to ensure that—

(1) no subcommittee meeting will be held when the committee is in executive session, except by unanimous consent;

(2) no more than one subcommittee will meet when the full committee is holding hearings; and

(3) not more than two subcommittees will meet at the same time.

Notwithstanding paragraphs (2) and (3), a subcommittee may meet when the full committee is holding hearings and two subcommittees may meet at the same time only upon the approval of the chairman and the ranking minority member of the committee and subcommittees involved.

(h) All nominations shall be considered by the full committee.

(i) The chairman will attempt to schedule reasonably frequent meetings of the full committee to permit consideration of legislation reported favorably to the committee by the subcommittees.

**Rule 18. *Transcripts of Committee Meetings.***—An accurate record shall be kept of all mark-ups of the committee, whether they be open or closed to the public. A transcript, marked as “uncorrected,” shall be available for inspection by members of the Senate, or members of the committee together with their staffs, at any time. Not later than 21 business days after the meeting occurs, the committee shall make publicly available through the Internet—

- (a) a video recording;
- (b) an audio recording; or
- (c) after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements, a corrected transcript.

Notwithstanding the above, in the case of the record of an executive session of the committee that is closed to the public pursuant to Rule XXVI of the Standing Rules of the Senate, the record shall not be published or made public in any way except by majority vote of the committee after all members of the committee have had a reasonable opportunity to correct their remarks for grammatical errors or to accurately reflect statements made.

**Rule 19. *Amendment of Rules.***—The foregoing rules may be added to, modified, amended, or suspended at any time.

## II. EXCERPTS FROM THE STANDING RULES OF THE SENATE RELATING TO STANDING COMMITTEES

### RULE XXV STANDING COMMITTEES

1. The following standing committees shall be appointed at the commencement of each Congress, and shall continue and have the power to act until their successors are appointed, with leave to report by bill or otherwise on matters within their respective jurisdictions:

(i) Committee on Finance, to which committee shall be referred all proposed legislation, messages, petitions, memorials, and other matters relating to the following subjects:

- 1. Bonded debt of the United States, except as provided in the Congressional Budget Act of 1974.
- 2. Customs, collection districts, and ports of entry and delivery.
- 3. Deposit of public moneys.
- 4. General revenue sharing.
- 5. Health programs under the Social Security Act and health programs financed by a specific tax or trust fund.
- 6. National social security.
- 7. Reciprocal trade agreements.
- 8. Revenue measures generally, except as provided in the Congressional Budget Act of 1974.
- 9. Revenue measures relating to the insular possessions.
- 10. Tariffs and import quotas, and matters related thereto.
- 11. Transportation of dutiable goods.

### RULE XXVI COMMITTEE PROCEDURE

2. Each committee shall adopt rules (not inconsistent with the Rules of the Senate)

governing the procedure of such committee. The rules of each committee shall be published in the Congressional Record not later than March 1 of the first year of each Congress, except that if any such committee is established on or after February 1 of a year, the rules of that committee during the year of establishment shall be published in the Congressional Record not later than sixty days after such establishment. Any amendment to the rules of a committee shall not take effect until the amendment is published in the Congressional Record.

5. (a) Notwithstanding any other provision of the rules, when the Senate is in session, no committee of the Senate or any subcommittee thereof may meet, without special leave, after the conclusion of the first two hours after the meeting of the Senate commenced and in no case after two o'clock post meridian unless consent thereof has been obtained from the majority leader and the minority leader (or in the event of the absence of either of such leaders, from his designee). The prohibition contained in the preceding sentence shall not apply to the Committee on Appropriations or the Committee on the Budget. The majority leader or his designee shall announce to the Senate whenever consent has been given under this subparagraph and shall state the time and place of such meeting. The right to make such announcement of consent shall have the same priority as the filing of a cloture motion.

(b) Each meeting of a committee, or any subcommittee thereof, including meetings to conduct hearings, shall be open to the public, except that a meeting or series of meetings by a committee or a subcommittee thereof on the same subject for a period of no more than fourteen calendar days may be closed to the public on a motion made and seconded to go into closed session to discuss only whether the matters enumerated in clauses (1) through (6) would require the meeting to be closed, followed immediately by a record vote in open session by a majority of the members of the committee or subcommittee when it is determined that the matters to be discussed or the testimony to be taken at such meeting or meetings—

- (1) 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;
- (2) will relate solely to matters of committee staff personnel or internal staff management or procedure;
- (3) 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;
- (4) 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;
- (5) will disclose information relating to the trade secrets of financial or commercial information pertaining specifically to a given person if—

(A) an Act of Congress requires the information to be kept confidential by Government officers and employees; or

(B) 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; or

(6) may divulge matters required to be kept confidential under other provisions of law or Government regulations.

(c) Whenever any hearing conducted by any such committee or subcommittee is open to the public, that hearing may be broadcast by radio or television, or both, under such rules as the committee or subcommittee may adopt.

(d) Whenever disorder arises during a committee meeting that is open to the public, or any demonstration of approval or disapproval is indulged in by any person in attendance at any such meeting, it shall be the duty of the Chair to enforce order on his own initiative and without any point of order being made by a Senator. When the Chair finds it necessary to maintain order, he shall have the power to clear the room, and the committee may act in closed session for so long as there is doubt of the assurance of order.

(e) Each committee shall prepare and keep a complete transcript or electronic recording adequate to fully record the proceeding of each meeting or conference whether or not such meeting or any part thereof is closed under this paragraph, unless a majority of its members vote to forgo such a record.

## SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES RULES OF PROCEDURE

Ms. MURKOWSKI. Mr. President, I ask unanimous consent that the Committee on Energy and Natural Resources rules of procedure for the 116th Congress be printed in the RECORD.

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

### RULES OF THE SENATE COMMITTEE ON ENERGY AND NATURAL RESOURCES FOR THE 116TH CONGRESS

#### GENERAL RULES

Rule 1. The Standing Rules of the Senate, as supplemented by these rules, are adopted as the rules of the Committee and its Subcommittees.

#### MEETINGS OF THE COMMITTEE

Rule 2. (a) The Committee shall meet on the third Thursday of each month while the Congress is in session for the purpose of conducting business, unless, for the convenience of Members, the Chairman shall set some other day for a meeting. Additional meetings may be called by the Chairman as he or she may deem necessary.

(b) Hearings of any Subcommittee may be called by the Chairman of such Subcommittee, provided, that no Subcommittee hearing, other than a field hearing, shall be scheduled or held concurrently with a full Committee meeting or hearing, unless a majority of the Committee concurs in such concurrent hearing.

#### OPEN HEARINGS AND MEETINGS

Rule 3. (a) All hearings and business meetings of the Committee and all the hearings of any of its Subcommittees shall be open to the public unless the Committee or Subcommittee involved, by majority vote of all the Members of the Committee or such Subcommittee, orders the hearing or meeting to be closed in accordance with paragraph 5(b) of Rule XXVI of the Standing Rules of the Senate.

(b) A transcript shall be kept of each hearing of the Committee or any Subcommittee.

(c) A transcript shall be kept of each business meeting of the Committee unless a majority of all the Members of the Committee agrees that some other form of permanent record is preferable.

#### HEARING PROCEDURE

Rule 4. (a) Public notice shall be given of the date, place, and subject matter of any



hearing to be held by the Committee or any Subcommittee at least one week in advance of such hearing unless the Chairman of the full Committee or the Subcommittee involved determines that the hearing is non-controversial or that special circumstances require expedited procedures and a majority of all the Members of the Committee or the Subcommittee involved concurs. In no case shall a hearing be conducted with less than twenty-four hours' notice. Any document or report that is the subject of a hearing shall be provided to every Member of the Committee or Subcommittee involved at least 72 hours before the hearing unless the Chairman and Ranking Member determine otherwise.

(b) Each witness who is to appear before the Committee or any Subcommittee shall file with the Committee or Subcommittee, at least 24 hours in advance of the hearing, a written statement of his or her testimony in as many copies as the Chairman of the Committee or Subcommittee prescribes.

(c) Each Member shall be limited to five minutes in the questioning of any witness until such time as all Members who so desire have had an opportunity to question the witness.

(d) No staff member may question a witness at a hearing.

#### BUSINESS MEETING PROCEDURES

Rule 5. (a) A legislative measure, nomination, or other matter shall be included on the agenda of the next following business meeting of the full Committee if a written request by a Member of the Committee for such inclusion has been filed with the Chairman of the Committee at least one week prior to such meeting. Nothing in this rule shall be construed to limit the authority of the Chairman of the Committee to include a legislative measure, nomination, or other matter on the Committee agenda in the absence of such request.

(b) The agenda for any business meeting of the Committee shall be provided to each Member and made available to the public at least three days prior to such meeting, and no new items may be added after the agenda is so published except by the approval of a majority of all the Members of the Committee on matters not included on the public agenda. The Staff Director shall promptly notify absent Members of any action taken by the Committee on matters not included on the published agenda.

(c) As warranted, the Chairman, in consultation with the Ranking Member, may impose a filing deadline for first degree amendments for any legislative business meeting of the Committee.

#### QUORUMS

Rule 6. (a) Except as provided in subsections (b) and (c), seven Members shall constitute a quorum for the conduct of business of the Committee.

(b) No measure or matter shall be ordered reported from the Committee unless 11 Members of the Committee are actually present at the time such action is taken.

(c) One Member shall constitute a quorum for the purpose of conducting a hearing or taking testimony on any measure or matter before the Committee or any Subcommittee.

#### VOTING

Rule 7. (a) A roll call of the Members shall be taken upon the request of any Member. Any Member who does not vote on any roll call at the time the roll is called, may vote (in person or by proxy) on that roll call at any later time during the same business meeting.

(b) Proxy voting shall be permitted on all matters, except that proxies may not be counted for the purpose of determining the

presence of a quorum. Unless further limited, a proxy shall be exercised only upon the date for which it is given and upon the items published in the agenda for that date.

(c) Each Committee report shall set forth the vote on the motion to report the measure or matter involved. Unless the Committee directs otherwise, the report will not set out any votes on amendments offered during Committee consideration. Any Member who did not vote on any roll call shall have the opportunity to have his or her position recorded in the appropriate Committee record or Committee report.

(d) The Committee vote to report a measure to the Senate shall also authorize the staff of the Committee to make necessary technical and clerical corrections in the measure.

#### SUBCOMMITTEES

Rule 8. (a) The number of Members assigned to each Subcommittee and the division between Majority and Minority Members shall be fixed by the Chairman in consultation with the Ranking Minority Member.

(b) Assignment of Members to Subcommittees shall, insofar as possible, reflect the preferences of the Members. No Member will receive assignment to a second Subcommittee until, in order of seniority, all Members of the Committee have chosen assignments to one Subcommittee, and no Member shall receive assignment to a third Subcommittee until, in order of seniority, all Members have chosen assignments to two Subcommittees.

(c) Any Member of the Committee may sit with any Subcommittee during its hearings but shall not have the authority to vote on any matters before the Subcommittee unless he or she is a Member of such Subcommittee.

#### NOMINATIONS

Rule 9. At any hearing to confirm a Presidential nomination, the testimony of the nominee and, at the request of any Member, any other witness shall be under oath. Every nominee shall submit the financial disclosure report filed pursuant to title I of the Ethics in Government Act of 1978. Such report is made available to the public.

#### INVESTIGATIONS

Rule 10. (a) Neither the Committee nor any of its Subcommittees may undertake an investigation unless specifically authorized by the Chairman and the Ranking Minority Member or a majority of all the Members of the Committee.

(b) A witness called to testify in an investigation shall be informed of the matter or matters under investigation, given a copy of these rules, given the opportunity to make a brief and relevant oral statement before or after questioning, and be permitted to have counsel of his or her choosing present during his or her testimony at any public or closed hearing, or at any unsworn interview, to advise the witness of his or her legal rights.

(c) For purposes of this rule, the terms "investigation" shall not include a review or study undertaken pursuant to paragraph 8 of Rule XXVI of the Standing Rules of the Senate or a preliminary inquiry, undertaken at the direction of the Chairman or the Ranking Member, intended to determine whether there is substantial credible evidence that would warrant an investigation.

#### SWORN TESTIMONY

Rule 11. Witnesses in Committee or Subcommittee hearings may be required to give testimony under oath whenever the Chairman or Ranking Minority Member of the Committee or Subcommittee deems such to be necessary. If one or more witnesses at a hearing are required to testify under oath, all witnesses at such hearing shall be required to testify under oath.

#### SUBPOENAS

Rule 12. The Chairman shall have authority to issue subpoenas for the attendance of witnesses or the production of memoranda, documents, records, or other materials (1) with the agreement of the Ranking Minority Member, (2) when authorized by a majority of all the Members of the Committee, or (3) when within the scope of an investigation authorized under Rule 10(a).

#### CONFIDENTIAL TESTIMONY

Rule 13. No confidential testimony taken by or any report of the proceedings of a closed Committee or Subcommittee meeting shall be made public, in whole or in part or by way of summary, unless authorized by a majority of all the Members of the Committee at a business meeting called for the purpose of making such a determination.

#### DEFAMATORY STATEMENTS

Rule 14. Any person whose name is mentioned or who is specifically identified in, or who believes that testimony or other evidence presented at, an open Committee or Subcommittee hearing tends to defame him or her or otherwise adversely affect his or her reputation may file with the Committee for its consideration and action a sworn statement of facts relevant to such testimony or evidence.

#### BROADCASTING OF HEARINGS OR MEETINGS

Rule 15. Any meeting or hearing by the Committee or any Subcommittee which is open to the public may be covered in whole or in part by web, television, or radio broadcast or still photography. Photographers and reporters using mechanical recording, filming, or broadcasting devices shall position their equipment so as not to interfere with the seating, vision, and hearing of Members and staff on the dais or with the orderly process of the meeting or hearing.

#### AMENDING THE RULES

Rule 16. These rules may be amended only by vote of a majority of all the Members of the Committee in a business meeting of the Committee: Provided, that no vote may be taken on any proposed amendment unless such amendment is reproduced in full in the Committee agenda for such meeting at least three days in advance of such meeting.

#### NOMINATION HOLD

Mr. WYDEN. Mr. President, today I am placing a hold on the nomination of Elizabeth Darling to be Commissioner on Children, Youth and Families at the Department of Health and Human Services.

Since Ms. Darling has been renominated by the administration in the 116th Congress, the Department of Health and Human Services gave the State of South Carolina a green light for religious-based discrimination in its State-contracted foster care agencies. Adults who can provide safe, loving, and nurturing homes for foster kids will be denied that opportunity on religious grounds.

I am also concerned about the slow implementation of the Family First Act, which the Finance Committee passed on a bipartisan basis in the last Congress. A big part of that law has been delayed, and the latest information I have heard regarding my concerns is that there are "robust conversations" happening behind the scenes. I expect that to improve going forward.

For these reasons, I will object to any unanimous consent request concerning the nomination of Ms. Darling at this time.

#### ADDITIONAL STATEMENTS

##### REMEMBERING BISHOP PAUL ALEXANDER BOWERS

• Mr. PORTMAN. Mr. President, today I wish to honor the life and legacy of the late Bishop Paul Alexander Bowers. Known as the Preaching Machine, Bishop Bowers pastored the congregation at Greater Emanuel Apostolic Temple in my hometown of Cincinnati, OH, for over 40 years.

Bishop Bowers attended his first Pentecostal Assemblies of the World, Inc., Convention in Cleveland in 1947, where he slept on the floor of the church due to the lack of delegate housing. He was ordained in 1950 and began preaching in Cincinnati in 1957. Bishop Bowers was elected to general secretary from 1968, elevated to bishop in 1976, and elected and served as presiding bishop of the Pentecostal Assemblies of the World from 1992 until 1998.

Bishop Bowers' ministry reached communities across Ohio and the United States. His devotion to the Pentecostal Assemblies of the World, Inc., and Greater Emanuel Apostolic Temple in Cincinnati changed countless lives as he used the gospel to help people fulfill their God-given potential and better serve their communities.

I would like to recognize former presiding Bishop Paul Alexander Bowers' many accomplishments and his decades of service to Pentecostal Assemblies of the World, Inc. I would like to offer my condolences on his passing to his family, his friends, and his church, and I hope his legacy continues in the thousands of lives he has touched. •

#### PRESIDENTIAL MESSAGE

##### REPORT ON THE STATE OF THE UNION DELIVERED TO A JOINT SESSION OF CONGRESS ON FEB- RUARY 5, 2019—PM 3

The PRESIDING OFFICER laid before the Senate the following message from the President of the United States which was ordered to lie on the table:

*To the Congress of the United States:*

Madam Speaker, Mr. Vice President, Members of Congress, the First Lady of the United States, and my fellow Americans: We meet tonight at a moment of unlimited potential. As we begin a new Congress, I stand here ready to work with you to achieve historic breakthroughs for all Americans.

Millions of our fellow citizens are watching us now, gathered in this great chamber, hoping that we will govern not as two parties but as one Nation.

The agenda I will lay out this evening is not a Republican agenda or a Democrat agenda. It is the agenda of the American people.

Many of us campaigned on the same core promises: to defend American jobs and demand fair trade for American workers; to rebuild and revitalize our Nation's infrastructure; to reduce the price of healthcare and prescription drugs; to create an immigration system that is safe, lawful, modern and secure; and to pursue a foreign policy that puts America's interests first.

There is a new opportunity in American politics, if only we have the courage to seize it. Victory is not winning for our party. Victory is winning for our country.

This year, America will recognize two important anniversaries that show us the majesty of America's mission, and the power of American pride.

In June, we mark 75 years since the start of what General Dwight D. Eisenhower called the Great Crusade—the Allied liberation of Europe in World War II. On D-Day, June 6, 1944, 15,000 young American men jumped from the sky, and 60,000 more stormed in from the sea, to save our civilization from tyranny. Here with us tonight are three of those heroes: Private First Class Joseph Reilly, Staff Sergeant Irving Locker, and Sergeant Herman Zeitchik. Gentlemen, we salute you.

In 2019, we also celebrate 50 years since brave young pilots flew a quarter of a million miles through space to plant the American flag on the face of the moon. Half a century later, we are joined by one of the Apollo 11 astronauts who planted that flag: Buzz Aldrin. This year, American astronauts will go back to space on American rockets.

In the 20th century, America saved freedom, transformed science, and redefined the middle class standard of living for the entire world to see. Now, we must step boldly and bravely into the next chapter of this great American adventure, and we must create a new standard of living for the 21st century. An amazing quality of life for all of our citizens is within our reach.

We can make our communities safer, our families stronger, our culture richer, our faith deeper, and our middle class bigger and more prosperous than ever before.

But we must reject the politics of revenge, resistance, and retribution—and embrace the boundless potential of cooperation, compromise, and the common good.

Together, we can break decades of political stalemate. We can bridge old divisions, heal old wounds, build new coalitions, forge new solutions, and unlock the extraordinary promise of America's future. The decision is ours to make.

We must choose between greatness or gridlock, results or resistance, vision or vengeance, incredible progress or pointless destruction.

Tonight, I ask you to choose greatness.

Over the last 2 years, my Administration has moved with urgency and historic speed to confront problems neglected by leaders of both parties over many decades.

In just over 2 years since the election, we have launched an unprecedented economic boom—a boom that has rarely been seen before. We have created 5.3 million new jobs and importantly added 600,000 new manufacturing jobs—something which almost everyone said was impossible to do, but the fact is, we are just getting started.

Wages are rising at the fastest pace in decades, and growing for blue collar workers, who I promised to fight for, faster than anyone else. Nearly 5 million Americans have been lifted off food stamps. The United States economy is growing almost twice as fast today as when I took office, and we are considered far and away the hottest economy anywhere in the world. Unemployment has reached the lowest rate in half a century. African-American, Hispanic-American and Asian-American unemployment have all reached their lowest levels ever recorded. Unemployment for Americans with disabilities has also reached an all-time low. More people are working now than at any time in our history—157 million.

We passed a massive tax cut for working families and doubled the child tax credit.

We virtually ended the estate, or death, tax on small businesses, ranches, and family farms.

We eliminated the very unpopular Obamacare individual mandate penalty—and to give critically ill patients access to life-saving cures, we passed right to try.

My Administration has cut more regulations in a short time than any other administration during its entire tenure. Companies are coming back to our country in large numbers thanks to historic reductions in taxes and regulations.

We have unleashed a revolution in American energy—the United States is now the number one producer of oil and natural gas in the world. And now, for the first time in 65 years, we are a net exporter of energy.

After 24 months of rapid progress, our economy is the envy of the world, our military is the most powerful on earth, and America is winning each and every day. Members of Congress: the State of our Union is strong. Our country is vibrant and our economy is thriving like never before.

On Friday, it was announced that we added another 304,000 jobs last month alone—almost double what was expected. An economic miracle is taking place in the United States—and the only thing that can stop it are foolish wars, politics, or ridiculous partisan investigations.

If there is going to be peace and legislation, there cannot be war and investigation. It just doesn't work that way!

We must be united at home to defeat our adversaries abroad.

This new era of cooperation can start with finally confirming the more than 300 highly qualified nominees who are still stuck in the Senate—some after years of waiting. The Senate has failed to act on these nominations, which is unfair to the nominees and to our country.

Now is the time for bipartisan action. Believe it or not, we have already proven that it is possible.

In the last Congress, both parties came together to pass unprecedented legislation to confront the opioid crisis, a sweeping new Farm Bill, historic VA reforms, and after four decades of rejection, we passed VA Accountability so we can finally terminate those who mistreat our wonderful veterans.

And just weeks ago, both parties united for groundbreaking criminal justice reform. Last year, I heard through friends the story of Alice Johnson. I was deeply moved. In 1997, Alice was sentenced to life in prison as a first-time non-violent drug offender. Over the next two decades, she became a prison minister, inspiring others to choose a better path. She had a big impact on that prison population—and far beyond.

Alice's story underscores the disparities and unfairness that can exist in criminal sentencing—and the need to remedy this injustice. She served almost 22 years and had expected to be in prison for the rest of her life.

In June, I commuted Alice's sentence—and she is here with us tonight. Alice, thank you for reminding us that we always have the power to shape our own destiny.

When I saw Alice's beautiful family greet her at the prison gates, hugging and kissing and crying and laughing, I knew I did the right thing.

Inspired by stories like Alice's, my Administration worked closely with members of both parties to sign the First Step Act into law. This legislation reformed sentencing laws that have wrongly and disproportionately harmed the African-American community. The First Step Act gives non-violent offenders the chance to re-enter society as productive, law-abiding citizens. Now, States across the country are following our lead. America is a Nation that believes in redemption.

We are also joined tonight by Matthew Charles from Tennessee. In 1996, at age 30, Matthew was sentenced to 35 years for selling drugs and related offenses. Over the next two decades, he completed more than 30 Bible studies, became a law clerk, and mentored fellow inmates. Now, Matthew is the very first person to be released from prison under the First Step Act. Matthew, on behalf of all Americans: welcome home.

As we have seen, when we are united, we can make astonishing strides for our country. Now, Republicans and Democrats must join forces again to confront an urgent national crisis.

The Congress has 10 days left to pass a bill that will fund our Government,

protect our homeland, and secure our southern border.

Now is the time for the Congress to show the world that America is committed to ending illegal immigration and putting the ruthless coyotes, cartels, drug dealers, and human traffickers out of business.

As we speak, large, organized caravans are on the march to the United States. We have just heard that Mexican cities, in order to remove the illegal immigrants from their communities, are getting trucks and buses to bring them up to our country in areas where there is little border protection. I have ordered another 3,750 troops to our southern border to prepare for the tremendous onslaught.

This is a moral issue. The lawless state of our southern border is a threat to the safety, security, and financial well-being of all Americans. We have a moral duty to create an immigration system that protects the lives and jobs of our citizens. This includes our obligation to the millions of immigrants living here today, who followed the rules and respected our laws. Legal immigrants enrich our Nation and strengthen our society in countless ways. I want people to come into our country, but they have to come in legally.

Tonight, I am asking you to defend our very dangerous southern border out of love and devotion to our fellow citizens and to our country.

No issue better illustrates the divide between America's working class and America's political class than illegal immigration. Wealthy politicians and donors push for open borders while living their lives behind walls and gates and guards.

Meanwhile, working class Americans are left to pay the price for mass illegal migration—reduced jobs, lower wages, overburdened schools and hospitals, increased crime, and a depleted social safety net.

Tolerance for illegal immigration is not compassionate—it is cruel. One in three women is sexually assaulted on the long journey north. Smugglers use migrant children as human pawns to exploit our laws and gain access to our country.

Human traffickers and sex traffickers take advantage of the wide open areas between our ports of entry to smuggle thousands of young girls and women into the United States and to sell them into prostitution and modern-day slavery.

Tens of thousands of innocent Americans are killed by lethal drugs that cross our border and flood into our cities—including meth, heroin, cocaine, and fentanyl.

The savage gang, MS-13, now operates in 20 different American States, and they almost all come through our southern border. Just yesterday, an MS-13 gang member was taken into custody for a fatal shooting on a subway platform in New York City. We are removing these gang members by the

thousands, but until we secure our border they're going to keep streaming back in.

Year after year, countless Americans are murdered by criminal illegal aliens.

I've gotten to know many wonderful Angel Moms, Dads, and families—one one should ever have to suffer the horrible heartache they have endured.

Here tonight is Debra Bissell. Just three weeks ago, Debra's parents, Gerald and Sharon, were burglarized and shot to death in their Reno, Nevada, home by an illegal alien. They were in their eighties and are survived by four children, 11 grandchildren, and 20 great-grandchildren. Also here tonight are Gerald and Sharon's granddaughter, Heather, and great-granddaughter, Madison.

To Debra, Heather, Madison, please stand: few can understand your pain. But I will never forget, and I will fight for the memory of Gerald and Sharon, that it should never happen again.

Not one more American life should be lost because our Nation failed to control its very dangerous border.

In the last 2 years, our brave ICE officers made 266,000 arrests of criminal aliens, including those charged or convicted of nearly 100,000 assaults, 30,000 sex crimes, and 4,000 killings.

We are joined tonight by one of those law enforcement heroes: ICE Special Agent Elvin Hernandez. When Elvin was a boy, he and his family legally immigrated to the United States from the Dominican Republic. At the age of eight, Elvin told his dad he wanted to become a Special Agent. Today, he leads investigations into the scourge of international sex trafficking. Elvin says: "If I can make sure these young girls get their justice, I've done my job." Thanks to his work and that of his colleagues, more than 300 women and girls have been rescued from horror and more than 1,500 sadistic traffickers have been put behind bars in the last year.

Special Agent Hernandez, please stand: We will always support the brave men and women of Law Enforcement—and I pledge to you tonight that we will never abolish our heroes from ICE.

My Administration has sent to the Congress a commonsense proposal to end the crisis on our southern border.

It includes humanitarian assistance, more law enforcement, drug detection at our ports, closing loopholes that enable child smuggling, and plans for a new physical barrier, or wall, to secure the vast areas between our ports of entry. In the past, most of the people in this room voted for a wall—but the proper wall never got built. I'll get it built.

This is a smart, strategic, see-through steel barrier—not just a simple concrete wall. It will be deployed in the areas identified by border agents as having the greatest need, and as these agents will tell you, where walls go up, illegal crossings go way down.

San Diego used to have the most illegal border crossings in the country. In response, and at the request of San Diego residents and political leaders, a strong security wall was put in place. This powerful barrier almost completely ended illegal crossings.

The border city of El Paso, Texas, used to have extremely high rates of violent crime—one of the highest in the country, and considered one of our Nation's most dangerous cities. Now, with a powerful barrier in place, El Paso is one of our safest cities.

Simply put, walls work and walls save lives. So let's work together, compromise, and reach a deal that will truly make America safe.

As we work to defend our people's safety, we must also ensure our economic resurgence continues at a rapid pace.

No one has benefitted more from our thriving economy than women, who have filled 58 percent of the new jobs created in the last year. All Americans can be proud that we have more women in the workforce than ever before—and exactly one century after the Congress passed the Constitutional amendment giving women the right to vote, we also have more women serving in the Congress than ever before.

As part of our commitment to improving opportunity for women everywhere, this Thursday we are launching the first ever Government-wide initiative focused on economic empowerment for women in developing countries.

To build on our incredible economic success, one priority is paramount—reversing decades of calamitous trade policies.

We are now making it clear to China that after years of targeting our industries, and stealing our intellectual property, the theft of American jobs and wealth has come to an end.

Therefore, we recently imposed tariffs on \$250 billion of Chinese goods—and now our Treasury is receiving billions of dollars a month from a country that never gave us a dime. But I don't blame China for taking advantage of us—I blame our leaders and representatives for allowing this travesty to happen. I have great respect for President Xi, and we are now working on a new trade deal with China. But it must include real, structural change to end unfair trade practices, reduce our chronic trade deficit, and protect American jobs.

Another historic trade blunder was the catastrophe known as NAFTA.

I have met the men and women of Michigan, Ohio, Pennsylvania, Indiana, New Hampshire, and many other States whose dreams were shattered by NAFTA. For years, politicians promised them they would negotiate for a better deal. But no one ever tried—until now.

Our new U.S.-Mexico-Canada Agreement—or USMCA—will replace NAFTA and deliver for American workers: bringing back our manufacturing jobs,

expanding American agriculture, protecting intellectual property, and ensuring that more cars are proudly stamped with four beautiful words: made in the USA.

Tonight, I am also asking you to pass the United States Reciprocal Trade Act, so that if another country places an unfair tariff on an American product, we can charge them the exact same tariff on the same product that they sell to us.

Both parties should be able to unite for a great rebuilding of America's crumbling infrastructure.

I know that the Congress is eager to pass an infrastructure bill—and I am eager to work with you on legislation to deliver new and important infrastructure investment, including investments in the cutting edge industries of the future. This is not an option. This is a necessity.

The next major priority for me, and for all of us, should be to lower the cost of healthcare and prescription drugs—and to protect patients with pre-existing conditions.

Already, as a result of my Administration's efforts, in 2018 drug prices experienced their single largest decline in 46 years.

But we must do more. It is unacceptable that Americans pay vastly more than people in other countries for the exact same drugs, often made in the exact same place. This is wrong, unfair, and together we can stop it.

I am asking the Congress to pass legislation that finally takes on the problem of global freeloading and delivers fairness and price transparency for American patients. We should also require drug companies, insurance companies, and hospitals to disclose real prices to foster competition and bring costs down.

No force in history has done more to advance the human condition than American freedom. In recent years we have made remarkable progress in the fight against HIV and AIDS. Scientific breakthroughs have brought a once-distant dream within reach. My budget will ask Democrats and Republicans to make the needed commitment to eliminate the HIV epidemic in the United States within 10 years. Together, we will defeat AIDS in America.

Tonight, I am also asking you to join me in another fight that all Americans can get behind: the fight against childhood cancer.

Joining Melania in the gallery this evening is a very brave 10-year-old girl, Grace Eline. Every birthday since she was 4, Grace asked her friends to donate to St. Jude Children's Research Hospital. She did not know that one day she might be a patient herself. Last year, Grace was diagnosed with brain cancer. Immediately, she began radiation treatment. At the same time, she rallied her community and raised more than \$40,000 for the fight against cancer. When Grace completed treatment last fall, her doctors and nurses cheered with tears in their eyes as she

hung up a poster that read: "Last Day of Chemo." Grace—you are an inspiration to us all.

Many childhood cancers have not seen new therapies in decades. My budget will ask the Congress for \$500 million over the next 10 years to fund this critical life-saving research.

To help support working parents, the time has come to pass school choice for America's children. I am also proud to be the first President to include in my budget a plan for nationwide paid family leave—so that every new parent has the chance to bond with their newborn child.

There could be no greater contrast to the beautiful image of a mother holding her infant child than the chilling displays our Nation saw in recent days. Lawmakers in New York cheered with delight upon the passage of legislation that would allow a baby to be ripped from the mother's womb moments before birth. These are living, feeling, beautiful babies who will never get the chance to share their love and dreams with the world. And then, we had the case of the Governor of Virginia where he basically stated he would execute a baby after birth.

To defend the dignity of every person, I am asking the Congress to pass legislation to prohibit the late-term abortion of children who can feel pain in the mother's womb.

Let us work together to build a culture that cherishes innocent life. And let us reaffirm a fundamental truth: all children—born and unborn—are made in the holy image of God.

The final part of my agenda is to protect America's National Security.

Over the last 2 years, we have begun to fully rebuild the United States Military—with \$700 billion last year and \$716 billion this year. We are also getting other nations to pay their fair share. For years, the United States was being treated very unfairly by NATO—but now we have secured a \$100 billion increase in defense spending from NATO allies.

As part of our military build-up, the United States is developing a state-of-the-art Missile Defense System.

Under my Administration, we will never apologize for advancing America's interests.

For example, decades ago the United States entered into a treaty with Russia in which we agreed to limit and reduce our missile capabilities. While we followed the agreement to the letter, Russia repeatedly violated its terms. That is why I announced that the United States is officially withdrawing from the Intermediate-Range Nuclear Forces Treaty, or INF Treaty.

Perhaps we can negotiate a different agreement, adding China and others, or perhaps we can't—in which case, we will outspend and out-innovate all others by far.

As part of a bold new diplomacy, we continue our historic push for peace on the Korean Peninsula. Our hostages have come home, nuclear testing has

stopped, and there has not been a missile launch in 15 months. If I had not been elected President of the United States, we would right now, in my opinion, be in a major war with North Korea with potentially millions of people killed. Much work remains to be done, but my relationship with Kim Jong Un is a good one. And Chairman Kim and I will meet again on February 27 and 28 in Vietnam.

Two weeks ago, the United States officially recognized the legitimate government of Venezuela, and its new interim President, Juan Guaido.

We stand with the Venezuelan people in their noble quest for freedom—and we condemn the brutality of the Maduro regime, whose socialist policies have turned that nation from being the wealthiest in South America into a state of abject poverty and despair.

Here, in the United States, we are alarmed by new calls to adopt socialism in our country. America was founded on liberty and independence—not government coercion, domination, and control. We are born free, and we will stay free. Tonight, we renew our resolve that America will never be a socialist country.

One of the most complex set of challenges we face is in the Middle East.

Our approach is based on principled realism—not discredited theories that have failed for decades to yield progress. For this reason, my Administration recognized the true capital of Israel—and proudly opened the American Embassy in Jerusalem.

Our brave troops have now been fighting in the Middle East for almost 19 years. In Afghanistan and Iraq, nearly 7,000 American heroes have given their lives. More than 52,000 Americans have been badly wounded. We have spent more than \$7 trillion in the Middle East.

As a candidate for President, I pledged a new approach. Great nations do not fight endless wars.

When I took office, ISIS controlled more than 20,000 square miles in Iraq and Syria. Today, we have liberated virtually all of that territory from the grip of these bloodthirsty killers.

Now, as we work with our allies to destroy the remnants of ISIS, it is time to give our brave warriors in Syria a warm welcome home.

I have also accelerated our negotiations to reach a political settlement in Afghanistan. Our troops have fought with unmatched valor—and thanks to their bravery, we are now able to pursue a political solution to this long and bloody conflict.

In Afghanistan, my Administration is holding constructive talks with a number of Afghan groups, including the Taliban. As we make progress in these negotiations, we will be able to reduce our troop presence and focus on counter-terrorism. We do not know whether we will achieve an agreement—but we do know that after two decades of war, the hour has come to at least try for peace.

Above all, friend and foe alike must never doubt this Nation's power and will to defend our people. Eighteen years ago, terrorists attacked the USS *Cole*—and last month American forces killed one of the leaders of the attack.

We are honored to be joined tonight by Tom Wibberley, whose son, Navy Seaman Craig Wibberley, was one of the 17 sailors we tragically lost. Tom: we vow to always remember the heroes of the USS *Cole*.

My Administration has acted decisively to confront the world's leading state sponsor of terror: the radical regime in Iran.

To ensure this corrupt dictatorship never acquires nuclear weapons, I withdrew the United States from the disastrous Iran nuclear deal. And last fall, we put in place the toughest sanctions ever imposed on a country.

We will not avert our eyes from a regime that chants death to America and threatens genocide against the Jewish people. We must never ignore the vile poison of anti-Semitism, or those who spread its venomous creed. With one voice, we must confront this hatred anywhere and everywhere it occurs.

Just months ago, 11 Jewish-Americans were viciously murdered in an anti-semitic attack on the Tree of Life Synagogue in Pittsburgh. SWAT Officer Timothy Matson raced into the gunfire and was shot seven times chasing down the killer. Timothy has just had his 12th surgery—but he made the trip to be here with us tonight. Officer Matson: we are forever grateful for your courage in the face of evil.

Tonight, we are also joined by Pittsburgh survivor Judah Samet. He arrived at the synagogue as the massacre began. But not only did Judah narrowly escape death last fall—more than seven decades ago, he narrowly survived the Nazi concentration camps. Today is Judah's 81st birthday. Judah says he can still remember the exact moment, nearly 75 years ago, after 10 months in a concentration camp, when he and his family were put on a train, and told they were going to another camp. Suddenly the train screeched to a halt. A soldier appeared. Judah's family braced for the worst. Then, his father cried out with joy: "It's the Americans."

A second Holocaust survivor who is here tonight, Joshua Kaufman, was a prisoner at Dachau Concentration Camp. He remembers watching through a hole in the wall of a cattle car as American soldiers rolled in with tanks. "To me," Joshua recalls, "the American soldiers were proof that God exists, and they came down from the sky."

I began this evening by honoring three soldiers who fought on D-Day in the Second World War. One of them was Herman Zeitchik. But there is more to Herman's story. A year after he stormed the beaches of Normandy, Herman was one of those American soldiers who helped liberate Dachau. He was one of the Americans who helped

rescue Joshua from that hell on earth. Almost 75 years later, Herman and Joshua are both together in the gallery tonight—seated side-by-side, here in the home of American freedom. Herman and Joshua: your presence this evening honors and uplifts our entire Nation.

When American soldiers set out beneath the dark skies over the English Channel in the early hours of D-Day, 1944, they were just young men of 18 and 19, hurtling on fragile landing craft toward the most momentous battle in the history of war.

They did not know if they would survive the hour. They did not know if they would grow old. But they knew that America had to prevail. Their cause was this Nation, and generations yet unborn.

Why did they do it? They did it for America—they did it for us.

Everything that has come since—our triumph over communism, our giant leaps of science and discovery, our unrivaled progress toward equality and justice—all of it is possible thanks to the blood and tears and courage and vision of the Americans who came before.

Think of this Capitol—think of this very chamber, where lawmakers before you voted to end slavery, to build the railroads and the highways, to defeat fascism, to secure civil rights, to face down an evil empire.

Here tonight, we have legislators from across this magnificent republic. You have come from the rocky shores of Maine and the volcanic peaks of Hawaii; from the snowy woods of Wisconsin and the red deserts of Arizona; from the green farms of Kentucky and the golden beaches of California. Together, we represent the most extraordinary Nation in all of history.

What will we do with this moment? How will we be remembered?

I ask the men and women of this Congress: Look at the opportunities before us! Our most thrilling achievements are still ahead. Our most exciting journeys still await. Our biggest victories are still to come. We have not yet begun to dream.

We must choose whether we are defined by our differences—or whether we dare to transcend them.

We must choose whether we will squander our inheritance—or whether we will proudly declare that we are Americans. We do the incredible. We defy the impossible. We conquer the unknown.

This is the time to re-ignite the American imagination. This is the time to search for the tallest summit, and set our sights on the brightest star. This is the time to rekindle the bonds of love and loyalty and memory that link us together as citizens, as neighbors, as patriots.

This is our future—our fate—and our choice to make. I am asking you to choose greatness.

No matter the trials we face, no matter the challenges to come, we must go forward together.

We must keep America first in our hearts. We must keep freedom alive in our souls. And we must always keep faith in America's destiny—that one Nation, under God, must be the hope and the promise and the light and the glory among all the nations of the world!

Thank you. God Bless You, God Bless America, and good night!

DONALD J. TRUMP.  
THE WHITE HOUSE, February 5, 2019.

## MEASURES READ THE FIRST TIME

The following bill was read the first time:

S. 340. A bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products.

## 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-214. 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; Iowa; State Implementation Plan and Operating Permits" (FRL No. 9988-94-Region 7) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2019; to the Committee on Environment and Public Works.

EC-215. 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; Oklahoma; Interstate Transport Requirements for the 1997 Ozone National Ambient Air Quality Standards" (FRL No. 9988-58-Region 6) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2019; to the Committee on Environment and Public Works.

EC-216. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; Delaware; Interstate Transport Requirements for the 2010 1-Hour Sulfur Dioxide Standard" (FRL No. 9989-03-Region 3) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2019; to the Committee on Environment and Public Works.

EC-217. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Air Quality Implementation Plans; State of Colorado; Motor Vehicle Inspection and Maintenance Program and Associated Revisions" (FRL No. 9987-96-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2019; to the Committee on Environment and Public Works.

EC-218. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Approval and Promulgation of Imple-

mentation Plans; North Dakota; Revisions to Infrastructure Requirements for All National Ambient Air Quality Standards; Carbon Monoxide (CO); Lead (Pb); Nitrogen Dioxide (NO<sub>2</sub>); Ozone (O<sub>3</sub>); Particle Pollution (PM<sub>2.5</sub>, PM<sub>10</sub>); Sulfur Dioxide (SO<sub>2</sub>); Recodification" (FRL No. 9988-35-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2019; to the Committee on Environment and Public Works.

EC-219. 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 Recodification and Revisions to State Air Pollution Control Rules; North Dakota; Interim Approval of Title V Program Recodification and Revisions; Approval of Recodification and Revisions to State Programs and Delegation of Authority to Implement and Enforce Clean Air Act Sections 111 and 112 Standards and Requirements" (FRL No. 9988-39-Region 8) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2019; to the Committee on Environment and Public Works.

EC-220. A communication from the Director of the Regulatory Management Division, Environmental Protection Agency, transmitting, pursuant to law, the report of a rule entitled "Glycine Betaine; Exemption from the Requirement of a Tolerance" (FRL No. 9987-42-OCSPP) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2019; to the Committee on Agriculture, Nutrition, and Forestry.

EC-221. 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 for Friction Materials Manufacturing Facilities Residual Risk and Technology Review" (FRL No. 9988-69-OAR) received during adjournment of the Senate in the Office of the President of the Senate on February 1, 2019; to the Committee on Environment and Public Works.

## REPORTS OF COMMITTEES

The following reports of committees were submitted:

By Mr. GRASSLEY, from the Committee on Finance, without amendment:

S. Res. 40. An original resolution authorizing expenditures by the Committee on Finance.

By Mr. BARRASSO, from the Committee on Environment and Public Works, without amendment:

S. Res. 41. An original resolution authorizing expenditures by the Committee on Environment and Public Works.

By Mr. INHOFE, from the Committee on Armed Services, without amendment:

S. Res. 42. An original resolution authorizing expenditures by the Committee on Armed Services.

By Ms. MURKOWSKI, from the Committee on Energy and Natural Resources, without amendment:

S. Res. 45. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources.

By Mr. BARRASSO, from the Committee on Environment and Public Works, without amendment:

S. Res. 46. An original resolution authorizing expenditures by the Committee on Environment and Public Works.

S. 94. A bill to amend the Pittman-Robertson Wildlife Restoration Act to facilitate the establishment of additional or expanded public target ranges in certain States.

S. 163. A bill to prevent catastrophic failure or shutdown of remote diesel power engines due to emission control devices, and for other purposes.

S. 268. A bill to reauthorize the Partners for Fish and Wildlife Program and certain wildlife conservation funds, to establish prize competitions relating to the prevention of wildlife poaching and trafficking, wildlife conservation, the management of invasive species, and the protection of endangered species, to amend the Marine Turtle Conservation Act of 2004 to modify the protections provided by that Act, and for other purposes.

S. 310. A bill to amend the Neotropical Migratory Bird Conservation Act to reauthorize the Act.

## EXECUTIVE REPORTS OF COMMITTEES

The following executive reports of nominations were submitted:

By Mr. BARRASSO for the Committee on Environment and Public Works.

\*Nicole R. Nason, of New York, to be Administrator of the Federal Highway Administration.

\*Andrew Wheeler, of Virginia, to be Administrator of the Environmental Protection Agency.

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

\*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.

\*Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, Environmental Protection Agency.

By Mr. GRASSLEY for the Committee on Finance.

Elizabeth Darling, of Texas, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel in the Department of the Treasury.

Michael Faulkender, of Maryland, to be an Assistant Secretary of the Treasury.

Jeffrey Kessler, of Virginia, to be an Assistant Secretary of Commerce.

\*Nomination was reported with recommendation that it be confirmed subject to the nominee's commitment to respond to requests to appear and testify before any duly constituted committee of the Senate.

(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. PORTMAN (for himself and Mr. BROWN):

S. 329. A bill to amend the Internal Revenue Code of 1986 to include fuel cells using electromechanical processes for purposes of the energy tax credit; to the Committee on Finance.

By Mr. LANKFORD:

S. 330. A bill to amend the Internal Revenue Code of 1986 to allow charitable organizations to make statements relating to political campaigns if such statements are made



in the ordinary course of carrying out its tax exempt purpose; to the Committee on Finance.

By Ms. CORTEZ MASTO (for herself, Mr. MENENDEZ, Mr. DURBIN, Ms. DUCKWORTH, Mr. BOOKER, Ms. CANTWELL, Mrs. FEINSTEIN, Mrs. GILLIBRAND, Ms. HARRIS, Ms. WARREN, Mr. WYDEN, Ms. SMITH, and Mr. VAN HOLLEN):

S. 331. A bill to amend the Home Mortgage Disclosure Act of 1975 to modify the exemptions from certain disclosure requirement; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. BLUMENTHAL:

S. 332. A bill to amend title 38, United States Code, to remove the manifestation period required for the presumptions of service connection for chloracne, porphyria cutanea tarda, and acute and subacute peripheral neuropathy associated with exposure to certain herbicide agents, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. CORNYN (for himself, Mr. LEAHY, and Mr. CRUZ):

S. 333. A bill to authorize the Secretary of Homeland Security to work with cybersecurity consortia for training, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

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

S. 334. A bill to authorize the construction of the Musselshell-Judith Rural Water System and study of the Dry-Redwater Regional Water Authority System in the States of Montana and North Dakota, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. RUBIO (for himself, Mr. VAN HOLLEN, Ms. COLLINS, Mr. WARNER, Mr. MORAN, Ms. WARREN, and Mr. JONES):

S. 335. A bill to require the Secretary of Commerce to ensure that ZTE Corporation complies with all probationary conditions set forth in the settlement agreement entered into between ZTE Corporation and the Bureau of Industry and Security of the Department of Commerce; to the Committee on Banking, Housing, and Urban Affairs.

By Mr. TESTER:

S. 336. A bill to direct the Comptroller General of the United States to submit a report on the response of law enforcement agencies to reports of missing or murdered Indians; to the Committee on Indian Affairs.

By Ms. STABENOW (for herself and Mr. PETERS):

S. 337. A bill to extend the authorization for the MotorCities National Heritage Area in the State of Michigan, and for other purposes; to the Committee on Energy and Natural Resources.

By Ms. WARREN (for herself, Mr. CARPER, Mr. UDALL, Mr. MARKEY, Ms. KLOBUCHAR, Mrs. FEINSTEIN, Ms. HIRONO, Mr. BLUMENTHAL, Mr. COONS, Mrs. MURRAY, Mrs. GILLIBRAND, Mr. VAN HOLLEN, Ms. HARRIS, and Mr. BOOKER):

S. 338. A bill to amend the Presidential Transition Act of 1963 to require the development of ethics plans for certain transition teams, and for other purposes; to the Committee on Homeland Security and Governmental Affairs.

By Mr. MARKEY (for himself, Ms. WARREN, Ms. HASSAN, and Mrs. SHAHEEN):

S. 339. A bill to amend the Wild and Scenic Rivers Act to designate segments of the Nashua, Squannacook, and Nissitissit Rivers as components of the Wild and Scenic Rivers System, and for other purposes; to the Committee on Energy and Natural Resources.

By Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. LEE,

Mrs. FEINSTEIN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. COLLINS, Mr. COTTON, Mr. CRUZ, Mr. DAINES, Mr. DURBIN, Ms. ERNST, Mrs. FISCHER, Ms. HASSAN, Mr. KENNEDY, Mr. KING, Mr. MENENDEZ, Ms. MURKOWSKI, Mr. PAUL, Mr. ROUNDS, Ms. SMITH, Ms. STABENOW, Mr. TESTER, Mr. WHITEHOUSE, and Mr. YOUNG):

S. 340. A bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products; read the first time.

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

S. 341. A bill to amend title 38, United States Code, to improve the procurement practices of the Department of Veterans Affairs, and for other purposes; to the Committee on Veterans' Affairs.

## SUBMISSION OF CONCURRENT AND SENATE RESOLUTIONS

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

By Mr. GRASSLEY:

S. Res. 40. An original resolution authorizing expenditures by the Committee on Finance; from the Committee on Finance; to the Committee on Rules and Administration.

By Mr. BARRASSO:

S. Res. 41. An original resolution authorizing expenditures by the Committee on Environment and Public Works; from the Committee on Environment and Public Works; to the Committee on Rules and Administration.

By Mr. INHOFE:

S. Res. 42. An original resolution authorizing expenditures by the Committee on Armed Services; from the Committee on Armed Services; to the Committee on Rules and Administration.

By Mr. MORAN (for himself and Mr. ROBERTS):

S. Res. 43. A resolution honoring the 150th anniversary of the establishment of Lindsborg, Kansas; to the Committee on the Judiciary.

By Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Mrs. FEINSTEIN, Ms. HIRONO, Ms. HARRIS, Ms. ERNST, Mrs. BLACKBURN, Mr. TILLIS, and Mr. CRAPO):

S. Res. 44. A resolution raising awareness and encouraging the prevention of stalking by designating January 2019 as "National Stalking Awareness Month"; considered and agreed to.

By Ms. MURKOWSKI:

S. Res. 45. An original resolution authorizing expenditures by the Committee on Energy and Natural Resources; from the Committee on Energy and Natural Resources; to the Committee on Rules and Administration.

By Mr. BARRASSO:

S. Res. 46. An original resolution authorizing expenditures by the Committee on Environment and Public Works; from the Committee on Environment and Public Works; to the Committee on Rules and Administration.

## ADDITIONAL COSPONSORS

S. 22

At the request of Mr. CARDIN, the name of the Senator from Oregon (Mr. MERKLEY) was added as a cosponsor of S. 22, a bill to amend title XVIII of the Social Security Act to provide for coverage of dental services under the Medicare program.

S. 47

At the request of Ms. MURKOWSKI, the names of the Senator from Alaska (Mr. SULLIVAN), the Senator from Hawaii (Mr. SCHATZ), the Senator from Arkansas (Mr. BOOZMAN), the Senator from California (Mrs. FEINSTEIN) and the Senator from Maine (Ms. COLLINS) were added as cosponsors of S. 47, a bill to provide for the management of the natural resources of the United States, and for other purposes.

S. 104

At the request of Mr. PORTMAN, the name of the Senator from Florida (Mr. RUBIO) was added as a cosponsor of S. 104, a bill to amend title 31, United States Code, to provide for automatic continuing resolutions.

S. 130

At the request of Mr. SASSE, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 130, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 162

At the request of Ms. SMITH, the name of the Senator from New Jersey (Mr. BOOKER) was added as a cosponsor of S. 162, a bill to provide back pay to low-wage contractor employees, and for other purposes.

S. 210

At the request of Mr. HOEVEN, the name of the Senator from Wyoming (Mr. BARRASSO) was added as a cosponsor of S. 210, a bill to amend the Tribal Law and Order Act of 2010 and the Indian Law Enforcement Reform Act to provide for advancement in public safety services to Indian communities, and for other purposes.

S. 218

At the request of Mr. BARRASSO, the name of the Senator from Utah (Mr. LEE) was added as a cosponsor of S. 218, a bill to empower States to manage the development and production of oil and gas on available Federal land, and for other purposes.

S. 249

At the request of Mr. INHOFE, the name of the Senator from Oregon (Mr. WYDEN) was added as a cosponsor of S. 249, a bill to direct the Secretary of State to develop a strategy to regain observer status for Taiwan in the World Health Organization, and for other purposes.

S. 257

At the request of Mr. TESTER, the names of the Senator from Washington (Ms. CANTWELL) and the Senator from Montana (Mr. DAINES) were added as cosponsors of S. 257, a bill to provide for rental assistance for homeless or at-risk Indian veterans, and for other purposes.

S. 266

At the request of Mr. REED, the name of the Senator from Illinois (Mr. DURBIN) was added as a cosponsor of S. 266,

a bill to provide for the long-term improvement of public school facilities, and for other purposes.

S. 283

At the request of Mr. CARDIN, the name of the Senator from Connecticut (Mr. BLUMENTHAL) was added as a cosponsor of S. 283, a bill to amend title XVIII of the Social Security Act to improve access to, and utilization of, bone mass measurement benefits under part B of the Medicare program by establishing a minimum payment amount under such part for bone mass measurement.

S. 285

At the request of Ms. ERNST, the name of the Senator from Arkansas (Mr. BOOZMAN) 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. 294

At the request of Mr. UDALL, the name of the Senator from Washington (Ms. CANTWELL) was added as a cosponsor of S. 294, a bill to establish a business incubators program within the Department of the Interior to promote economic development in Indian reservation communities.

S. 311

At the request of Mr. SASSE, the names of the Senator from Pennsylvania (Mr. TOOMEY) and the Senator from West Virginia (Mrs. CAPITO) were added as cosponsors of S. 311, a bill to amend title 18, United States Code, to prohibit a health care practitioner from failing to exercise the proper degree of care in the case of a child who survives an abortion or attempted abortion.

S. 319

At the request of Mrs. MURRAY, the names of the Senator from Connecticut (Mr. BLUMENTHAL), the Senator from Oregon (Mr. MERKLEY) and the Senator from Massachusetts (Ms. WARREN) were added as cosponsors of S. 319, a bill to improve the reproductive assistance provided by the Department of Defense and the Department of Veterans Affairs to severely wounded, ill, or injured members of the Armed Forces, veterans, and their spouses or partners, and for other purposes.

S.J. RES. 3

At the request of Mrs. HYDE-SMITH, the names of the Senator from Indiana (Mr. YOUNG), the Senator from Georgia (Mr. ISAKSON), the Senator from North Dakota (Mr. CRAMER) and the Senator from Kansas (Mr. MORAN) were added as cosponsors of S. J. Res. 3, a joint resolution proposing an amendment to the Constitution of the United States relative to balancing the budget.

S. RES. 30

At the request of Mrs. FEINSTEIN, the name of the Senator from Minnesota (Ms. KLOBUCHAR) was added as a co-

sponsor of S. Res. 30, a resolution condemning efforts to undermine democracy in Hungary and urging President Trump to defend the universal human rights and democratic norms under attack by the Orbán government.

AMENDMENT NO. 103

At the request of Mr. PETERS, the name of the Senator from Michigan (Ms. STABENOW) was added as a cosponsor of amendment No. 103 intended to be proposed to S. 1, a bill to make improvements to certain defense and security assistance provisions and to authorize the appropriation of funds to Israel, to reauthorize the United States-Jordan Defense Cooperation Act of 2015, and to halt the wholesale slaughter of the Syrian people, and for other purposes.

#### STATEMENTS ON INTRODUCED BILLS AND JOINT RESOLUTIONS

By Mr. LEAHY (for himself, Mr. GRASSLEY, Ms. KLOBUCHAR, Mr. LEE, Mrs. FEINSTEIN, Ms. BALDWIN, Mr. BLUMENTHAL, Mr. BOOKER, Mr. BROWN, Ms. COLLINS, Mr. COTTON, Mr. CRUZ, Mr. DAINES, Mr. DURBIN, Ms. ERNST, Mrs. FISCHER, Ms. HASSAN, Mr. KENNEDY, Mr. KING, Mr. MENENDEZ, Ms. MURKOWSKI, Mr. PAUL, Mr. ROUNDS, Ms. SMITH, Mr. STABENOW, Mr. TESTER, Mr. WHITEHOUSE, and Mr. YOUNG):

S. 340. A bill to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products; read the first time.

Mr. LEAHY. Mr. President, over the past few years, the national headlines have been dominated by stories about the high cost of pharmaceuticals. We have seen jaw-dropping examples of companies raising the cost of their products overnight, pricing too many families out of the prescription drugs they need to survive. Just last week, House and Senate Committees charged with oversight of the pharmaceutical industry heard heartbreaking testimony from family members of those dependent on insulin who have been forced to ration their treatment because the annual cost of insulin has nearly doubled since 2012. That is appalling, and putting Americans into that kind of situation is unacceptable.

Lawmakers across the political spectrum, including President Trump, agree that Congress needs to act to rein in these spiraling prescription drug prices. Pharmaceutical companies should be compensated for their important work developing lifesaving treatments. But when companies engage in predatory practices at the expense of consumers, we must act. That is why today I am reintroducing the Creating and Restoring Equal Access to Equivalent Samples (CREATES) Act, bipartisan legislation to end inappropriate delay tactics that are used by some brand-name drug companies to block

competition from more affordable generic drugs. I am glad to be joined by Senators GRASSLEY, KLOBUCHAR, LEE and 24 other Senators of both parties in introducing this bill today.

The first delay tactic addressed by the CREATES Act involves the withholding of drug samples that generic manufacturers need to gain regulatory approval. Federal law requires generic competitors to prove that their low-cost alternative is equally safe and effective as the brand-name drug with which they wish to compete. Unfortunately, some brand-name companies are preventing generic manufacturers from obtaining the samples they need to make the necessary comparison. This simple delay tactic misuses regulatory safeguards as a weapon to block competition.

The second delay tactic addressed by the CREATES Act involves the development of shared safety protocols. For some high-risk drugs, Federal law requires a generic drug manufacturer to join the brand-name drug manufacturer in a single, shared safety protocol for distribution of the drug. Despite this requirement, some brand-name companies are refusing to negotiate shared safety protocols with potential generic competitors, again undermining those competitors' ability to gain FDA approval for their generic versions of such drugs.

The CREATES Act allows the FDA more discretion to approve alternative safety protocols, rather than require parties to develop shared safety protocols. Any safety protocol approved by the FDA must meet the rigorous statutory standards already in place.

These exclusionary practices thwart competition and deny consumers the benefit of lower drug prices. Recognizing the effect these tactics have in keeping drug prices high, in May 2018, FDA for the first time publicly identified brand-name drug companies that abuse FDA's safety programs or enact their own restricted distribution systems to delay competition from generic and biosimilar manufacturers. The FDA's list shows 164 inquiries covering more than 50 prescription drugs where access to samples was at issue. In recent years, according to FDA testimony to Congress, the number of inquiries has increased.

I share the concerns of Vermonters and Americans across the country that many prescription drugs are simply too expensive. I hear this again and again, from Vermonters in every corner of our state. When brand companies can artificially raise the price of drugs by using predatory practices, patients suffer. Illnesses worsen. Families, government programs, and other payers in the healthcare system ultimately bear those added, unnecessary costs.

Making meaningful reform to reduce the cost of prescription drugs should be a top priority for all lawmakers. The CREATES Act is an important piece of that puzzle, and is widely supported across the political spectrum and has

been endorsed by more than 90 groups. The Congressional Budget Office estimates that the CREATES Act would lower Federal spending on prescription drugs by \$3.9 billion and research shows that the savings to patients with employer-based health insurance and the health care system overall would be far greater—many billions of dollars more.

Think for a moment about the impact of price hikes on the family of a patient facing a life-threatening illness. Across the country, hardworking Americans feel like the system is rigged against them by corporations that are looking to make a profit at any price. With examples like Turing and Mylan, it is no wonder they feel that way.

The CREATES Act is one piece of the puzzle, addressing anticompetitive behavior that delays the creation of affordable generic drugs. Drug affordability is a bipartisan issue that affects each and every American. These reforms will make a difference. I hope we can finally act together to help put more affordable prescription drugs in the hands of Americans.

#### SUBMITTED RESOLUTIONS

##### SENATE RESOLUTION 40—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON FINANCE

Mr. GRASSLEY submitted the following resolution; from the Committee on Finance; which was referred to the Committee on Rules and Administration:

S. RES. 40

*Resolved*, That, in carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of such rules, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Finance is authorized from March 1, 2019, through September 30, 2019; October 1, 2019, through September 30, 2020; and October 1, 2020, through February 28, 2021, in its discretion (1) to make expenditures from the contingent fund of the Senate, (2) to employ personnel, and (3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, to use on a reimbursable or non-reimbursable basis the services of personnel of any such department or agency.

SEC. 2a. The expenses of the committee for the period March 1, 2019, through September 30, 2019, under this resolution shall not exceed \$5,119,003, of which amount (1) not to exceed \$17,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$5,833 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(b) For the period October 1, 2019, through September 30, 2020, expenses of the committee under this resolution shall not exceed \$8,775,434, of which amount (1) not to exceed

\$30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$10,000 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

(c) For the period October 1, 2020, through February 28, 2021, expenses of the committee under this resolution shall not exceed \$3,656,431 of which amount (1) not to exceed \$12,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946, as amended), and (2) not to exceed \$4,166 may be expended for the training of the professional staff of such committee (under procedures specified by section 202(j) of the Legislative Reorganization Act of 1946).

SEC. 3. The committee shall report its findings, together with such recommendations for legislation as it deems advisable, to the Senate at the earliest practicable date, but not later than February 28, 2019.

SEC. 4. Expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee, except that vouchers shall not be required (1) for the disbursement of salaries of employees paid at an annual rate, or (2) for the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (3) for the payment of stationery supplies purchased through the Keeper of the Stationery, United States Senate, or (4) for payments to the Postmaster, United States Senate, or (5) for the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper, United States Senate, or (6) for the payment of Senate Recording and Photographic Services, or (7) for payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper, United States Senate.

SEC. 5. There are authorized such sums as may be necessary for agency contributions related to the compensation of employees of the committee from March 1, 2019, through September 30, 2019; October 1, 2019, through September 30, 2020; and October 1, 2020 through February 28, 2021, to be paid from the Appropriations account for Expenses of Inquiries and Investigations.

##### SENATE RESOLUTION 41—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BARRASSO submitted the following resolution; from the Committee on Environment and Public Works; which was referred to the Committee on Rules and Administration:

S. RES. 41

##### *Resolved*, SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works (in this resolution referred to as the “committee”) is authorized from

March 1, 2019 through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

##### SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.—The expenses of the committee for the period March 1, 2019 through September 30, 2019 under this resolution shall not exceed \$3,183,482, of which amount—

(1) not to exceed \$4,666 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$1,166 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2020 PERIOD.—The expenses of the committee for the period October 1, 2019 through September 30, 2020 under this resolution shall not exceed \$5,457,399, of which amount—

(1) not to exceed \$8,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$2,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.—The expenses of the committee for the period October 1, 2020 through February 28, 2021 under this resolution shall not exceed \$2,273,917, of which amount—

(1) not to exceed \$3,334 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$834 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

##### SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may

be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2019 through September 30, 2019;

(2) for the period October 1, 2019 through September 30, 2020; and

(3) for the period October 1, 2020 through February 28, 2021.

# SENATE RESOLUTION 42—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ARMED SERVICES

Mr. INHOFE submitted the following resolution; from the Committee on Armed Services; which was referred to the Committee on Rules and Administration:

S. RES. 42

*Resolved,*

## SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Armed Services (in this resolution referred to as the “committee”) is authorized from March 1, 2019 through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

## SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.—The expenses of the committee for the period March 1, 2019 through September 30, 2019 under this resolution shall not exceed \$4,162,229, of which amount—

(1) not to exceed \$51,333 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$19,250 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2020 PERIOD.—The expenses of the committee for the period October 1, 2019 through September 30, 2020 under this resolution shall not exceed \$7,135,250, of which amount—

(1) not to exceed \$88,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$33,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.—The expenses of the committee for the period October 1, 2020 through February 28, 2021 under this resolution shall not exceed \$2,973,021, of which amount—

(1) not to exceed \$36,667 may be expended for the procurement of the services of individual consultants, or organizations thereof

(as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$13,750 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

## SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2019 through September 30, 2019;

(2) for the period October 1, 2019 through September 30, 2020; and

(3) for the period October 1, 2020 through February 28, 2021.

# SENATE RESOLUTION 43—HONORING THE 150TH ANNIVERSARY OF THE ESTABLISHMENT OF LINDSBORG, KANSAS

Mr. MORAN (for himself and Mr. ROBERTS) submitted the following resolution; which was referred to the Committee on the Judiciary:

S. RES. 43

Whereas February 20, 2019, marks the 150th anniversary of the establishment of Lindsborg, a town in McPherson County, Kansas;

Whereas, in 1868, Kansas was known as “the great American desert,” as it was reported that it never rained in Kansas, and upon organizing the first Swedish Agricultural Company in April 1868, Chairman John Fern said, “If God is going to let us settle in Kansas, he will give us rain.”;

Whereas, after claims were filed in May 1866 in the general area that was to become Lindsborg, the Swedish Agricultural Company entered into a contract for the purchase of 16,000 acres of land from the Kansas-Pacific Rail Road Company;

Whereas, in December 1868, a call to Sweden for settlers was sent and a promising young pastor named Dr. Olof Olsson was chosen to lead a large group of settlers the next spring;

Whereas, on January 20, 1869, the Swedish Agricultural Company settled the site that was to become Lindsborg and the development of the land and farming commenced;

Whereas, the Swedish Agriculture Company, with several members of the Company

having “Lind” in their surname, determined the name of the settlement to be “Lindsborg” on February 20, 1869, and, the members having fulfilled their role, the Swedish Agricultural Company was dissolved shortly thereafter;

Whereas Pastor Olof Olsson and a group of 100 Swedish immigrants from the Värmland province of Sweden arrived at the settlement on June 27, 1869;

Whereas Lindsborg is widely known as “Little Sweden” due to its Swedish traditions and population of Swedish immigrants;

Whereas the Sesquicentennial Festival Committee for Lindsborg has declared the theme for 2019 to be “Sweden to the Plains—Living the Legacy”;

Whereas Svensk Hyllningsfest is a biennial festival celebrating the Swedish heritage of Lindsborg with arts and crafts, special foods, ethnic music, traditional folk dance and dress, and other Swedish entertainment;

Whereas King Carl XVI Gustaf of Sweden visited Lindsborg during his royal tour of the United States in April 1976; and

Whereas the Swedish immigrants who settled in Kansas endured harsh weather conditions to establish Lindsborg and the people of Lindsborg have continued to maintain their Swedish heritage, making Lindsborg a cultural destination: Now, therefore, be it

*Resolved*, That the Senate—

(1) honors Lindsborg, Kansas, on the 150th anniversary of its establishment;

(2) commends the men and women who have made Lindsborg the town full of rich culture it is today; and

(3) honors the immigrants of the Värmland province of Sweden for settling in Lindsborg.

# SENATE RESOLUTION 44—RAISING AWARENESS AND ENCOURAGING THE PREVENTION OF STALKING BY DESIGNATING JANUARY 2019 AS “NATIONAL STALKING AWARENESS MONTH”

Ms. KLOBUCHAR (for herself, Mr. GRASSLEY, Mrs. FEINSTEIN, Ms. HIRONO, Ms. HARRIS, Ms. ERNST, Mrs. BLACKBURN, Mr. TILLIS, and Mr. CRAPO) submitted the following resolution; which was considered and agreed to:

S. RES. 44

Whereas approximately 1 in 6 women in the United States, at some point during their lifetimes, have experienced stalking victimization, during which the women felt very fearful or believed that they or someone close to them would be harmed or killed;

Whereas, during a 1-year period, an estimated 6,600,000 individuals in the United States reported that they had been victims of stalking;

Whereas more than 80 percent of victims of stalking reported that they had been stalked by someone they knew;

Whereas nearly 70 percent of intimate partner stalking victims were threatened with physical harm by stalkers;

Whereas 11 percent of victims of stalking reported having been stalked for more than 5 years;

Whereas two-thirds of stalkers pursue their victims at least once a week;

Whereas many victims of stalking are forced to take drastic measures to protect themselves, including relocating, changing jobs, or obtaining protection orders;

Whereas the prevalence of anxiety, insomnia, social dysfunction, and severe depression is much higher among victims of stalking than the general population;

Whereas many victims of stalking do not report stalking to the police or contact a victim service provider, shelter, or hotline;

Whereas stalking is a crime under Federal law and the laws of all 50 States, the District of Columbia, and the territories of the United States;

Whereas stalking affects victims of every race, age, culture, gender, sexual orientation, physical and mental ability, and economic status;

Whereas national organizations, local victim service organizations, campuses, prosecutor's offices, and police departments stand ready to assist victims of stalking and are working diligently to develop effective and innovative responses to stalking;

Whereas there is a need to improve the response of the criminal justice system to stalking through more aggressive investigation and prosecution;

Whereas there is a need for an increase in the availability of victim services across the United States, and the services must include programs tailored to meet the needs of victims of stalking;

Whereas individuals 18 to 24 years old experience the highest rates of stalking victimization, and a majority of stalking victims report their victimization first occurred before the age of 25;

Whereas up to 75 percent of women in college who experience behavior relating to stalking experience other forms of victimization, including sexual or physical victimization;

Whereas there is a need for an effective response to stalking on each campus; and

Whereas the Senate finds that "National Stalking Awareness Month" provides an opportunity to educate the people of the United States about stalking: Now, therefore, be it

*Resolved*, That the Senate—

(1) designates January 2019 as "National Stalking Awareness Month";

(2) applauds the efforts of service providers for victims of stalking, police, prosecutors, national and community organizations, campuses, and private sector supporters to promote awareness of stalking;

(3) encourages policymakers, criminal justice officials, victim service and human service agencies, institutions of higher education, and nonprofit organizations to increase awareness of stalking and the availability of services for victims of stalking; and

(4) urges national and community organizations, businesses in the private sector, and the media to promote awareness of the crime of stalking through "National Stalking Awareness Month".

#### SENATE RESOLUTION 45—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENERGY AND NATURAL RESOURCES

Ms. MURKOWSKI submitted the following resolution; from the Committee on Energy and Natural Resources; which was referred to the Committee on Rules and Administration:

S. RES. 45

*Resolved*,

#### SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Energy and Natural Resources (in this resolution referred to as the "committee") is authorized from March

1, 2019 through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

#### SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.—The expenses of the committee for the period March 1, 2019 through September 30, 2019 under this resolution shall not exceed \$3,348,303, of which amount—

(1) not to exceed \$17,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$8,750 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2020 PERIOD.—The expenses of the committee for the period October 1, 2019 through September 30, 2020 under this resolution shall not exceed \$5,739,948, of which amount—

(1) not to exceed \$30,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$15,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.—The expenses of the committee for the period October 1, 2020 through February 28, 2021 under this resolution shall not exceed \$2,391,645, of which amount—

(1) not to exceed \$12,500 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$6,250 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

#### SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for "Expenses of Inquiries and Inves-

tigations" of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2019 through September 30, 2019;

(2) for the period October 1, 2019 through September 30, 2020; and

(3) for the period October 1, 2020 through February 28, 2021.

#### SENATE RESOLUTION 46—AUTHORIZING EXPENDITURES BY THE COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

Mr. BARRASSO submitted the following resolution; from the Committee on Environment and Public Works; which was referred to the Committee on Rules and Administration:

S. RES. 46

*Resolved*,

#### SECTION 1. GENERAL AUTHORITY.

In carrying out its powers, duties, and functions under the Standing Rules of the Senate, in accordance with its jurisdiction under rule XXV of the Standing Rules of the Senate, including holding hearings, reporting such hearings, and making investigations as authorized by paragraphs 1 and 8 of rule XXVI of the Standing Rules of the Senate, the Committee on Environment and Public Works (in this resolution referred to as the "committee") is authorized from March 1, 2019 through February 28, 2021, in its discretion, to—

(1) make expenditures from the contingent fund of the Senate;

(2) employ personnel; and

(3) with the prior consent of the Government department or agency concerned and the Committee on Rules and Administration, use on a reimbursable or nonreimbursable basis the services of personnel of any such department or agency.

#### SEC. 2. EXPENSES.

(a) EXPENSES FOR PERIOD ENDING SEPTEMBER 30, 2019.—The expenses of the committee for the period March 1, 2019 through September 30, 2019 under this resolution shall not exceed \$3,183,482, of which amount—

(1) not to exceed \$4,666 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$1,166 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(b) EXPENSES FOR FISCAL YEAR 2020 PERIOD.—The expenses of the committee for the period October 1, 2019 through September 30, 2020 under this resolution shall not exceed \$5,457,399, of which amount—

(1) not to exceed \$8,000 may be expended for the procurement of the services of individual consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$2,000 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

(c) EXPENSES FOR PERIOD ENDING FEBRUARY 28, 2021.—The expenses of the committee for the period October 1, 2020 through February 28, 2021 under this resolution shall not exceed \$2,273,917, of which amount—

(1) not to exceed \$3,334 may be expended for the procurement of the services of individual

consultants, or organizations thereof (as authorized by section 202(i) of the Legislative Reorganization Act of 1946 (2 U.S.C. 4301(i))); and

(2) not to exceed \$834 may be expended for the training of the professional staff of the committee (under procedures specified by section 202(j) of that Act).

### SEC. 3. EXPENSES AND AGENCY CONTRIBUTIONS.

(a) EXPENSES OF THE COMMITTEE.—

(1) IN GENERAL.—Except as provided in paragraph (2), expenses of the committee under this resolution shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman of the committee.

(2) VOUCHERS NOT REQUIRED.—Vouchers shall not be required for—

(A) the disbursement of salaries of employees paid at an annual rate;

(B) the payment of telecommunications provided by the Office of the Sergeant at Arms and Doorkeeper;

(C) the payment of stationery supplies purchased through the Keeper of the Stationery;

(D) payments to the Postmaster of the Senate;

(E) the payment of metered charges on copying equipment provided by the Office of the Sergeant at Arms and Doorkeeper;

(F) the payment of Senate Recording and Photographic Services; or

(G) the payment of franked and mass mail costs by the Sergeant at Arms and Doorkeeper.

(b) AGENCY CONTRIBUTIONS.—There are authorized to be paid from the appropriations account for “Expenses of Inquiries and Investigations” of the Senate such sums as may be necessary for agency contributions related to the compensation of employees of the committee—

(1) for the period March 1, 2019 through September 30, 2019;

(2) for the period October 1, 2019 through September 30, 2020; and

(3) for the period October 1, 2020 through February 28, 2021.

### AMENDMENTS SUBMITTED AND PROPOSED

SA 107. Mr. CASEY (for himself, Mr. PORTMAN, Mr. BROWN, Ms. WARREN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table.

SA 108. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

SA 109. Mr. HOEVEN (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 47, supra; which was ordered to lie on the table.

### TEXT OF AMENDMENTS

SA 107. Mr. CASEY (for himself, Mr. PORTMAN, Mr. BROWN, Ms. WARREN, and Mr. MARKEY) submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of title VI, add the following:

#### SEC. 6004. NATIONAL HERITAGE AREA AND NATIONAL CANALWAY AMENDMENTS.

(a) RIVERS OF STEEL NATIONAL HERITAGE AREA.—Section 409(a) of the Omnibus Parks

and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4256; 129 Stat. 2551) is amended, in the second sentence, by striking “\$17,000,000” and inserting “\$20,000,000”.

(b) ESSEX NATIONAL HERITAGE AREA.—Section 508(a) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4260; 129 Stat. 2551) is amended, in the second sentence, by striking “\$17,000,000” and inserting “\$20,000,000”.

(c) OHIO & ERIE NATIONAL HERITAGE CANALWAY.—Section 810(a) of the Omnibus Parks and Public Lands Management Act of 1996 (Public Law 104-333; 110 Stat. 4275; 122 Stat. 826) is amended by striking the second sentence and inserting the following: “Not more than a total of \$20,000,000 may be appropriated for the canalway under this title.”.

SA 108. Mr. KAINE (for himself and Mr. WARNER) submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of part I of subtitle C of title I, add the following:

#### SEC. 12. ADDITIONS TO ROUGH MOUNTAIN AND RICH HOLE WILDERNESSES.

Section 1 of Public Law 100-326 (16 U.S.C. 1132 note; 102 Stat. 584; 114 Stat. 2057; 123 Stat. 1002) is amended by adding at the end the following:

“(21) ROUGH MOUNTAIN ADDITION.—Certain land in the George Washington National Forest comprising approximately 1,000 acres, as generally depicted as the ‘Rough Mountain Addition’ on the map entitled ‘GEORGE WASHINGTON NATIONAL FOREST – South half – Alternative I – Selected Alternative Management Prescriptions – Land and Resources Management Plan Final Environmental Impact Statement’ and dated March 4, 2014, which is incorporated in the Rough Mountain Wilderness Area designated by paragraph (1).

“(22) RICH HOLE ADDITION.—

“(A) DESIGNATION.—Certain land in the George Washington National Forest comprising approximately 4,600 acres, as generally depicted as the ‘Rich Hole Addition’ on the map entitled ‘GEORGE WASHINGTON NATIONAL FOREST – South half – Alternative I – Selected Alternative Management Prescriptions – Land and Resources Management Plan Final Environmental Impact Statement’ and dated March 4, 2014, which shall be incorporated in the Rich Hole Wilderness Area designated by paragraph (2) on the earlier of—

“(i) the date on which the Secretary of Agriculture publishes in the Federal Register notice that the activities permitted under subparagraph (C) have been completed; and

“(ii) the date that is 5 years after the date of enactment of the Natural Resources Management Act.

“(B) MANAGEMENT.—Except as provided in subparagraph (C), the Secretary shall manage the wilderness area designated under subparagraph (A) in accordance with the Wilderness Act (16 U.S.C. 1131 et seq.).

“(C) WATER QUALITY IMPROVEMENT ACTIVITIES.—

“(i) IN GENERAL.—To enhance natural ecosystems within the Rich Hole Addition by implementing certain activities to improve water quality and aquatic passage, as described in the Forest Service document entitled ‘Decision Notice for the Lower Cowpasture Restoration and Management Project’ and dated December 2015, the Secretary of Agriculture may use motorized

equipment and mechanized transport in the Rich Hole Addition under subparagraph (A) until the date on which the Rich Hole Addition is incorporated into the Rich Hole Wilderness under that subparagraph.

“(ii) REQUIREMENT.—In carrying out clause (i), the Secretary of Agriculture, to the maximum extent practicable, shall use the minimum tool or administrative practice necessary to carry out that clause with the least amount of adverse impact on wilderness character and resources.”.

SA 109. Mr. HOEVEN (for himself and Mr. CRAMER) submitted an amendment intended to be proposed by him to the bill S. 47, to provide for the management of the natural resources of the United States, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle D of title VIII, insert the following:

#### SEC. 83. CONVEYANCE OF THE OAKES TEST AREA OF THE GARRISON DIVERSION UNIT PROJECT, NORTH DAKOTA.

(a) DEFINITIONS.—In this section:

(1) AGREEMENT.—The term “Agreement” means a title transfer agreement between the United States and the District—

(A) to determine the legal, operational, institutional, and financial terms related to the conveyance of the Oakes Test Area as required under subsection (b); and

(B) to be entered into pursuant to the memorandum of agreement entitled “Memorandum of Agreement Between United States of America Department of the Interior Bureau of Reclamation and Dickey-Sargent Irrigation District for the Purpose of Defining Roles and Responsibilities for Actions Required to Prepare for Title Transfer of Certain Facilities, Land, and Appurtenances at the Garrison Diversion Unit Project Oakes Test Area”, dated December 18, 2018, and numbered 19AG620033.

(2) DISTRICT.—The term “District” means the Dickey-Sargent Irrigation District.

(3) OAKES TEST AREA.—The term “Oakes Test Area” means the facilities, land, and appurtenances of the approximately 5,000-acre prototype irrigation test area authorized as part of the Garrison Diversion Unit Project in the James River Basin, as described in the Agreement.

(b) CONVEYANCE TO DISTRICT.—As soon as practicable after the date of enactment of this Act, the Secretary shall convey to the District all right, title, and interest of the United States in and to the Oakes Test Area, consistent with the terms and conditions of the Agreement.

(c) LIABILITY.—

(1) IN GENERAL.—Effective on the date of conveyance to the District of the Oakes Test Area under this section, the United States shall not be held liable by any court for damages of any kind arising out of any act, omission, or occurrence relating to the Oakes Test Area, except for damages caused by acts of negligence committed by the United States or by an employee or agent of the United States prior to the date of conveyance.

(2) APPLICABLE LAW.—Nothing in this section increases the liability of the United States beyond the liability provided in chapter 171 of title 28, United States Code (commonly known as the “Federal Tort Claims Act”), on the date of enactment of this Act.

(d) BENEFITS.—After the conveyance of the Oakes Test Area to the District under this section—

(1) the Oakes Test Area shall not be considered to be a part of a Federal reclamation project; and



(2) the District shall not be eligible to receive any benefits with respect to any facility comprising that Oakes Test Area, other than benefits that would be available to a similarly situated person with respect to a facility that is not part of a Federal reclamation project.

(e) COMMUNICATION.—If the Secretary has not completed the conveyance required under subsection (b) by the date that is 1 year after the date of enactment of this Act, the Secretary shall submit to Congress a letter with sufficient detail that—

- (1) explains the reasons the conveyance has not been completed; and
- (2) specifies the date by which the conveyance will be completed.

#### NOTICE OF INTENT TO OBJECT TO PROCEEDING

I, Senator RON WYDEN, intend to object to proceeding to the nomination of Elizabeth Darling, of Texas, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services, dated February 5, 2019.

#### AUTHORITY FOR COMMITTEES TO MEET

Mr. RISCH. Mr. President, I have 9 requests for committees to meet during today's session of the Senate. They have the approval of the Majority and Minority leaders.

Pursuant to rule XXVI, paragraph 5(a), of the Standing Rules of the Senate, the following committees are authorized to meet during today's session of the Senate:

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 5, 2019, at 9:30 a.m., to conduct a hearing entitled "Examining the United States Central Command in review of the Defense Authorization Request for fiscal year 2020 and the Future Years Defense Program."

##### COMMITTEE ON ARMED SERVICES

The Committee on Armed Services is authorized to meet during the session of the Senate on Tuesday, February 5, 2019, at 2:15 p.m., to conduct a hearing entitled "Examining the United States Central Command in review of the Defense Authorization Request for fiscal year 2020 and the Future Years Defense Program."

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, February 5, 2019, at 10 a.m., to conduct a hearing entitled "Examining the outlook for energy and minerals markets in the 116th Congress."

##### COMMITTEE ON ENERGY AND NATURAL RESOURCES

The Committee on Energy and Natural Resources is authorized to meet during the session of the Senate on Tuesday, February 5, 2019, at 3:30 p.m., to conduct a business meeting entitled "Organizational business meeting to

consider committee rules, subcommittee assignments, and an original resolution authorizing expenditures by the committee."

##### COMMITTEE ON ENVIRONMENT AND PUBLIC WORKS

The Committee on Environment and Public Works is authorized to meet during the session of the Senate on Tuesday, February 5, 2019, at 10 a.m., to conduct a business meeting and the following nominations: Andrew Wheeler, of Virginia, to be Administrator, and Peter C. Wright, of Michigan, to be Assistant Administrator, Office of Solid Waste, both of the Environmental Protection Agency, Nicole R. Nason, of New York, to be Administrator of the Federal Highway Administration, Department of Transportation, John Fleming, of Louisiana, to be Assistant Secretary of Commerce for Economic Development, John L. Ryder, of Tennessee, to be a Member of the Board of Directors of the Tennessee Valley Authority.

##### COMMITTEE ON FINANCE

The Committee on Finance is authorized to meet during the session of the Senate on Tuesday, February 5, 2019, at 10:15 a.m., to conduct an organizational business meeting and the following nominations: Michael Faulkender, of Maryland, to be an Assistant Secretary, and Michael J. Desmond, of California, to be Chief Counsel for the Internal Revenue Service and an Assistant General Counsel, both of the Department of the Treasury, Jeffrey Kessler, of Virginia, to be an Assistant Secretary of Commerce, and Elizabeth Darling, of Texas, to be Commissioner on Children, Youth, and Families, Department of Health and Human Services.

##### COMMITTEE ON HEALTH, EDUCATION, LABOR, AND PENSIONS

The Committee on Health, Education, Labor, and Pensions is authorized to meet during the session of the Senate on Tuesday, February 5, 2019, at 10 a.m., to conduct a hearing entitled "How Primary Care Affects Health Care Cost and Outcomes."

##### COMMITTEE ON THE JUDICIARY

The Committee on the Judiciary is authorized to meet during the session of the Senate on Tuesday, February 5, 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, and Aditya Bamzai, of Virginia, and Travis LeBlanc, of Maryland, both to be a Member of the Privacy and Civil Liberties Oversight Board.

##### SELECT COMMITTEE ON INTELLIGENCE

The Select Committee on Intelligence is authorized to meet during the session of the Senate on Tuesday, February 5, 2019, at 2:30 p.m., to conduct a closed briefing.

#### AUTHORIZING APPOINTMENT OF ESCORT COMMITTEE

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Pre-

siding Officer of the Senate be authorized to appoint a committee on the part of the Senate to join with a like committee on the part of the House of Representatives to escort the President of the United States into the House Chamber for the joint session to be held at 9 p.m. on Tuesday, February 5, 2019.

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

#### MEASURE READ THE FIRST TIME—S. 340

Mr. McCONNELL. Mr. President, I understand that there is a bill at the desk, and I ask for its first reading.

The PRESIDING OFFICER. The clerk will read the bill by title for the first time.

The senior assistant legislative clerk read as follows:

A bill (S. 340) to promote competition in the market for drugs and biological products by facilitating the timely entry of lower-cost generic and biosimilar versions of those drugs and biological products.

Mr. McCONNELL. Mr. President, I now ask for a second reading, and in order to place the bill on the calendar under the provisions of rule XIV, I object to my own request.

The PRESIDING OFFICER. Objection having been heard, the bill will receive a second reading on the next legislative day.

#### NATIONAL FFA ORGANIZATION'S FEDERAL CHARTER AMENDMENTS ACT

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Committee on the Judiciary be discharged from further consideration of H.R. 439 and the Senate proceed to its immediate consideration.

The PRESIDING OFFICER. The clerk will report the bill by title.

The senior assistant legislative clerk read as follows:

A bill (H.R. 439) to amend the charter of the Future Farmers of America, and for other purposes.

There being no objection, the committee was discharged, and the Senate proceeded to consider the bill.

Mr. McCONNELL. I ask unanimous consent that the bill be considered read a third time.

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

The bill was ordered to a third reading and was read the third time.

Mr. McCONNELL. I know of no further debate on the bill.

The PRESIDING OFFICER. Is there further debate?

If not, the bill having been read the third time, the question is, Shall the bill pass?

The bill (H.R. 439) was passed.

Mr. McCONNELL. I ask unanimous consent that the motion to reconsider be considered made and laid upon the table.

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

## NATIONAL STALKING AWARENESS MONTH

The PRESIDING OFFICER. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of S. Res. 44, submitted earlier today.

The PRESIDING OFFICER. The clerk will report the resolution by title.

The senior assistant legislative clerk read as follows:

A bill (S. Res. 44) raising awareness and encouraging the prevention of stalking by designating January 2019 as "National Stalking Awareness Month."

The PRESIDING OFFICER. Is there objection to proceeding to the measure?

Without objection, it is so ordered.

There being no objection, the Senate proceeded to consider the resolution.

Mr. McCONNELL. I know of no further debate on the measure.

The PRESIDING OFFICER. Is there further debate?

If not, the question is on agreeing to the resolution.

The resolution (S. Res. 44) was agreed to.

Mr. McCONNELL. I ask unanimous consent that the preamble be agreed to and that the motions to reconsider be considered made and laid upon the table with no intervening action or debate.

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

The preamble was agreed to.

(The resolution, with its preamble, is printed in today's RECORD under "Submitted Resolutions.")

## ORDER FOR RECESS

Mr. McCONNELL. Mr. President, I ask unanimous consent that the Senate recess until 8:25 p.m. tonight and upon reconvening, proceed as a body to the Hall of the House of Representatives for the joint session of Congress provided under the provisions of H.

Con. Res. 9; that upon dissolution of the joint session, the Senate adjourn until 10 a.m., Wednesday, February 6; further, that following the prayer and pledge, the morning hour be deemed expired, the Journal of proceedings be approved to date, and the time for the two leaders be reserved for their use later in the day; finally, that following leader remarks, the Senate resume consideration of the motion to proceed to S. 47, with all time during the recess, adjournment, morning business, and leader remarks counting postcloture on the motion to proceed to S. 47.

The PRESIDING OFFICER. Is there objection?

Without objection, it is so ordered.

## RECESS

The PRESIDING OFFICER. The Senate stands in recess until 8:25 p.m.

Thereupon, the Senate, at 4:40 p.m., recessed until 8:25 p.m. and reassembled when called to order by the Presiding Officer (Mr. ROUNDS).

## JOINT SESSION OF THE TWO HOUSES—ADDRESS BY THE PRESIDENT OF THE UNITED STATES

The PRESIDING OFFICER. Under the previous order, the Senate will proceed as a body to the Hall of the House of Representatives to receive a message from the President of the United States.

Thereupon, the Senate, preceded by the Deputy Sergeant at Arms, Jennifer Hemingway; the Secretary of the Senate, Julie E. Adams; and the Vice President of the United States, MICHAEL R. PENCE, proceeded to the Hall of the House of Representatives to hear the address of the President of the United States, Donald J. Trump.

(The address delivered by the President of the United States to the joint session of the two Houses of Congress

is printed in the proceedings of the House of Representatives in today's RECORD.)

## ADJOURNMENT UNTIL WEDNESDAY, FEBRUARY 6, 2019, AT 10 A.M.

At the conclusion of the joint session of the two Houses, and in accordance with the order previously entered, at 10:35 p.m., the Senate adjourned until Wednesday, February 6, 2019, at 10 a.m.

## CONFIRMATIONS

Executive nominations confirmed by the Senate February 5, 2019:

## 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. FRANK A. RODMAN

## IN THE ARMY

THE FOLLOWING NAMED OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. ROBERT D. HARTER

THE FOLLOWING NAMED ARMY NATIONAL GUARD OF THE UNITED STATES OFFICER FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADE INDICATED UNDER TITLE 10, U.S.C., SECTIONS 12203 AND 12211:

*To be brigadier general*

COL. CHARLES M. SCHOENING

THE FOLLOWING NAMED OFFICERS FOR APPOINTMENT IN THE RESERVE OF THE ARMY TO THE GRADES INDICATED UNDER TITLE 10, U.S.C., SECTION 12203:

*To be major general*

BRIG. GEN. DAVID W. LING

*To be brigadier general*

COL. JOSEPH F. DZIEZYNSKI  
COL. RODNEY J. FISCHER

## IN THE MARINE CORPS

MARINE CORPS NOMINATIONS BEGINNING WITH SALEH P. DAGHER AND ENDING WITH NEVILLE A. WELCH, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 15, 2019.

MARINE CORPS NOMINATIONS BEGINNING WITH RICO ACOSTA AND ENDING WITH CHRISTINA F. ZIMMERMAN, WHICH NOMINATIONS WERE RECEIVED BY THE SENATE AND APPEARED IN THE CONGRESSIONAL RECORD ON JANUARY 15, 2019.